

BUTTE COUNTY AIR QUALITY MANAGEMENT DISTRICT

RULE 101 - DEFINITIONS

(Adopted February 23, 1971; Amended September 14, 1971, January 4, 1972, December 12, 1972, July 15, 1980, August 8, 1982; Recodified August 6, 1985; Amended December 13, 1988, June 6, 1989, September 18, 1990, July 7, 1992, January 12, 1993, April 18, 1996, August 20, 1998; Amended April 25, 2002; Recodified August 22, 2002)

- 1 DEFINITIONS:** Except as otherwise specifically provided in these Rules, and except where the context otherwise indicates, words used in these Rules are used in exactly the same sense as the same words are used in the Health and Safety Code (HSC) of the State of California.
 - 1.1 Agricultural Burning** means open outdoor fires used in agricultural operations in the management, range improvement, or the improvement of land for wildlife and game habitat or disease or pest prevention or the use of open outdoor fires used in the operation or the maintenance of a system for the delivery of water or wildland burning or forest management burning, including silviculture and timber operations, or prescribed burning.
 - 1.2 Agricultural Operation** means the growing and harvesting of crops, raising of fowl or animals for the primary purpose of making a profit, or providing a livelihood, or the conduction of agricultural research or instruction by an educational institution.
 - 1.3 Agricultural Wastes** means the unwanted or unsalable materials produced wholly from agricultural operations and materials not produced from agricultural operations, but which are intimately related to the growing or harvesting of crops.
 - 1.4 Air Contaminant or Pollutant** means any discharge, release, or other propagation into the atmosphere directly, and includes, but is not limited to, smoke, dust, charred paper, soot, grime, carbon, noxious acids, fumes, gases, odors, or particulate matter, or any combination thereof.
 - 1.5 Air Pollution Control Officer (APCO)** means the Air Pollution Control Officer of the Butte County Air Quality Management District (DISTRICT).
 - 1.6 Alteration** means any addition to, enlargement or replacement of, or any major modification or change of the design, capacity, process, or arrangement, or any increase in the connected loading of equipment or control apparatus, which will significantly increase or effect the kind or amount of air contaminant emitted.
 - 1.7 Ambient Air Quality Standards** means specified concentrations and

durations of air pollutants which reflect the relationship between the intensity and composition of air pollution to undesirable effects established by the California Air Resources Board (CARB) or, where applicable, by the federal government.

- 1.8 Atmosphere** means the air that envelopes or surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment, such emission into the building shall be considered an emission into the atmosphere.
- 1.9 Board** means the Governing Board of the Butte County Air Quality Management District.
- 1.10 Breakdown or Malfunction** means any unforeseeable failure or malfunction of any air pollution control equipment or operating equipment which causes a violation of any emission standard or limitation prescribed by the DISTRICT, State, or federal rules, regulations, or laws where such failure or malfunction:
 - 1.10.1** Is not the result of intent, neglect, or disregard of any air pollution control law, rule, or regulation;
 - 1.10.2** Is not the result of improper maintenance;
 - 1.10.3** Does not constitute a nuisance;
 - 1.10.4** Is not an excessively recurrent breakdown of the same equipment.
- 1.11 Brush-Treated** means the material to be burned has been felled, crushed or up-rooted with mechanical equipment, or has been desiccated with herbicides, or is dead.
- 1.12 CARB** means the California Air Resources Board, or any person authorized to act on its behalf.
- 1.13 CARB-Certified Vapor Recovery System** means a vapor recovery system which has been certified by the CARB pursuant to HSC Section 41954.
- 1.14 Change of Location** means any transfer of an existing permitted source from one location to another not on the same property or facility.
- 1.15 Chico Urban Area** means the area within the sphere of influence as defined by the City of Chico and adopted by the Local Agency Formation Commission.
- 1.16 Class I Area** means any area having air quality or air quality values requiring special protection, and which has been designated Class I by a federal, State, or local authority empowered to make such a designation.
- 1.17 Combustible or Flammable Waste** means any garbage, rubbish, trash, rags, paper, boxes, crates, excelsior, ashes, offal, carcass of a dead animal,

petroleum product waste or any other combustible or flammable refuse material.

- 1.18 Combustion Contaminant** means any particulate matter discharged into the atmosphere from the burning of any material which contains carbon in either the free or the combined state.
- 1.19 Commercial Entities** means non-residential and non-agricultural.
- 1.20 Condensed Fumes** means minute solid particles generated by the condensation of vapors from solid matter after volatilization from the molten state, or may be generated by sublimation, distillation, calcination, or chemical reaction, when these processes create airborne particles.
- 1.21 Construction-Demolition Debris** means any material associated with the construction or demolition of any building, dwelling, or other man-made structures, including but not limited to lumber, tar paper, roofing material, wiring, flooring material, insulation, and plywood.
- 1.22 Controlled Pollutant** means any air contaminant for which an ambient and/or emission standard exists at the county, state or federal level.
- 1.23 Designated Agency** means any agency designated by CARB and the DISTRICT as having authority to issue Agricultural Burn Permits.
- 1.24 DISTRICT** means the Butte County Air Quality Management District.
- 1.25 Dooryard** means residential or commercial burning done in a burn barrel or 4'x4' pile, where the commercial burning is performed for the purpose of fire hazard reduction to comply with local fire hazard reduction ordinances.
- 1.26 Dust** means the minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, or other similar process.
- 1.27 Emission** means the act of releasing or discharging air contaminants into the atmosphere from any source.
- 1.28 Emission Point** means the place, located in a horizontal plane and vertical elevation, at which an emission enters the atmosphere.
- 1.29 EPA** means the Environmental Protection Agency of the United States.
- 1.30 Excavation** means exposure to view by digging.
- 1.31 Exempt Compound:** A chemical identified in the following list. Exempt

compounds content of a coating shall be determined by South Coast Air Quality Management District Method 303-91 (Revised August 1996).

carbon monoxide
carbon dioxide
carbonic acid
metallic carbides or carbonates
ammonium carbonate
methane;
ethane
methylene chloride (dichloromethane);
1,1,1-trichloroethane (methyl chloroform);
1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);
trichlorofluoromethane (CFC-11);
dichlorodifluoromethane (CFC-12);
chlorodifluoromethane (HCFC-22);
trifluoromethane (HFC-23);
1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114);
chloropentafluoroethane (CFC-115);
1,1,1-trifluoro-2,2-dichloroethane (HCFC-123);
1,1,1,2-tetra-fluoroethane (HFC-134a);
1,1-dichloro-1-fluoroethane (HCFC-141b);
1-chloro-1,1-difluoroethane (HCFC-142b);
2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
pentafluoroethane (HFC-125);
1,1,2,2-tetrafluoroethane (HFC-134);
1,1,1-trifluoroethane (HFC-143a)
1,1-difluoroethane (HFC-152a);
parachlorobenzotrifluoride (PCBTF)
cyclic, branched, or linear, completely methylated siloxanes;
acetone
perchloroethylene (tetrachloroethylene)
3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca)
1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb)
1,1,1,2,3,4,4,5,5,5-decafluoropropane (HFC 43-10mee)
difluoromethane (HFC-32)
ethylfluoride (HFC-161)
1,1,1,3,3,3-hexafluoropropane (HFC-236fa)
1,1,2,2,3-pentafluoropropane (HFC-245ca)
1,1,2,3,3-pentafluoropropane (HFC-245ea)
1,1,1,2,3-pentafluoropropane (HFC-245eb)
1,1,1,3,3-pentafluoropropane (HFC-245fa)
1,1,1,2,3,3-hexafluoropropane (HFC-236ea)
1,1,1,3,3-pentafluorobutane (HFC-365mfc)
chlorofluoromethane (HCFC-31)
1 chloro-1fluoroethane (HCFC-151a)

1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a)
1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C₄F₉OCH₃)
2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane
((CF₃)₂CFCH₂OCH₃)
1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C₄F₉OC₂H₅)
2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane
((CF₃)₂CFCH₂OC₂H₅)

methyl acetate

perfluorocarbon compounds which fall into these classes:

Cyclic, branched, or linear, completely fluorinated alkanes;

Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations

Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations;

Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine;

1.32 Existing Retail Service Station means any retail service station operating, constructed, or under construction as of January 13, 1989.

1.33 Facility means any establishment or installation and the associated equipment.

1.34 Floating Roof means a pontoon-type or double-deck type roof, resting on the surface of the liquid contents and equipped with a closure seal, or seals, to close the space between the roof edge and tank wall. The control equipment provided for in Regulation II of these Rules and Regulations shall not be used if the gasoline or petroleum distillate has a vapor pressure of 11.0 pounds per square inch absolute or greater under actual storage conditions. All tank gauging and sampling devices shall be vapor-tight except when gauging or sampling is taking place.

1.35 Flue means any duct or passage for air, gases or the like, such as a stack or chimney.

1.36 Forest Management Burning means the use of open fires, as part of a forest management practice, to remove forest debris. Forest management practices include timber operations, silvicultural practices or forest production practices.

1.37 Fossil Fuel-Fired Steam Generator means a furnace or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer. "Fossil fuel" means natural gas, petroleum, coal and any form of solid, liquid, or gaseous fuel derived from such materials.

1.38 Fugitive Dust means solid airborne matter emitted from any non-combustion

sources.

- 1.39 Garbage** means every accumulation of animal, vegetable and other decomposable matter that attends or results from the preparation, consumption, decomposition or storage of meats, fish, fowl, birds, fruits, vegetables or other food products and food containers soiled with food stuff, and shall include dead animals, fowl, birds, fish and any offal.
- 1.40 Gasoline** means any organic liquid (including petroleum distillates and methanol) having a Reid vapor pressure of four (4) pounds or greater and used as a motor vehicle fuel or any fuel which is commonly or commercially known or sold as gasoline.
- 1.41 Gasoline Storage Tank** means any storage container, reservoir, or tank used for the storage of gasoline that is equipped with no vapor control, or utilizes splash loading, submerged fill pipe loading, or Phase I or II vapor recovery loading systems.
- 1.42 Gasoline Vapors** means the organic compounds in the displaced vapors including any entrained liquid gasoline.
- 1.43 Hearing Board** means the Hearing Board of the Butte County Air Quality Management District.
- 1.44 Hold-Open Latch** means a device which is part of a CARB-certified vapor recovery system and which allows for the hands-off refueling of a vehicle.
- 1.45 HSC** means the Health and Safety Code of the State of California.
- 1.46 Ignition Devices** means those instruments or materials that will ignite open fires without the production of black smoke by the ignition device. This would include such items as liquid petroleum gas, butane, or diesel oil burners, flares, or other similar materials as approved by the APCO is does not include tires, tar, tar paper, oil and other similar materials.
- 1.47 Incineration** means an operation in which combustion is carried on for the principal purpose, or with the principal result of oxidizing a waste material to reduce its bulk or facilitate its disposal.
- 1.48 Incinerator** means any furnace or other closed fire chamber used to dispose of combustible waste by burning and from which the products of combustion are directed through a flue or chimney.
- 1.49 Installation** means the placement, assemblage, or construction of equipment or control apparatus at the premises where the equipment or control apparatus will be used, including all preparatory work at such premises.

- 1.50 Leak-Free** means a liquid leak of less than three (3) drops per minute.
- 1.51 Modification** means any physical change in an existing facility or change in the method of operation which results or may result in either an increase or decrease in emission of any air pollutants subject to district control, or the emission of any such air pollutant not previously emitted. The following shall not be regarded as physical changes or changes in the method of operation:
- 1.51.1** Routine maintenance, repair or replacement with identical or equivalent equipment;
 - 1.51.2** Increased production rate or increased hours of operation where there is no increase in fixed capital cost, unless such production and hours are limited by permit conditions.
- 1.52 Motor Vehicle** has the same meaning as defined in Section 415 of the California Vehicle Code.
- 1.53 Multi-Unit Dwelling** means apartments, condominiums, four-plexes and other types of dwellings for more than two living units.
- 1.54 Multiple-Chamber Incinerator** means any article, machine, equipment, contrivance, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, inter-connected by gas passage ports or ducts employing adequate design parameters necessary for maximum combustion of the materials to be burned.
- 1.55 New Retail Service Station** means any retail service station which is not operating, constructed or under construction as of January 13, 1989.
- 1.56 No-Burn Day** means any day, or portion thereof, designated by the APCO, CARB, or, a local, State or federal fire protection agency having jurisdiction over the burn location, as a day, or portion thereof, during which no fires may be ignited and burning activity is prohibited.
- 1.57 Non-Agricultural Burning**, as regulated under the HSC, means all open burning:
- 1.57.1** Set or permitted by any public officer when necessary in his or her opinion for the purposes specified in the HSC which includes:
 - 1.57.1.1** Prevention of a fire hazard;
 - 1.57.1.2** Public employee instruction in fire fighting methods;
 - 1.57.1.3** Industrial site employee instruction in fire fighting methods;
 - 1.57.1.4** For disease or pest prevention where there is immediate need and no reasonable alternative to burning;

- 1.57.2 To dispose of wood waste from trees, vines, or bushes on the property where it was grown as described in the HSC:
 - 1.57.2.1 On property being developed for commercial or residential purposes;
 - 1.57.2.2 Cuttings from brush clearance done in compliance with local fire hazard reduction ordinances;
 - 1.57.3 At a solid waste disposal site pursuant to the HSC;
 - 1.57.4 for residential purposes as described in the HSC;
 - 1.57.4.1 To dispose of combustible or flammable solid waste of a single or two family dwelling on its premises;
 - 1.57.4.2 Fires used only for cooking food for human beings;
 - 1.57.4.3 Fires for recreational purposes;
 - 1.57.5 By a public entity or utility for purposes described in the HSC;
 - 1.57.5.1 Right of way clearing;
 - 1.57.5.2 Levee, reservoir, and ditch maintenance;
 - 1.57.6 For disposal of Russian Thistle pursuant to the HSC;
 - 1.57.7 For disposal of agricultural or wood waste in a mechanized burner as specified in the HSC.

- 1.58 **Offset Fill Pipe** means a fill pipe on a stationary storage tank which is loaded from the side and has its discharge opening entirely submerged when the liquid is eighteen inches (18") above the bottom of the tank.

- 1.59 **Open Out-Door Fire** means combustion of any combustible material of any type, outdoors in the open air, where the product of combustion is not directed through a flue.

- 1.60 **Orchard or Citrus Heaters** means any article, machine, equipment, or other contrivance, burning any type of fuel or material capable of emitting air contaminants, used or capable of being used for the purpose of giving protection from frost damage.

- 1.61 **Owner or Operator** means any person who owns, operates, controls, or supervises an affected facility, or a stationary source of which an affected facility is a part.

- 1.62 **Particulate Matter** means any material except uncombined water, which can exist in a finely divided form as a liquid or solid at standard conditions.

- 1.63 **Pathological Waste** means any material including but not limited to human or animal tissue, or natural constituents thereof, being combusted for reasons of waste reduction.

- 1.64 **Permissive Burn Day** means any day, or portion thereof, designated by the APCO as a day, or portion thereof during which fires may be ignited and burning activity for the disposal of approved fuel(s) and waste(s) is

authorized, and, which is not prohibited by either CARB, or, and local, State or federal fire protection agency having jurisdiction over the proposed burn location.

- 1.65 Person** means any person, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, operator, user or owner, any government agency or public district or any officer or employee thereof.
- 1.66 Phase I Vapor Recovery System** means a CARB-certified gasoline vapor recovery system which recovers vapors during the transfer of gasoline from delivery vessels into stationary storage tanks.
- 1.67 Phase II Vapor Recovery System** means a CARB-certified gasoline vapor recovery system which recovers vapors during the fueling of motor vehicles from stationary storage tanks.
- 1.68 Populated Area** means the urban areas of Chico, Oroville, Paradise, Gridley, Biggs, or any other urban area designated by the APCO.
- 1.69 Prescribed Burning** means the planned application of fire to vegetation on lands selected in advance of such application, where any of the purposes of the burning are specified in the definition of agricultural burning as set forth in HSC Section 39011.
- 1.70 Pressure Tank** means a tank which maintains working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere.
- 1.71 Process Weight Per Hour** means the total weight, including contained moisture, of all materials introduced into any specific process, which process may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. (The process weight per hour will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle).
- 1.72 Public Record** means any record made available to the public by law containing information relating to the conduct of the public's business that is prepared, owned, used or retained by the DISTRICT, except trade secrets.
- 1.73 Range Improvement Burning** means the use of open fires to remove vegetation for wildlife, game or livestock habitat, or for the initial establishment of an agricultural practice on previously uncultivated land.
- 1.74 Record** means handwriting, typewriting, printing, photostating,

photographing, and every other means of recording upon any form of communication or representation including letters, words, pictures, sounds, or symbols, or any combination thereof, and all papers, maps, magnetic or paper tapes, photographed films and prints, magnetic or punched cards, drums, and other documents.

- 1.75 Regulation** means one of the major subdivisions of the Rules of the DISTRICT.
- 1.76 Residential** means single and two family dwellings, and multi-unit dwellings where the burning is performed for the purpose of fire hazard reduction to comply with local fire hazard reduction ordinances.
- 1.77 Retail Service Station** means any new or existing motor vehicle fueling service station subject to payment of California sales tax on gasoline sales.
- 1.78 Rule** means a Rule of the DISTRICT.
- 1.79 Sensitive Receptor** means any Class I Area and/or any other areas deemed to be sensitive by the agency preparing the burn plan.
- 1.80 Single and Two Family Dwellings** means residential structures including duplexes, mobile homes, and aggregations of such dwellings.
- 1.81 Shutdown** means the cessation of operation of an affected facility for any purpose.
- 1.82 Silvicultural Practices** means the establishment, development, care and reproduction of stands of timber.
- 1.83 Smoke Management Zones** means zones as defined in Figure 1. For the purposes of managing non-agricultural burning activities, and further defined as follows:
 - 1.83.1 Lower Elevation Zone** means the areas of the valley floor and lower foothill areas not included in the upper elevation zone and including the Town of Paradise and the Upper Ridge area within the 95954 zip code.
 - 1.83.2 Upper Elevation Zone** means all areas above 3,000' elevation within Butte County; the community of Cohasset within the 95926 zip code and north and east of the junctions of Cohasset Road and Limpach Road; Forest Ranch including the 95942 zip code; Inskip and Stirling City including the 95978 zip code; Pulga, Yankee Hill and Big Bend areas east and north of the West Branch of the Feather River; Berry Creek including the 95916 zip code; Feather Falls including the 95940 zip code; Forbestown including the 95941 zip code; the Robinson Mills area east of Lumpkin Road from

Enterprise Bridge to the intersection of Lumpkin Road and Forbestown Road, east of Forbestown Road from the intersection with Lumpkin Road to the intersection with Black Bart Road, east of Black Bart Road from the intersection with Forbestown Road to the intersection with Sandra Lane, east of Sandra Lane from the intersection with Black Bart Road to the intersection with Wayman Lane, east of Wayman Lane from the intersection with Sandra Lane to the intersection with Fire Camp Road, north of Fire Camp Road from the intersection with Wayman Lane to the Yuba County Boundary.

- 1.84 **Solid Particulate Matter** means any material except uncombined water, which can exist in a finely divided form as solid at standard conditions.
- 1.85 **Solid Waste Dump** means any accumulation for the purpose of disposal of any solid waste.
- 1.86 **Solvents** include diluents and thinners and are defined as materials which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, except that such materials which exhibit a boiling point higher than 220°F at 0.5 millimeter mercury absolute pressure or have an equivalent vapor pressure shall not be considered to be solvents unless exposed to temperatures exceeding 220°F.
- 1.87 **Source** means any operation that produces and/or emits air pollution.
- 1.88 **Standard Conditions** are a gas temperature of 15 degrees Celsius (59 degrees Fahrenheit) and a gas pressure of 760 millimeters of mercury (14.7 pounds per square inch absolute). Results of all analysis and tests shall be calculated or reported at this gas temperature and pressure.
- 1.89 **Standard Cubic Foot of Gas** means the amount of gas that would occupy a volume of one (1) cubic foot, if free of water vapor, at standard conditions.
- 1.90 **Startup** means the setting in operation of an affected facility for any purpose.
- 1.91 **Submerged Fill Pipe** means any fill pipe which has its discharge opening entirely submerged when the liquid level is six inches (6") above the bottom of the tank.
- 1.92 **Tank Installation** means the installation of one or more stationary storage tanks at any facility or excavation of fifty percent (50%) or more of an existing facility's total underground liquid piping from stationary storage tanks to the gasoline dispensers.
- 1.93 **Throughput** means the volume of gasoline dispensed at a facility.

- 1.94 Timber Operations** means cutting or removal of timber or other forest vegetation.
- 1.95 Total Reduced Sulfur (TRS)** means total reduced sulfur contained in hydrogen sulfide, mercaptans, dimethyl disulfide or other organic sulfide compounds, all expressed as hydrogen sulfide. Sulfur dioxide, sulfur trioxide, or sulfuric acid are not to be included in the determination of TRS
- 1.96 Vapor Leak** means any source of gasoline vapors which cause a combustible gas detector meter reading of 100 percent of the Lower Explosive Limit (LEL). A marginal vapor leak may be verified by conducting a vacuum leak test. A vapor leak does not include any vapor resulting from liquid spillage or liquid leaks.
- 1.97 Vapor Recovery System** means a vapor gathering system capable of collecting the hydrocarbon vapors and discharged gases and a vapor disposal system capable of processing such hydrocarbon vapors and gases so as to prevent their emission to the atmosphere, with all tank gauging and sampling devices vapor-tight except when gauging or sampling is taking place.
- 1.98 Vapor-Tight** means either a leak of less than 100 percent of the Lower Explosive Limit (LEL) on a combustible gas detector measured at a distance of 2.5 cm (one inch) from the source, or no visible evidence of air entrainment in the sight glass of a liquid delivery hose.
- 1.99 Volatile Organic Compound (VOC)** means any compound containing at least one (1) atom of carbon, excluding any **Exempt Compound** as identified in this Rule 102 Definitions. (For the purposes of implementing DISTRICT Rule 430 *New Source Review* and Rule 431 *Emission Reduction Credits and Banking*, the term VOC is assumed to be the same as those compounds defined under the VOC definition.)
- 1.100 Wildland Vegetation Management Burning** means the use of prescribed burning conducted by a public agency, or through a cooperative agreement or contract involving a public agency, to burn land predominantly covered with chaparral, trees, grass or standing brush as defined in Title 14, California Administrative Code, Section 1561.1.
- 1.101 Wood Fired Boiler** means any boiler used for steam generation from which the products of combustion are directed through a flue or chimney and which derives at least 80 percent of its fuel input heat content from wood, or wood associated waste.
- 1.102 Wood Waste for the Purpose of Open Outdoor Burning** means combustible waste from trees, vines, bushes or other vegetative material.

Figure 1