

# NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

## **RULE 200 – PERMIT REQUIREMENTS**

*(Last amended May 8, 2001)*

### **CHAPTER II - PERMITS**

All permit requirements and procedures covered by this chapter are and shall be interpreted in accordance with the provisions of the Clean Air Act of 1977; the Code of Federal Regulations 52.21 (August 7,1980); Division 26 of the California Health and Safety Code; and the California Environmental Quality Act of 1970, as applicable, to comply with the California State Implementation Plan (SIP).

## **RULE 200 - PERMIT REQUIREMENTS**

### **(a) Authority to Construct or Modify**

A written authorization shall be obtained from the District prior to starting construction, modification, operation or use of any stationary or indirect source which may cause, potentially cause, single authorization may be issued for all components of an integrated system or process. An Authority to Construct shall remain in effect for one (1) year or until a Permit to Operate is issued or denied, or the application is canceled at the request of the applicant, whichever occurs first. If the Authority to Construct expires prior to issuance of a Permit to Operate, the authorization may be extended by the applicant submitting an annual renewal fee per Rule 300(f). Construction not in accordance with this Authority to Construct shall be sufficient reason to deny a Permit to Operate.

### **(b) Applications**

All applications for an Authority to Construct, Erect, Modify, Replace, Operate or Use any equipment or indirect source which may cause, potentially cause, reduce, control, or eliminate the emission of air contaminants, shall be filed at the office of the District or its designated agent for accepting applications, except as provided in Rule 220(c) for new power plants. Such application shall contain all information requested by the District from the list adopted pursuant to "AB 884" (1977). Upon request of the Control Officer, any existent stationary source of air contaminant emissions, actual or potential, shall apply for a Permit to Operate from the District. The applicant for an Authority to Construct or Permit to Operate shall pay the fees as specified in Chapter III-Fees.

### **(c) Preliminary Determinations**

In acting upon an application for an Authority to Construct, the Control Officer shall make the following determinations:

- (1) Whether the project application is subject to the requirements of Regulation 1 of the California North Coast Air Basin.
- (2) Whether the project application is ministerial, categorically exempt, or subject to an environmental evaluation in accordance with the requirements of the California Environmental Quality Act of 1970.

(3) Whether the project application is subject to the new source review procedures specified in Rule 220(b).

(4) Whether the project is subject to the new power plant review procedures specified in Rule 220(c).

(5) Whether the project application is subject to the requirements of federal new source performance standards (Rule 490), or subject to national emission standards for hazardous air pollutants (Rule 492).

(6) Whether the project is classified as a major stationary source or major modification under the provisions of the Code of Federal Regulations 52.21 and subject to all applicable prevention of significant deterioration review requirements.

#### **(d) General Exemptions**

An Authority to Construct and Permit to Operate shall be required for all new or modified plants, equipment, process operations or indirect sources which may emit air contaminants with the following exceptions:

(1) Any vehicle as defined in the Vehicle Code.

(2) Equipment utilized exclusively in connection with any structure, which structure is designed for and used exclusively as a dwelling for not more than four families.

(3) Barbecue equipment which is not used for commercial purposes.

(4) Orchard, vineyard or citrus grove heaters.

(5) Any equipment used in agricultural operations in the growing of crops or the raising of fowl or animals.

(6) Mixing, blending, conveying, or other mechanical systems which do not, directly or indirectly, emit air contaminants.

(7) Gasoline and organic liquid storage tanks having a capacity of less than 250 gallons.

(8) Any article, machine, equipment or other contrivance which the Control Officer finds emits air contaminants below the significance level and he determines should be exempted.

A Federal Operating (Title V) Permit shall be required for any source that is a Major Source as defined in District Regulation 5 (Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal Clean Air Act Amendments of 1990), including Agricultural Sources upon amendment of the California Health and Safety Code to allow the issuance of Title V permits to agricultural production sources.

No exemption from the requirements listed herein under Rule 200(d) for an Authority to Construct or Permit to Operate may be allowed for any individual source which is subject to new source review in accordance with Rule 220(b).

