

July 14, 2020

Ms. Laura Yannayon  
US EPA Pacific Southwest, Region 9  
75 Hawthorne St.  
San Francisco, CA 94105

**Re: Notice of Preliminary Decision – Model General Permit: Air Curtain  
Incinerators (Portable Registered)  
Project #: C-1202647**

Dear Ms. Yannayon:

Enclosed for your review is the District's draft Model General Permit for Air Curtain Incinerators that are portable registered units pursuant to District Rule 2280.

The notice of preliminary decision for this project has been posted on the District's website ([www.valleyair.org](http://www.valleyair.org)). After addressing all comments made during the 30-day public notice and the 45-day EPA comment periods, the District intends to issue the Model General Permit. Please submit your written comments on this project within the 30-day public comment period, as specified in the enclosed public notice.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Nick Peirce, Permit Services Manager at (209) 557-6445.

Sincerely,



Arnaud Marjolle  
Director of Permit Services

Enclosures

cc: Courtney Graham, CARB (w/enclosure) via email

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

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# SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

## Statement of Basis for Model General Permit (Title V): Portable Air Curtain Incinerators Registered Under District Rule 2280

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# **Statement of Basis for Model General Permit**

## **Portable Air Curtain Incinerators Portably Registered Under District Rule 2280**

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### **I. PURPOSE**

District Rule 2280, *Portable Equipment Registration*, as amended on December 20, 2018 to include Air Curtain Burn Boxes (ACBB), also referred to as air curtain incinerators, as a source category of that can be registered, along with the engines used to power them. Air curtain incinerators (ACI) that may be registered under these provisions do not include units that will be operated at an existing “Stationary Source” as defined in District Rule 2201, *New and Modified Source Review*. Although qualifying air curtain incinerators are only issued registrations by the District, 40 CFR 60 Subparts CCCC<sup>1</sup> and EEEE<sup>2</sup> each require Air Curtain Incinerators to obtain a Federal Part 70 (Title V) Permit. Most typically, portably registered air curtain incinerators are subject to the requirements of 40 CFR 60 Subpart EEEE; therefore, this general permit will be limited to such units.

To streamline the Title V permitting process for portable ACI units, the District will issue a Model General Permit (Title V) for these units. District Rule 2520 allows for the issuance of a Model General Permit, which can serve as the Title V permit for numerous similar sources. This document will serve as the statement of basis for the issuance of the Model General Permit for Air Curtain Incinerators that are registered under District Rule 2280. The following category of source will be issued a Model General Permit:

- Air Curtain Incinerators, portable units registered under District Rule 2280, electric or with internal combustion engines, not operated at a stationary source

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<sup>1</sup> 40 CFR 60 Subpart CCCC – Standards of Performance for Commercial and Industrial Solid Waste Incineration Units

<sup>2</sup> 40 CFR 60 Subpart EEEE – Standards of Performance for Other Solid Waste Incinerations Units for which Construction is Commenced After December 9, 2004, or for which Modification or Reconstruction is Commenced on or after June 16, 2006

## II. MODEL GENERAL PERMIT PROCEDURAL REQUIREMENTS

The procedural requirements for issuing a General Permit are included in District Rule 2520, *Federally Mandated Operating Permits*. The definition of General Permit in Rule 2520 states that permits issued under general permit provisions are subject to the same requirements of any Part 70 permit relating to renewal, revision, and permit term and content.

The definition of Model General Permit includes further procedural requirements that must be met prior to issuance. The model permit issued by the District must be noticed and there must be opportunity for public participation provided under Sections 11.1.4 and 11.1.5 of Rule 2520. Furthermore, the general permit must meet the requirements of 40 CFR 70.6(d), must comply with all the requirements applicable to other Part 70 permits, and must identify the criteria by which sources may qualify for the general permit. Additionally, the model permit must specify the necessary application content for sources applying for the general permit. Finally, general permits may not be issued to affected sources under the acid rain program unless otherwise provided in Title IV regulations of the Clean Air Act.

Section 11.1.4 of Rule 2520 requires a 30-day public notification be performed, and outlines the necessary requirements that must be met for the public notification. Section 11.1.5 requires that an EPA notification be performed. Thus a 30-day public notice and EPA notification must be performed prior to the issuance of the Model General Permit.

40 CFR 70.6(d)(1) states that the permitting authority may, after notice and opportunity for public participation provided under §70.7(h) of this part, issue a general permit covering numerous similar sources. The general permit must comply with all the applicable requirements that other part 70 permits comply with and must identify the criteria by which sources may qualify for the general permit. §70.7(h) requires a 30-day public notice be performed.

40 CFR 70.6(d)(2) states that sources that would qualify for a general permit must apply to the permitting authority for coverage under the terms of the general permit, or must apply for a Part 70 permit.

Section 8.0 of District Rule 2520 states that model general permits are valid for up to five years.

Section 9.0 of District Rule 2520 states that model general permits must include the same elements (Emission limits and Standards, Expiration Date, Monitoring Requirements, Recordkeeping Requirements, Reporting Requirements, etc.) that a normal Part 70 permit includes.

Section 11.1.6 states that the APCO must provide a written response to persons or agencies that submitted written comments on the issuance of the model general permit, and that the District must keep copies of written comments and responses on file at the District.

Section 11.2.1 states that for applications meeting the qualifications as specified in a model general permit, the APCO may issue a general permit containing the terms and conditions of the model general permit without repeating the public participation requirements required under Section 11.1.4 of this rule.

District Rule 2520 procedural requirements will be satisfied during the issuance of the Model General Permits.

### **III. PROCESS DESCRIPTION**

Air curtain incinerators are used to dispose of biomass materials such as (but not limited to) wood, leaves, tree branches, tree stumps, tree trunks, nut shells, tumbleweeds, clean lumber, yard waste, and diseased beehives. An air curtain incinerator consists of a refractory-lined, open-top firebox and a fan. Depending on the availability of electricity at the site, the fan may be powered by an electric motor, or by a small internal combustion engine. Air curtain incinerators may be stationary or may be portable units that move to different locations.

Biomass material is loaded through the top opening of the firebox by heavy equipment such as a grapple loader or claw. The wood is then ignited. Ignition of the wood material may be performed with the aid of accelerants (gasoline, diesel, kerosene, or other fuels), or with a propane torch, driptorch, or flare. Alternatively, a "hot start" may be performed using the bottom layer of hot embers from the previous day's burn. Unlike conventional incinerators, there are no burners or use of supplementary fuels to support combustion of the biomass. Once the fire is ignited, it is allowed to burn for 15-20 minutes before the air curtain is engaged.

The air curtain is produced by the fan that distributes air across the top of the firebox by means of a manifold lining the top of one side of the firebox. The high velocity air curtain is directed at a slight downward angle so that a rotational air current develops within the upper portion of the firebox. The air curtain promotes more complete combustion by: (1) oxygenating the fire, increasing its temperature (1,600 - 2,200 °F), which helps combust green wood, and (2) increasing the residence time of gases and particles within the firebox by impeding their upward flow out of the firebox. The result is a burn with visible emissions not exceeding 10% opacity. As the wood material in the firebox burns down, new material is periodically dropped by a loader through the top opening of the firebox. When new material is dropped into the firebox, the air curtain is

briefly “broken” and a puff of smoke may be emitted. According to a number of emissions tests performed, the exhaust flow exits the firebox along the side opposite the air curtain manifold.

#### **IV. ELIGIBILITY**

In order to be eligible to operate under the model general permits that will be generated by this permitting action, an air curtain incinerator must meet the following criteria:

1. The air curtain incinerator must have been issued a portable registration pursuant to District Rule 2280. Units operating at stationary sources and ARB-registered units are not eligible to operate under the model general permits generated by this permitting action.
2. The air curtain incinerator must be subject to 40 CFR 60 Subpart EEEE, *Standards of Performance for Other Solid Waste Incineration Units for which Construction Commenced After December 9, 2004, or for which Modification or Reconstruction is Commenced on or after June 16, 2006.*
3. Only agricultural materials listed on the APCO prepared list of “Air Curtain Burn Box Approved Agricultural Materials,” forest management materials, or hazard reduction materials may be burned in the air curtain incinerator. For a copy of the Air Curtain Burn Box Approved Agricultural Materials list, please see Appendix C.
4. The maximum quantity of material incinerated by the air curtain incinerator does not exceed any of the following:
  - a. As part of a single project, which is one or more registered portable air curtain incinerators operated on one or more contiguous or adjacent properties, no more than 100 tons of waste material shall be burned in any one day.
  - b. No more than 7,500 tons of waste material shall be burned in any one year.
5. Emissions from the air curtain incinerator does not exceed any of the following:
  - a. NO<sub>x</sub> and VOC emissions may not exceed 100 pounds during any one day, for each pollutant.
  - b. PM<sub>10</sub> emissions may not exceed 150 pounds during any one day.
  - c. Actual emissions may not exceed 10 tons per year of any affected pollutant when operated in any participating District.

6. Combustion is started using a propane or butane torch, driptorch, or flare. No accelerant (gasoline, diesel, kerosene, or other fuel) may be used to start combustion.
7. If equipped with an internal combustion engine to power the air curtain, the engine must be certified to the most stringent emission standard in effect for the applicable horsepower range at the time the application for initial registration is submitted to the District.

## **V. SCOPE OF EPA AND PUBLIC REVIEW**

All federally enforceable conditions in the draft Model General Permit are subject to EPA and public review prior to the issuance of the Model General Permit.

## **VI. FEDERALLY ENFORCEABLE REQUIREMENTS**

- District Rule 1070, Inspections
- District Rule 1080, Stack Monitoring (amended December 17, 1992)
- District Rule 1081, Source Sampling (amended December 16, 1993)
- District Rule 1100, Equipment Breakdown (amended December 17, 1992)
- District Rule 2020, Exemptions (amended December 18, 2014)
- District Rule 2410, Prevention of Significant Deterioration (Adopted June 16, 2011)
- District Rule 2520, Federally Mandated Operating Permits (Amended June 21, 2001)
- District Rule 4001, New Source Performance Standards (Amended April 14, 1999)
- District Rule 4002, National Emission Standards for Hazardous Air Permits (Amended May 20, 2004)
- District Rule 4101, Visible Emissions (amended February 17, 2005)
- District Rule 4103, Open Burning (Amended April 15, 2010)

- District Rule 4106, Prescribed Burning and Hazard Reduction Burning (Adopted June 21, 2001)
- District Rule 4201, Particulate Matter Concentration (Amended December 17, 1992)
- District Rule 4202, Particulate Matter – Emission Rate (Amended December 17, 1992)
- District Rule 4301, Fuel Burning Equipment (Amended December 17, 1992)
- District Rule 4302, Incinerator Burning (Amended December 16, 1993)
- District Rule 4601, Architectural Coatings (Amended December 17, 2009)
- District Rule 4701, Internal Combustion Engines – Phase 1 (Amended August 21, 2003)
- District Rule 4702, Internal Combustion Engines (Amended November 14, 2013)
- District Rule 8011, Fugitive Dust General Requirements (Amended August 19, 2004)
- District Rule 8021, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Construction, Demolition, Excavation, and Extraction Activities (Amended August 19, 2004)
- District Rule 8031, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Handling and Storage of Bulk Materials (Amended August 19, 2004)
- District Rule 8041, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Carryout and Trackout (Amended August 19, 2004)
- District Rule 8051, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Open Area (Amended August 19, 2004)
- District Rule 8061, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Paved and Unpaved Roads (Amended August 19, 2004)

- District Rule 8071, Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Unpaved Vehicle/Equipment Areas (Amended September 16, 2004)
- District Rule 8081, Agricultural Sources (Amended September 16, 2004)
- 40 CFR Part 60, Subpart EEEE, Standards of Performance for Other Solid Waste Incineration Units for which Construction is Commenced After December 9, 2004, or for which Modification or Reconstruction is Commenced on or after June 16, 2006 (Adopted December 16, 2005)\
- 40 CFR Part 64, Compliance Assurance Monitoring

## VII. REQUIREMENTS NOT FEDERALLY ENFORCEABLE

For each Title V source, the District issues a single permit that contains the Federally Enforceable requirements as well as the District-only requirements. The District-only requirements are not a part of the Title V Operating Permits. The terms and conditions that are part of the facility's Title V permit are designated as "Federally Enforceable through Title V Permit".

For this facility, the following rules are not federally enforceable and will not be discussed in further detail:

- District Rule 1160, Emission Statements (Adopted November 18, 1992)
- District Rule 2280, Portable Equipment Registration (amended December 20, 2018)
- District Rule 4102, Nuisance (Amended December 17, 1992)
- California Code of Regulations 93116, Airborne Toxic Control Measure for Diesel Particulate Matter from Portable Engines Rated at 50 Horsepower and Greater

## VIII. COMPLIANCE

### A. District Rule 1070, Inspections

The purpose of this rule is to explain the District's authority in determining compliance with District rules and regulations. District Rule 1070 had been submitted to the EPA to replace several SIP-approved County Rules. However, EPA subsequently removed those County Rules from the California SIP (see 40 CFR Section 52.220). The County Rules were removed when EPA removed various rules describing the investigative and/or enforcement authority of local agencies from the SIP. EPA stated that the reason for removing these rules was that although states may need to adopt such rules to demonstrate adequate enforcement authority under the Clean Air Act, they should not be approved into the SIP to avoid potential conflicts with EPA's independent enforcement authority provided in the Clean Air Act. Although the County Rules are no longer contained in the SIP, the requirements in the County Rules are also contained in Sections 9.3, 9.4, and 13.2 of District Rule 2520, the District's Title V operating permit program, which has been approved by EPA; therefore, conditions referencing Rule 1070 will also reference Rule 2520 and remain Federally Enforceable Through Title V. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *Owner/operator shall maintain records of all opacity testing for a period of at least five years and make records available to the District upon request. [District Rules 1070, 2280, and 4001, and 40 CFR 60.2973] Federally Enforceable Through Title V Permit*

- *Daily emissions shall be calculated as follows: daily emissions (lb/day) = tons of approved agricultural materials burned in a day x emission limits (lb/ton) for each pollutant (see emissions condition above). Total daily emissions, by pollutant, is the sum of each pollutant for each air curtain burn box for a project. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *Owner/operator shall maintain cumulative annual records of the tons of approved agricultural materials burned in the air curtain burn box when operated in any participating district. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *Annual unit emissions shall be calculated as follows: annual emissions lb/ton = tons of approved agricultural material burned in a year x emission limits (lb of emissions/ton of material) ÷ 2000 (lb/ton). [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *All records specified in the recordkeeping requirements of District Rule 2280 shall be submitted to the District within 30 days after the end of each calendar quarter. [District Rules 1070, 2280, and 2520] Federally Enforceable Through Title V Permit*

#### **B. District Rule 1080 – Stack Monitoring**

This Rule is applicable to sources that are required to install continuous monitoring equipment. Air curtain incinerators and portable registered internal combustion engines are not required to be equipped with continuous monitoring equipment; therefore, the requirements of District Rule 1080 are not applicable.

#### **C. District Rule 1081 – Source Sampling**

The purpose of this rule is to ensure that any source operation that emits or may emit air contaminants provides adequate and safe facilities for use in sampling to determine compliance. The rule also specifies methods and procedures for source testing, sample collection, and compliance demonstration.

##### Air Curtain Incinerator Source Sampling Requirements

The following conditions will be included on the draft Model General Permit (see Appendix A):

- *Owner/operator shall notify the District at least 30 calendar days prior to any compliance opacity testing and an opacity test plan shall be submitted for approval at least 15 calendar days prior to testing. [District Rules 1081 and 2280] Federally Enforceable Through Title V Permit*
- *Opacity observations shall be made at the point of greatest opacity in that portion of the plume where condensed water vapor is not present. [District Rule 1081] Federally Enforceable Through Title V Permit*
- *Owner/operator shall conduct periodic testing for opacity at least once every 12 calendar months. Opacity testing shall consist of one 30 minute cold start observation and three 1 hour observations under normal steady state operation. [District Rules 1081, 2280, and 4001, 40 CFR 60.2972] Federally Enforceable Through Title V Permit*
- *Owner/operator shall submit to the District a copy of the opacity test results in paper or electronic format no later than 60 calendar days after completion of the testing. [District Rules 1081, 2280 and 4001, 40 CFR 60.2973] Federally Enforceable Through Title V Permit*

#### **D. District Rule 1100 – Equipment Breakdown**

This rule defines breakdown condition and procedures to follow if one occurs. The corrective action, the issuance of an emergency variance, and the reporting requirements are also specified. Sections 6.0 and 7.0 prescribe breakdown procedures and reporting requirements. District Rule 1100 has been submitted to EPA to replace County Rules that are in the State Implementation Plan. The District has previously demonstrated that District Rule 1100 is at least as stringent as the county SIP Rules addressing breakdowns (See Umbrella Model General Template 0-3). The following conditions will be included on the draft Model General Permit (see Appendix A):

- *{4362} The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit*

- *{4363} The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit*
- *{4372} Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit*

#### **E. District Rule 2020 – Exemptions**

District Rule 2020 lists equipment that is specifically exempt from obtaining permits and specifies recordkeeping requirements to verify such exemptions. Section 6.1.2 of Rule 2020 specifically exempts piston type internal combustion engines with a manufacturer's maximum continuous rating of 50 braking horsepower (BHP) or less. Thus, diesel engines powering the air curtain fan are exempt from permitting requirements if the engine is rated at 50 BHP or less.

District Rule 2020 6.6.13 exempts portable emission units from obtaining a an Authority to Construct (ATC) or Permit to Operate (PTO), provided that the portable emissions unit:

1. Has a valid registration and is operated in accordance with the provisions of District Rule 2280; and
2. The unit is not operated such that it becomes part of the operation of an existing stationary source; and
3. The portable emissions unit is not subject to the District's Title V permitting requirements (Rule 2520, Federally Mandated Operating Permits).

As demonstrated above, District Rule 2020 does not exempt portable emission units that are subject to District Title V permitting requirements; therefore, the ACI's are required to obtain a Permit to Operate. The Model General Permit will serve as the Federally Enforceable Permit to Operate for the portable registered ACI's; therefore, the requirement to obtain a Permit to Operate will be satisfied by this permitting action.

#### **F. District Rule 2280 – Portable Equipment Registration**

District Rule 2280 establishes the administrative mechanism and standards of registration for certain portable emission units. Section 2.6 of this rule states that air curtain burn boxes may be registered under Rule 2280.

Section 5.3 is applicable to diesel-fired piston type internal combustion engines. Section 5.3.1 states that such engines may not be operated unless the engine meets the diesel particulate matter standards in the California Airborne Toxic Control Measure (17 CCR 93116) for portable engines. Section 5.3.2 states that a diesel-fired engine may only operate on diesel fuel which meets the specifications 17 CCR 93116. Finally, Section 5.3.3 states that visible emissions may not exceed Ringlemann 1 or equivalent 20% opacity for a period or periods aggregating more than 3 minutes in any one hour.

The following conditions will be included on the draft Model General Permit (see Appendix A):

- *If the air curtain burn box is powered by a compression ignited internal combustion engine to power the unit then the engine shall only be fired on the following fuels: 1) CARB diesel fuel; 2) Alternative diesel fuel that has been verified through the Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines; or 3) CARB diesel fuel utilizing fuel additives that have been verified through the Verification Procedure for In-Use strategies to Control Emissions from Diesel Engines. [District Rule 2280 and 17 CCR 93116]*
- *If the air curtain burn box is equipped with an internal combustion engine to power the unit, the engine shall be a certified compression-ignition engine or certified spark-ignition engine that is certified to the most stringent emissions standard in effect for the applicable horsepower range at the time the application for initial registration is submitted to the District. [District Rules 2280 and 2520, and CCR 93116] Federally Enforceable Through Title V Permit*

- *If the air curtain burn box is powered by a compression ignited internal combustion engine with a maximum rating equal to or greater than 50 BHP, then permittee shall comply with the fleet emissions requirements of 17 CCR 93116 (3)(c) and 17 CCR 93116(3)(d) and shall comply with the fleet recordkeeping and reporting requirements of 17 CCR 93116.4. [District Rule 2280 and 17 CCR 93116]*
- *If the air curtain burn box is equipped with an internal combustion engine to power the unit, visible emissions from the engine shall not exceed Ringelmann 1 or equivalent 20% opacity for a period or periods aggregating more than 3 minutes in any on hour. [District Rule 2280]*

Section 5.6 requires the following for spark ignition internal combustion engines:

1. NOx emissions may not exceed 1.5 g/bhp-hr (100 ppmv @ 15% O<sub>2</sub>)
2. VOC emissions may not exceed 1.5 g/bhp-hr (650 ppmv @ 15% O<sub>2</sub>)
3. CO emissions may not exceed 2.0 g/bhp-hr (500 ppmv @ 15% O<sub>2</sub>)
4. Visible emissions may not exceed Ringelmann 1 or 20% opacity for a period or periods aggregating more than 3 minutes in any one hour.

The following conditions will be included on the draft Model General Permit (see Appendix A):

- *If the air curtain burn box is equipped with a spark-ignited internal combustion unit rated greater than 50 BHP to power the unit, the engine shall meet the following emission limits: NOx: 1.5 g/bhp-hr (equivalent to 100 ppmv @ 15% oxygen); VOC: 1.5 g/bhp-hr (equivalent to 650 ppmv @ 15% oxygen); and CO: 2.0 g/bhp-hr (equivalent to 500 ppmv @ 15% oxygen). [District Rule 2280]*
- *If the air curtain burn box is equipped with an internal combustion engine to power the unit, visible emissions from the engine shall not exceed Ringelmann 1 or equivalent 20% opacity for a period or periods aggregating more than 3 minutes in any on hour. [District Rule 2280]*

Section 5.7.1 states that only agricultural materials listed on the APCO prepare list of "air Curtain Burn Box Approved Agricultural Materials," forest management materials, or hazard reduction materials may be burned in the air curtain burn box. For the complete list of agricultural materials that may be combusted, see Appendix C. The following condition will be included on the draft Model General Permit (see Appendix A):

- *Only agricultural materials listed on the APCO prepared list of "Air Curtain Burn Box Approved Agricultural Materials," forest management materials or hazard reduction materials may be burned in an air curtain burn box. [District Rules 2280, 2520, and 4001, 40 CFR 60.2974] Federally Enforceable Through Title V Permit*

Section 5.7.2 states that during the startup period, which may not exceed 30 minutes of operation, no air contaminants may be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark as or darker than Ringelmann 1 or equivalent to 20% opacity. The following condition will be included on the draft Model General Permit (see Appendix A):

- *During the start-up period, which shall not exceed the first 30 minutes of operation, no air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark as or darker than Ringelmann 1 or equivalent to 20% opacity. [District Rules 2280, 4001, and 4101, and 40 CFR 60.2971] Federally Enforceable Through Title V Permit*

Section 5.7.3 states that after the startup period, visible emissions may not equal or exceed either of the following limits:

1. Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour; or
2. 10% opacity as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values.

The following condition will be included on the draft Model General Permit (see Appendix A):

- *After the startup period, during steady state operation, visible emissions from the air curtain burn box shall not equal or exceed either of the following limits: Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour or 10% opacity as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values. [District Rules 2280, 4001, and 4101, and 40 CFR 60.2971] Federally Enforceable Through Title V Permit*

Section 5.7.4 states that emissions from the air curtain burn box may not exceed the following emission limits (in units of pounds per ton of agricultural waste material): 1.0 lb-NO<sub>x</sub>/ton, 0.1 lb-SO<sub>x</sub>/ton, 1.3 lb-PM<sub>10</sub>/ton, 2.6 lb-CO/ton, or 0.9 lb-VOC/ton. The following condition will be included on the draft Model General Permit (see Appendix A):

- *Emissions (in units of pounds per ton of approved agricultural materials) from the air curtain burn box shall not exceed any of the following limits: 1.0 lb-NO<sub>x</sub>/ton, 0.1 lb-SO<sub>x</sub>/ton, 1.3 lb-PM<sub>10</sub>/ton, 2.6 lb-CO/ton, or 0.9 lb-VOC/ton. [District Rule 2280] Federally Enforceable Through Title V Permit*

Section 5.7.5 states that the owner/operator must conduct an initial test for opacity within the first 60 days of operating at full load, but no later than 120 days after initial startup. This condition will have been satisfied prior to operating the unit under this Model General Permit.

Section 5.7.6 states that the owner must conduct periodic testing for opacity at least once every 12 calendar months. Section 5.7.7 states that opacity testing must consist of one 30-minute cold start observation and three 1-hour observations under normal steady state operation. The following condition will be included on the draft Model General Permit (see Appendix A):

- *Owner/operator shall conduct periodic testing for opacity at least once every 12 calendar months. Opacity testing shall consist of one 30 minute cold start observation and three 1 hour observations under normal steady state operation. [District Rules 1081, 2280, and 4001, and 40 CFR 60.2972] Federally Enforceable Through Title V Permit*

Section 5.7.8 states that opacity testing must be conducted using EPA Method 9 and must be conducted by an observer certified pursuant to EPA Method 9. The following condition will be included on the draft Model General Permit (see Appendix A):

- *Compliance with the opacity limits on this registration shall be determined by EPA Method 9 and shall be conducted by an observer certified pursuant to EPA Method 9. [District Rule 2280, 4001, 4101, and 40 CFR 60.2972] Federally Enforceable Through Title V Permit*

Section 5.7.9 states that the owner/operator must notify the District at least 30 days prior to any compliance opacity testing and an opacity test plan must be submitted for approval at least 15 calendar days prior to testing. The following condition will be included on the draft Model General Permit (see Appendix A):

- *Owner/operator shall notify the District at least 30 calendar days prior to any compliance opacity testing and an opacity test plan shall be submitted for approval at least 15 calendar days prior to testing. [District Rules 1081 and 2280] Federally Enforceable Through Title V Permit*

Section 5.7.10 states that the owner/operator must submit to the District a copy of the opacity test results in paper or electronic format no later than 60 calendar days after completion of the testing. The following condition will be included on the draft Model General Permit (see Appendix A):

- *Owner/operator shall submit to the District a copy of the opacity test results in paper or electronic format no later than 60 calendar days after completion of the testing. [District Rules 1081, 2280, and 4001, and 40 CFR 60.2973] Federally Enforceable Through Title V Permit*

Section 5.7.11 states that the owner/operator must maintain records of all opacity testing for a period of at least five years and make records available to the District upon request. The following condition will be included on the draft Model General Permit (see Appendix A):

- *Owner/operator shall maintain records of all opacity testing for a period of at least five years and make records available to the District upon request. [District Rules 1070, 2280, and 4001, 40 CFR 60.2973] Federally Enforceable Through Title V Permit*

Section 5.7.12 states that the owner/operator must use the following best practices when operating an air curtain incinerator:

1. When conducting a cold start, the operator must use a propane torch, or flare to ignite the material inside the burn box. No accelerants (e.g. gasoline, diesel fuel, kerosene, turpentine, etc.) may be used.
2. Materials must be loaded into the burn box such that they do not protrude above the air curtain.
3. The air curtain burn box must be attended at all times while materials are being burned or flames are visible inside the burn box.

4. After the last material has been added, airflow must be maintained until all material within the burn box has been reduced to coals, and flames are no longer visible.
5. Wood ash removed from the firebox must be handled, stored, and disposed of in a manner minimizing entrainment into the atmosphere.
6. The air curtain burn box must be operated according to manufacturer's specifications and in a manner to minimize emissions of air contaminants into the atmosphere.

The following conditions will be included on the draft Model General Permit (see Appendix A):

- *When conducting a cold start, the owner/operator shall use a propane or butane torch, drip torch or flare to ignite the material inside the burn box, no accelerants (e.g. gasoline, diesel fuel, kerosene, turpentine, etc.) may be used. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *Materials shall be loaded into the burn box such that they do not protrude above the air curtain. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *The air curtain burn box shall be attended at all times while materials are being burned or flames are visible inside the burn box. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *After the last material has been added, airflow shall be maintained until all material within the burn box has been reduced to coals and flames are no longer visible. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *Wood ash removed from the firebox shall be handled, stored and disposed of in a manner minimizing entrainment into the atmosphere. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *The air curtain burner box shall be operated according to manufacturer's specifications and in a manner to minimize emissions of air contaminants into the atmosphere. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*

Section 5.7.13 states that if the air curtain burn box is equipped with an internal combustion engine to power the unit, the engine must be a certified compression-ignition engine or certified spark-ignition engine that is certified to the most stringent emission standard in effect for the applicable horsepower range at the time of the application for initial registration is submitted to the District. The following condition will be included on the draft Model General Permit (see Appendix A):

- *If the air curtain burn box is equipped with an internal combustion engine to power the unit, the engine shall be a certified compression-ignition engine or certified spark-ignition engine that is certified to the most stringent emissions standard in effect for the applicable horsepower range at the time the application for initial registration is submitted to the District. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*

Section 6.1 states that if the air curtain incinerator remains at a District for more than 24 hours, the operator must notify the District within 2 calendar days. The notification must include the following information:

1. The general nature of operations.
2. The estimated duration of operations within the district.
3. The name and phone number of a contact person with information concerning the locations where the equipment will be operated within the district.

The following condition will be included on the draft Model General Permit (see Appendix A):

- *If the air curtain burn box remains at a location for more than 24 hours within the Adminstrating District or a Participating District, as defined in District Rule 2280, the operator shall notify that District within 2 calendar days. The notification shall include the following information: 1) The general nature of operations, 2) The estimated duration of operations within the District, and 3) The name and phone number of a contact person with information concerning the locations where the equipment will be operated within the District. [District Rule 2280]*

Section 6.2 states that within 30 days after the end of every calendar quarter the operator of a registered portable emissions unit must notify the district in which the unit was operated of the level of activities within the district during the preceding calendar quarter. The notification must include the following information:

1. The location(s) at which the equipment was operated, including the dates operated at each location.
2. The type and quantity of materials processed by each emissions unit, or the daily hours of operation for each emissions unit in conjunction with the hourly throughput rate.
3. The type and quantity of fuels consumed by each emissions unit, or the daily hours of operation for each emissions unit in conjunction with the hourly horsepower or btu rating.

The following condition will be included on the draft Model General Permit (see Appendix A):

- *Within 30 days after the end of every calendar quarter, the operator of a registered portable emissions unit shall notify the District in which the unit was operated of the level of activities within the District during the preceding calendar quarter. The notification shall include the following information: 1) The location(s) at which the equipment was operated, including the dates operated at each location, 2) the type and quantity of materials processed by each emissions unit, or the daily hours of operation for each emissions unit in conjunction with the hourly throughput rate, and 3) the type and quantity of fuels consumed by each emissions unit, or the daily hours of operation of each emissions unit in conjunction with the hourly horsepower or btu rating. [District Rule 2280]*

Section 6.3 lists the following requirements for rental equipment:

1. The operator of rental registered portable equipment will be responsible for compliance with the notification and recordkeeping requirements of this rule. The operator must furnish the necessary recordkeeping as required by sections 6.1, 6.2.2, and 6.2.3 of this rule, to the owner of the equipment.
2. The owner of a rental registered portable equipment must provide the operator with a written copy of applicable requirements of this rule, including the notification and recordkeeping requirements, as part of the equipment rental agreement. The owner must maintain written acknowledgement by the operator of receiving the above information for a period of at least two years.

3. The owner of a rental registered portable equipment must compile the records provided by the equipment operators in and within 30 days after the end of every calendar quarter must submit the above information to the participating districts.

The following condition will be included on the draft Model General Permit (see Appendix A):

- *If this equipment is rental equipment, then the following is required: 1) The operator of the rental registered portable equipment shall be responsible for compliance with the notification and recordkeeping requirements of Rule 2280. The operator must furnish the necessary recordkeeping as required by Sections 6.1, 6.2.2, and 6.2.3 of Rule 2280, to the owner of the equipment. 2) The owner of a rental registered portable equipment must provide the operator with a written copy of applicable requirements of Rule 2280, including the notification and recordkeeping requirements, as part of the equipment rental agreement. The owner must maintain written acknowledgement by the operator of receiving the above information for a period of at least two years. 3) The owner of a rental registered portable equipment must compile the records provided by the equipment operators in every calendar quarter, and within 30 days after the end of every calendar quarter must submit the above information to the participating Districts. [District Rule 2280]*

Section 7.0 states that testing to verify compliance with the applicable requirements must be conducted at the expense of the registered owner or operator at the request of the District and in accordance with the methodology prescribed by the District.

Opacity testing requirements have already been included in the Model General Permit; therefore, compliance is expected.

Section 8.1 states that except for emissions from existing emission units, the total NO<sub>x</sub>, or VOCs emissions from a project must not exceed 100 pounds must not exceed 100 pounds during any one day, for each pollutant. The following condition will be included on the draft Model General Permit (see Appendix A):

- *Total NOx and VOCs emissions from a project shall not exceed 100 pounds during any one day, for each pollutant. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*

Section 8.2 states that the total PM10 emissions from a project must not exceed 150 pounds during any one day. The following condition will be included on the draft Model General Permit (see Appendix A):

- *Total PM10 emissions from a project shall not exceed 150 pounds during any one day. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*

Section 8.3 no air contaminant must be released into the atmosphere which causes a public nuisance. The following condition will be included on the draft Model General Permit (see Appendix A):

- *No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rules 2280 and 4102]*

Section 8.4 states that except for emergency operations, the emission unit may not be operated within 1,000 feet of any K-12 school, unless the public and student notification applicable requirements of California Health and Safety Code Section 42301.6 have been satisfied. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{2082} Except for emergency operations, this unit shall not be operated within 1,000 feet of any K-12 school, unless the public and student notification requirements of the CH&SC Section 42301.6 have been satisfied. [District Rules 2280 and 4102]*

Section 8.5 states that the actual emissions from the unit, when operated as a registered portable emissions unit, as verified by recordkeeping as prescribed by this rule, must not exceed 10 tons per year of any affected pollutant when operated in any participate district. The following condition will be included on the draft Model General Permit (see Appendix A):

- *The actual emissions from this unit as verified by the record keeping requirements of the District rule 2280, shall not exceed 10 tons per year of any affected pollutant when operated in any participating district. This unit shall not burn more than 7,500 tons of waste material in any year. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*

Additionally, the following conditions are included on the permit to ensure that the units qualify for portable registrations under Rule 2280.

- *This registered equipment shall not remain at any location for longer than six consecutive months, and shall comply with all other residence time restrictions. [District Rule 2280]*
- *This registered equipment shall not be used to replace or supplement any ongoing function of, or utility used at, any existing Stationary Source [District Rule 2280]*
- *Owner/operator shall maintain daily records of the tons of approved agricultural materials burned in the air curtain burn box(es) per project. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*

#### **G. District Rule 2410 – Prevention of Significant Deterioration (PSD)**

The purpose of this rule is to incorporate the federal prevention of significant deterioration (PSD) rule requirements into the District's Rules and Regulations by incorporating the federal requirements by reference. The PSD program is a construction permitting program for new major stationary sources and major modifications to existing major stationary sources located in areas classified as attainment or in areas that are unclassifiable for any criteria pollutant. The provisions of this rule shall apply to any source and the owner or operator of any source subject to any requirement under Title 40 Code of Federal Regulations (40 CFR) Part 52.21 as incorporated into this rule.

This Model General Template is not a permit for construction. Any construction activities would be subject to local District permitting. Therefore, this rule is not applicable.

#### **H. District Rule 2520 - Federally Mandated Operating Permits**

The purpose of this rule is to provide for the following: an administrative mechanism for issuing operating permits for new and modified sources of air contaminants in accordance with requirements of 40 CFR Part 70; an administrative mechanism for issuing renewed operating permits for sources of air contaminants in accordance with requirements of 40 CFR Part 70; an administrative mechanism for revising, reopening, revoking, and terminating operating permits for sources of air contaminants in accordance with requirements of 40 CFR Part 70; an administrative mechanism for incorporating requirements authorized by preconstruction permits issued

under District Rule 2201 (New and Modified Stationary Source Review) in a Part 70 permit as administrative amendments, provided that such permits meet the necessary procedural and compliance requirements.

Section 9.1 requires the model general permit to include emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of permit issuance. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *When conducting a cold start, the owner/operator shall use a propane or butane torch, drip torch or flare to ignite the material inside the burn box, no accelerants (e.g. gasoline, diesel fuel, kerosene, turpentine, etc.) may be used. [[District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *Only agricultural materials listed on the APCO prepared list of "Air Curtain Burn Box Approved Agricultural Materials," forest management materials or hazard reduction materials may be burned in an air curtain burn box. [District Rules 2280 ,2520, and 4001, and 40 CFR 60.2974] Federally Enforceable Through Title V Permit*
- *Materials shall be loaded into the burn box such that they do not protrude above the air curtain. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *The air curtain burn box shall be attended at all times while materials are being burned or flames are visible inside the burn box. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *After the last material has been added, airflow shall be maintained until all material within the burn box has been reduced to coals and flames are no longer visible. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *Wood ash removed from the firebox shall be handled, stored and disposed of in a manner minimizing entrainment into the atmosphere. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*

- *The air curtain burner box shall be operated according to manufacturer's specifications and in a manner to minimize emissions of air contaminants into the atmosphere. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *If the air curtain burn box is equipped with an internal combustion engine to power the unit, the engine shall be a certified compression-ignition engine or certified spark-ignition engine that is certified to the most stringent emissions standard in effect for the applicable horsepower range at the time the application for initial registration is submitted to the District. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *Total NOx and VOCs emissions from a project shall not exceed 100 pounds during any one day, for each pollutant. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *Total PM10 emissions from a project shall not exceed 150 pounds during any one day. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *All air curtain burn boxes as part of a single project, which is one or more registered portable emission unit operated on one or more contiguous or adjacent properties, shall burn no more than 100 tons of waste material in any one day. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*
- *The actual emissions from this unit as verified by the record keeping requirements of the District rule 2280, shall not exceed 10 tons per year of any affected pollutant when operated in any participating district. This unit shall not burn more than 7,500 tons of waste material in any year. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*

Section 9.1.1 states that the permit must specify and reference the origin of an authority for each term or condition and identify any difference in form as compared to the applicable requirements upon which the term or condition is based. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4399} When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through TV Permit*

Section 9.3.2 requires that each permit contain periodic monitoring or testing to ensure compliance with federally enforceable emission limits or other requirements if none is associated with the applicable requirement. Recordkeeping may be sufficient to meet the requirements of this section. Monitoring and recordkeeping requirements have been incorporated into the permit as appropriate.

Section 9.4 contains requirements to incorporate all applicable recordkeeping requirements into the Title V permit. This section also specifies records of any required monitoring and support data be kept for a period of five years. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *Daily emissions shall be calculated as follows: daily emissions (lb/day) = tons of approved agricultural materials burned in a day x emission limits (lb/ton) for each pollutant (see emissions condition above). Total daily emissions, by pollutant, is the sum of each pollutant for each air curtain burn box for a project. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *Owner/operator shall maintain cumulative annual records of the tons of approved agricultural materials burned in the air curtain burn box when operated in any participating district. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *Annual unit emissions shall be calculated as follows: annual emissions lb/ton = tons of approved agricultural material burned in a year x emission limits (lb of emissions/ton of material) ÷ 2000 (lb/ton). [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *Owner/operator shall maintain daily records of the tons of approved agricultural materials burned in the air curtain burn box(es) per project. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit*

- *{4369} The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit*
- *{4370} The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit*

Section 9.5 requires the permittee to submit reports of any required monitoring at least every six months and to promptly report deviations from permit requirements. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *{4371} The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit*
- *{4372} Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit*

Section 9.7 includes a severability clause to ensure the continued validity of the various permit requirements in the event of a challenge to any portion of the permit. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4373} If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit*

Section 9.8.1 states that the permittee must comply with all conditions of the permit. Permit noncompliance constitutes a violation of the CAA, and the District Rules and Regulations, and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The following condition will be included on the draft Model General Permit (see Appendix A):

- *The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rule 2520, 9.8.1 and 9.13.1] Federally Enforceable Through Title V Permit*

Section 9.8.2 states that it is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4374} It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit*

Section 9.8.3 states that the permit may be modified, revoked, reopened, and reissued, or terminated for cause. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4375} The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit*

Section 9.8.4 states that the permit does not convey any property rights of any sort, or any exclusive privilege. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4376} The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit*

Section 9.8.5 requires the permittee to furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4377} The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit*

Section 9.9 states that the permit must contain provisions to ensure payment of annual permit fees and other applicable fees prescribed in Regulation III of these Rules and Regulations. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4378} The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit*

Section 9.13.1 of District Rule 2520 requires any report or document Submitted under a permit requirement or a request for information by the District or EPA contain a certification by a responsible official as to truth, accuracy, and completeness. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4387} With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit*

Section 9.13.2 states that the permit must contain inspection and entry requirements that require that, upon presentation of credentials and other documents that may be required by law, the permittee shall allow an authorized representative of the District to perform the following:

1. Enter upon the permittees premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
3. Inspect at reasonable times any facilities equipment, practices, or operations regulated or required under the permit; and
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

The following conditions will be included on the draft Model General Permit (see Appendix A):

- *Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*
- *Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit*

- *{4381} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit*
- *{4382} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit*

Section 9.16 of District Rule 2520 requires that the permittee submit certification of compliance with the terms and standards of Title V permits to the EPA and the District annually (or more frequently as required by the applicable requirement or the District). The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4397} The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit*

*Additionally, the following condition will be included to specify the reporting period for the required monitoring and compliance certification report:*

- *The reporting periods for the Report of Required Monitoring and the Compliance Certification Report begin June 1 of every year, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days after the end of the reporting period. [District Rule 2520] Federally Enforceable Through Title V Permit*

## Greenhouse Gas Requirements

There are no federally applicable Greenhouse Gas (GHG) requirements for this type of source. It should be noted that the Mandatory Greenhouse Gas Reporting rule (40 CFR Part 96) is not included in the definition of an applicable requirement within Title V (per 40 CFR 71.2). Therefore, there will be no further discussion of GHG in this evaluation.

### **I. District Rule 4001 – New Source Performance Standards**

The purpose of this Rule is to incorporate the New Source Performance Standards from Part 60, Chapter 1, Title 40, Code of Federal Regulations. The units in this project are subject to New Source Performance Standards. The 40 CFR Part 60 new source performance standards are addressed later in this evaluation, under separate headings. A “District Rule 4001” rule reference will be included on any conditions that are required for the demonstration of compliance with the applicable New Source Performance Standards in the later sections, to ensure compliance with Rule 4001 requirements.

### **J. District Rule 4002 – National Emission Standards for Hazardous Air Pollutants**

The purpose of this Rule is to incorporate the National Emission Standards for Hazardous Air Pollutants from Part 61 Chapter I, Subchapter C, Title 40, Code of Federal Regulations and the National Emission Standards for Hazardous Air Pollutants for Source Categories from Part 63, Chapter I, Subchapter C, Title 40, Code of Federal Regulations. Air curtain incinerators are not subject to any National Emission Standards for Hazardous Air pollutants.

### **K. District Rule 4101 – Visible Emissions**

The purpose of this rule is to prohibit the emissions of visible air contaminants to the atmosphere. Section 5.0 states that a person shall not discharge into the atmosphere from any single source of emission whatsoever, any air contaminant, other than uncombined water vapor, for a period or periods aggregating more than three minutes in any one hour which is:

1. As dark or darker in shade as the designated No. 1 on the Ringelmann Chart as published by the United States Bureau of Mines.
2. Of such opacity to obscure an observer’s view to a degree equal to or greater than the smoke described in item #1.

Section 6.0 states that the following test methods shall be used unless otherwise approved by the APCO and United States Environmental Protection Agency:

1. US EPA Method 9 for visual determination of opacity emissions.
2. 40 Code of Federal Regulations (CFR) Part 60 Appendix B Performance Specification 1 for determination of certified, calibrated in-stack opacity monitoring system.

The following conditions will be included on the draft Model General Permit (see Appendix A)

- *During the start-up period, which shall not exceed the first 30 minutes of operation, no air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark as or darker than Ringelmann 1 or equivalent to 20% opacity. [District Rules 2280, 4001, and 4101, and 40 CFR 60.2971] Federally Enforceable Through Title V Permit*
- *After the startup period, during steady state operation, visible emissions from the air curtain burn box shall not equal or exceed either of the following limits: Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour or 10% opacity as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values. [District Rules 2280, 4001, and 4101, and 40 CFR 60.2971] Federally Enforceable Through Title V Permit*
- *Compliance with the opacity limits on this registration shall be determined by EPA Method 9 and shall be conducted by an observer certified pursuant to EPA Method 9. [District Rule 2280, 4001, 4101, and 40 CFR 60.2972] Federally Enforceable Through Title V Permit*
- *Observers for the opacity compliance demonstration shall be certified according to the procedure in EPA Method 9. [District Rules 4001 and 4101, and 40 CFR 60.2972] Federally Enforceable Through Title V Permit*

#### **L. District Rule 4103 – Open Burning**

The purpose of this rule is to permit, regulate, and coordinate the use of open burning while minimizing smoke impacts on the public. This rule applies to open burning conducted in the San Joaquin Valley Air Basin, with the exception of prescribed burning and hazard reduction burning as defined in District Rule 4106.

Section 3.2.3 of this rule defines open burning as:

*“the combustion of any combustible refuse or other material of any type outdoors in the open air, not in any enclosure, where the products of combustion are not directed through a flue. For the purposes of this rule, prescribed burning and hazard reduction burning are not considered to be open burning.”*

The air curtain incinerator burns material inside an enclosure with an air curtain serving as a control device that increases the residence time of the products of incomplete combustion (CO, VOC, and PM). Thus, air curtain incinerators do not meet the definition of open burning and the requirements of District Rule 4103 are not applicable.

#### **M. District Rule 4106 – Prescribed Burning and Hazard Reduction Burning**

The purpose of this rule is to permit, regulate, and coordinate the use of prescribed burning and hazard reduction burning while minimizing smoke impacts to the public. The provisions of this rule apply to all prescribed burning, and to hazard reduction burning in wildland/urban interface.

Prescribed Burning is defined in Section 3.12 of District Rule 4106 as:

*“the planned application of fire, including natural or accidental ignition, to vegetation on lands selected in advance of such application to meet specific planned resource management objectives as set forth in section 3.11.”*

Planned Resource Management Objectives, defined in Section 3.11 of District Rule 4106, include:

*“forest management, wildlife habitat management, range improvement, fire hazard reduction, wilderness management, weed abatement, watershed rehabilitation, vegetation manipulation, disease and pest prevention, and ecosystem management.”*

Hazard reduction burning is defined in Section 3.7 of Rule 4106 as:

*“the burning of flammable vegetation that has been removed and cleared away from buildings or structures in compliance with local ordinances to reduce fire hazard pursuant to Section 4291 of the California Public Resources Code for the purpose of maintaining a firebreak of up to 100 feet from such buildings or structures.”*

The use of the air curtain incinerator to dispose of wood material does not qualify as a prescribed burn nor a hazard reduction burn as defined in this rule. Therefore, District Rule 4106 requirements are not applicable to the units in this project.

#### **N. District Rule 4201 – Particulate Matter Concentration**

The purpose of this rule is to protect the ambient air quality by establishing a particulate emission standard. The rule is applicable to any source operation that emits or may emit dust, fumes, or total suspended particulate matter. Section 5.1 of the rule requires that a person not release or discharge into the atmosphere from any single source operation, dust fumes, or total suspended particulate matter emissions in excess of 0.1 grain per cubic foot of gas at dry standard conditions, as determined by the test methods in Section 4.0.

The following condition will be included on the draft Model General Permit (see Appendix A):

- *Particulate matter emissions from the air curtain burn box shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit*

#### **O. District Rule 4202 – Emission Rate**

The purpose of this rule is to limit particulate matter emissions by establishing allowable emission rates.

For a process rate less than or equal to 30 tons/hr, the maximum allowable particulate matter emission rate is given by the following formula:

$$E = 3.59 P^{0.62}, \text{ where}$$

E = Maximum Allowable Emission Rate (lb-PM/hr)

P = Process Rate (tons/hr)

The following condition will be included on the draft Model General Permit (see Appendix A):

- *Particulate matter emissions from the air curtain burn box shall not exceed the hourly rate as calculated in District Rule 4202 using the equation  $E=3.59 \times P^{0.62}$  if P is less than or equal to 30 tons per hour. [District Rule 4202] Federally Enforceable Through Title V Permit*

## **P. District Rule 4301 – Fuel Burning Equipment**

The purpose of this rule is to limit the emission of air contaminants from fuel burning equipment. The provisions of this rule are applicable to any fuel burning equipment except air pollution control equipment. Fuel burning equipment is defined as “any furnace, boiler, apparatus, stack and all appurtances thereto, used in the process of burning fuel for the primary purpose of producing heat or power by indirect heat transfer.

The air curtain incinerator is not used to produce heat or power by indirect heat transfer. Therefore, the requirements of District Rule 4301 are not applicable.

## **Q. District Rule 4302 – Incinerator Burning**

This purpose of this rule is to limit air pollution by prohibiting the use of any incinerator except for a multiple-chamber incinerator or one equally effective in controlling air pollution. This rule is applicable to any incineration activity or equipment.

Section 3.0 of this rule requires that a person not burn in any incinerator within the District except in a multiple-chamber incinerator as defined in District Rule 1020 (Definitions) or in equipment found by the APCO to be equally effective for the purpose of air pollution control as an approved multiple-chamber incinerator.

The purpose of a multiple-chamber incinerator is to minimize the emissions of the products of incomplete combustion, i.e. PM10, CO, and VOC. The secondary and tertiary chambers of a multiple-chamber incinerator accomplish this by re-burning the flue gas from the primary chamber before emitting the exhaust to the atmosphere. The air curtain of the air curtain incinerator performs a function similar to the secondary and tertiary chambers of a multiple-chamber incinerator. Besides oxygenating the fire with forced air and increasing the combustion temperature, the air curtain increases the residency time of the products of incomplete combustion by forming a barrier preventing their immediate escape. The increased residency time causes particles (especially) and gases to be re-burned continually in the flame.

For the disposal of large amounts of agricultural wood waste material, the District regards the air curtain incinerator as an *equally effective* control device as a multiple-chamber incinerator provided the air curtain is operated according to manufacturer’s specifications and operates in compliance with visible emissions limits. Therefore, compliance with this rule is expected.

## **R. District Rule 4601 – Architectural Coatings**

This rule limits the emissions of VOCs from architectural coatings. It requires limiting the application of any architectural coating to no more than what is listed in the Table of Standards (Section 5.0). This rule further specifies labeling requirements, coatings thinning recommendations, test methodology, and storage requirements. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *{4384} No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in Table of Standards 1 effective until 12/30/10 or Table of Standards 2 effective on and after 1/1/11 of District Rule 4601 (12/17/09) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit*
- *{4385} All VOC-containing materials subject to Rule 4601 (12/17/09) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit*
- *{4386} The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.3 (12/17/09). [District Rule 4601, 6.1 and 6.3] Federally Enforceable Through Title V Permit*

## **S. District Rule 4701 – Internal Combustion Engines - Phase 1**

District Rule is applicable to internal combustion engines with a maximum horsepower rating greater than 50 BHP. However, District Rule 4701 Section 4.2.4 exempts portable registered units from all requirements of the Rule, except for Sections 6.1, 6.2.2, and 6.2.3.

Section 6.1 is for emission control plans, which no longer apply. Section 6.2.2 requires the operator to keep a record of the following.

1. Total hours of operation
2. The type and quantity of fuel used (cubic feet of gas or gallons of liquid)
3. Maintenance or modifications performed
4. Monitoring data
5. Compliance source test results
6. And any other information necessary to demonstrate compliance with this rule.

Section 6.2.3 requires the above records to be kept for a minimum of five years and to be made available to the District upon request. Monitoring and source testing of the engines are not for the engines to comply with Rule 4701 requirements. The following conditions will be included on the Model General Permit (see Attachment A).

- *If the air curtain burn box is powered by an internal combustion engine with a rating greater than 50 BHP, then the owner/operator shall keep a record of the following for at least five years and shall make such records available to the District upon request: 1) total hours of operation; 2) The type and quantity of fuel used (cubic feet of gas or gallons of liquid); and 3) Maintenance or modifications performed. [District Rule 4701] Federally Enforceable Through Title V Permit*

#### **T. District Rule 4702 – Internal Combustion Engines**

District Rule 4702 is applicable to internal combustion engines with a rating equal to or greater than 25 BHP. However, Section 4.1.7 of this rule exempts portable engines that are registered under Rule 2280. Therefore, the requirements of this Rule are not applicable.

#### **U. District Rule 8011 – Fugitive Dust Requirements**

The purpose of Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions) is to reduce ambient concentrations of fine particulate matter (PM<sub>10</sub>) by requiring actions to prevent, reduce, or mitigate anthropogenic fugitive dust emissions. The Rules contained in this Regulation have been developed pursuant to United States Environmental Protection Agency guidance for Serious PM<sub>10</sub> Nonattainment Areas. The rules are applicable to specified anthropogenic fugitive dust sources. Fugitive dust contains PM<sub>10</sub> and particles larger than PM<sub>10</sub>. Controlling fugitive dust missions when visible emissions are detected will not prevent all PM<sub>10</sub> emissions, but will substantially reduce PM<sub>10</sub> emissions.

The provisions of this rule are applicable to specified outdoor fugitive dust sources. The definitions, exemptions, requirements, administrative requirements, recordkeeping requirements, and test methods set forth in this rule are applicable to all Rules under Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions) of the Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *{4390} Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8021] Federally Enforceable Through Title V Permit*
- *{4391} Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8031] Federally Enforceable Through Title V Permit*
- *{4392} An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8041] Federally Enforceable Through Title V Permit*
- *{4393} Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8051] Federally Enforceable Through Title V Permit*
- *{4394} Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8061] Federally Enforceable Through Title V Permit*

- *{4395} Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8071] Federally Enforceable Through Title V Permit*

**V. District Rule 8021 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM<sub>10</sub>) from Construction, Demolition, Excavation, and Extraction Activities**

The purpose of this rule is to limit fugitive dust emissions from construction, demolition, excavation, extraction, and other earthmoving activities.

This rule applies to any construction, demolition, excavation, extraction, and other earthmoving activities, including, but not limited to, land clearing, grubbing, scraping, travel on site, and travel on access roads to and from the site. This rule also applies to the construction of new landfill disposal sites or modification to existing landfill disposal sites prior to commencement of landfilling activities.

Section 5.0 requires that no person shall perform any construction, demolition, excavation, extraction, or other earthmoving activities unless the appropriate requirements in sections 5.1 and 5.2 are sufficiently implemented to limit Visible Dust Emissions (VDE) to 20% opacity or less. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4390} Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8021] Federally Enforceable Through Title V Permit*

**W. District Rule 8031 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Handling and Storage of Bulk Materials**

The purpose of this rule is to limit fugitive dust emissions from the outdoor handling, storage, and transport of bulk materials. This rule applies to the outdoor handling, storage, and transport of any bulk material. Section 5.0 requires that no person shall perform any outdoor handling, storage, and transport of bulk materials unless the appropriate requirements in Table 8031-1 of this rule are sufficiently implemented to limit Visible Dust Emissions (VDE) to 20% opacity or less or to comply with the conditions for a stabilized surface as defined in Rule 8011. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4391} Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8031] Federally Enforceable Through Title V Permit*

**X. District Rule 8041 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Carryout and Trackout**

The purpose of this rule is to limit fugitive dust emissions from carryout and trackout. This rule applies to all sites that are subject to Rules 8021 (Construction, Demolition, Excavation, Extraction, and other Earthmoving Activities), 8031 (Bulk Materials), and 8071 (Unpaved Vehicle and Equipment Traffic Areas) where carryout or trackout has occurred or may occur.

Section 5.0 requires that the owner or operator shall sufficiently prevent or cleanup carryout and trackout as specified in sections 5.1 through 5.8. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII. The use of blower devices, or dry rotary brushes or brooms, for removal of carryout and trackout on public roads is expressly prohibited. The removal of carryout and trackout from paved public roads does not exempt an owner or operator from obtaining state or local agency permits which may be required for the cleanup of mud and dirt on paved public roads. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4392} An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8041] Federally Enforceable Through Title V Permit*

**Y. District Rule 8051 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Open Areas**

The purpose of this rule is to limit fugitive dust emissions from open areas. This rule applies to any open area having 3.0 acres or more of disturbed surface area that has remained undeveloped, unoccupied, unused, or vacant for more than seven days.

Section 5.0 requires that whenever open areas are disturbed or vehicles are used in open areas, the owner or operator shall implement one or more of the control measures indicated in Table 8051-1 to comply with the conditions of a stabilized surface at all times and to limit Visible Dust Emissions (VDE) to 20% opacity. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *{4393} Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8051] Federally Enforceable Through Title V Permit*

**Z. District Rule 8061 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Paved and Unpaved Roads**

The purpose of this rule is to limit fugitive dust emissions from paved and unpaved roads by implementing control measures and design criteria.

This rule applies to any new or existing public or private paved or unpaved road, road construction project, or road modification project. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *{4394} Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8061] Federally Enforceable Through Title V Permit*

**AA. District Rule 8071 – Fugitive Dust Requirements for Control of Fine Particulate Matter (PM10) from Unpaved Vehicle/Equipment Areas**

The purpose of this rule is to limit fugitive dust emissions from unpaved vehicle and equipment traffic areas by implementing control measures and design criteria. This rule applies to any unpaved vehicle/equipment traffic area of 1.0 acre or larger. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4395} Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8071] Federally Enforceable Through Title V Permit*

**BB. 40 CFR Part 60 Subpart EEEE – Standards of Performance for Other Solid Waste Incineration Units for which Construction is Commenced After December 9, 2004, or for which Modification or Reconstruction is Commenced On or After June 16, 2006**

40 CFR Part 60 Subpart EEEE is applicable to air curtain incinerators that are other solid waste incineration units (institutional units) and meet the definition of an air curtain incinerator as defined in §60.2977.

The air curtain incinerators that covered by these model general permits will be located/operated as small waste combustors to reduce ag waste, or by institutional facilities; therefore, Subpart EEEE requirements are applicable to these units, rather than Subpart CCCC, which is applicable to commercial and industrial units. Pursuant to 40 CFR 60.2970(b), air curtain incinerators that burn only 100% wood waste, 100% clean lumber, and 100% mixture of only wood waste, clean lumber, and/or yard waste, are only required to meet the requirements under §60.2970 and under “Air Curtain Incinerators” (§§60.2970 through 60.2974).

§60.2974 requires each OSWI unit and air curtain incinerator subject to the standards under this subpart to be operated pursuant to a permit issued under Section 129(e) and Title V of the clean air act. This permitting action will result in an issuance of a model general permit that will satisfy this requirement for the ACI that are operating under the permit.

In order to only be subject to the requirements of requirements of §§60.2970 through 60.2974, the air curtain incinerator may only combust 100% wood waste, 100% clean lumber, or a 100% mixture of wood waste, clean lumber, and/or yard waste. The District Rule 2280 requirements for air curtain incinerators are more stringent. The following condition will be included on the draft Model General Permit (see Appendix A):

- *Only agricultural materials listed on the APCO prepared list of "Air Curtain Burn Box Approved Agricultural Materials," forest management materials or hazard reduction materials may be burned in an air curtain burn box. [District Rules 2280, 2520, and 4001, and 40 CFR 60.2974] Federally Enforceable Through Title V Permit*

§60.2971 lists the following emission limits for air curtain incinerators, which must be met within 60 days of the air curtain incinerator reaching the charge rate at which it will operate, but no later than 180 days after its initial startup:

1. Maintain opacity to less than 10 percent opacity (as determined by the average three 1-hour blocks consisting of ten 6-minute average opacity values), except during the startup period that is within the first 30 minutes of operation; and
2. Maintain opacity to less than or equal to 35 percent opacity (as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values) during the startup period that is within 30 minutes of operation.

District Rule 4101 limits operations to no more than 20% percent opacity for the entire duration of operation of the air curtain incinerator; therefore, District Rule 4101 requirements are more stringent than the 35 percent opacity requirement during startup periods that is listed in this Subpart. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *During the start-up period, which shall not exceed the first 30 minutes of operation, no air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark as or darker than Ringelmann 1 or equivalent to 20% opacity. [District Rules 2280, 4001, and 4101, 40 CFR 60 2971] Federally Enforceable Through Title V Permit*
- *After the startup period, during steady state operation, visible emissions from the air curtain burn box shall not equal or exceed either of the following limits: Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour or 10% opacity as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values. [District Rules 2280, 4001, and 4101, 40 CFR 60.2971] Federally Enforceable Through Title V Permit*

§60.2972 requires:

1. Use Method 9 of Appendix A of Subpart 60 to determine compliance with the opacity limitation
2. Conduct an initial test for opacity as specified in §60.8
3. After the initial test for opacity, conduct annual tests no more than 12 calendar months following the date of the previous test.

Initial opacity measurements will have already been conducted prior to each unit operating under the Model General Permit. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *Owner/operator shall conduct periodic testing for opacity at least once every 12 calendar months. Opacity testing shall consist of one 30 minute cold start observation and three 1 hour observations under normal steady state operation. [District Rules 1081, 2280, and 4001, 40 CFR 60.2972] Federally Enforceable Through Title V Permit*
- *Compliance with the opacity limits on this registration shall be determined by EPA Method 9 and shall be conducted by an observer certified pursuant to EPA Method 9. [District Rules 2280, 4001, and 4101, 40 CFR 60.2972] Federally Enforceable Through Title V Permit*
- *Observers for the opacity compliance demonstration shall be certified according to the procedure in EPA Method 9. [District Rules 4001 and 4101, and 40 CFR 60.2972] Federally Enforceable Through Title V Permit*

§60.2973(a) lists notification requirements for air curtain incinerators prior to installation. The District will have already been notified pursuant to these requirements prior to the units operating under these Model General Permits; therefore, the notification requirements have been satisfied.

The remainder of §60.2973 lists the following recordkeeping requirements:

1. Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the Administrator approves another format, for at least five years.
2. Make all records available for submittal to the Administrator or for an inspector's onsite review.
3. Submit the results (as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values) of the initial opacity tests no later than 60 days following the initial test. Submit annual opacity test results within 12 months following the previous report.

The initial opacity results will have already been submitted prior to operating under the Model General Permit. The following conditions will be included on the draft Model General Permit (see Appendix A):

- *Owner/operator shall submit to the District a copy of the opacity test results in paper or electronic format no later than 60 calendar days after completion of the testing. [District Rules 1081, 2280, and 4001, 40 CFR 60.2973] Federally Enforceable Through Title V Permit*
- *Owner/operator shall maintain records of all opacity testing for a period of at least five years and make records available to the District upon request. [District Rules 1070, 2280, 2520, and 4001, 40 CFR 60.2973] Federally Enforceable Through Title V Permit*

#### **CC. 40 CFR Part 82 Subpart B – Servicing of Motor Vehicle Air Conditioners**

The air curtain incinerator operation is not associated with the servicing of motor vehicle air conditioners; therefore, this requirement is not applicable.

#### **DD. 40 CFR 82 Subpart F – Recycling and Emission Reduction**

The air curtain incinerator operation is not associated with the recycling and emission reduction requirements of this Subpart; therefore, this requirement is not applicable.

## **EE. 40 CFR Part 61 Subpart M – National Emission Standard for Asbestos**

This subpart lists the national emission standards for asbestos. The following condition will be included on the draft Model General Permit (see Appendix A):

- *{4396} Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit*

## **FF. California Code of Regulations 93116 – Airborne Toxic Control Measure for Diesel Particulate Matter from Portable Engines Rated at 50 Horsepower and Greater**

The requirements of the air toxic control measure are applicable to compression ignited engines rated greater than or equal to 50 BHP.

§93116.3(a) states that the diesel fueled portable engines must only use one of the following fuels:

1. CARB diesel fuel; or
2. Alternative diesel fuel that has been verified through the Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines; or
3. CARB diesel fuel utilizing fuel additives that have been verified through the Verification Procedure for In-Use strategies to Control Emissions from Diesel Engines.

The following condition will be included on the draft Model General Permit (see Appendix A):

- *If the air curtain burn box is powered by a compression ignited internal combustion engine, then the engine shall only be fired on the following fuels: 1) CARB diesel fuel; 2) Alternative diesel fuel that has been verified through the Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines; or 3) CARB diesel fuel utilizing fuel additives that have been verified through the Verification Procedure for In-Use strategies to Control Emissions from Diesel Engines. [District Rule 2280 and 17 CCR 93116]*

§93116.3(b)(1) states that starting January 1, 2010, all portable engines must be certified to meet a Federal or California standard for newly manufactured engines pursuant to 40 CFR Part 89, Part 86, or the equivalent categories in Title 13 of the California Code of Regulations. §93116.3(b)(2) states that portable diesel-fueled engines that have not been permitted or registered prior to November 13, 2018 must not be permitted or registered unless they meet the most stringent standard in effect at that time. The following condition will be included on the draft Model General Permit (see Appendix A):

- *If the air curtain burn box is equipped with an internal combustion engine to power the unit, the engine shall be a certified compression-ignition engine or certified spark-ignition engine that is certified to the most stringent emissions standard in effect for the applicable horsepower range at the time the application for initial registration is submitted to the District. [District Rules 2280 and 2520, and CCR 93116] Federally Enforceable Through Title V Permit*

§93116.3(c)(1) and (c)(2) list the emission standard requirements for small and large fleets. §93116.4 lists the fleet recordkeeping and reporting requirements. The following condition will be included on the draft Model General Permit (see Appendix A):

- *If the air curtain burn box is powered by a compression ignited internal combustion engine with a maximum rating equal to or greater than 50 BHP, then permittee shall comply with the fleet emissions requirements of 17 CCR 93116 (3)(c) and 17 CCR 93116(3)(d) and shall comply with the fleet recordkeeping and reporting requirements of 17 CCR 93116.4. [District Rule 2280 and 17 CCR 93116]*

#### **GG.40 CFR 64 – Compliance Assurance Monitoring**

40 CFR Part 64 provides Compliance Assurance Monitoring requirements for units located at a Major Source.

These units are limited to emission rates less than 10 tons/year for each criteria pollutant and the units may not be operated at an existing stationary source; therefore, the units will not be operated at a Major Source and CAM requirements are not applicable.

## **IX. PERMIT SHIELD**

A permit shield legally protects a facility from enforcement of the shielded regulations when a source is in compliance with the terms and conditions of the Title V permit. Compliance with the terms and conditions of the Operating Permit is considered compliance with all applicable requirements upon which those conditions are based, including those that have been subsumed.

No permit shields will be issued with these Model General Permits.

## **X. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The purpose of this model general permit is to identify all applicable requirements, determine if the air curtain incinerators covered by the model general permit will comply with those applicable requirements, and to provide the legal and factual basis for proposed permit conditions.

Per the California Environmental Quality Act (CEQA) Statute §21080.24, and CEQA Guidelines §15281, the issuance, modification, amendment, or renewal of any permit by an air pollution control district or air quality management district pursuant to Title V is exempt from CEQA, unless the issuance, modification, amendment, or renewal authorizes a physical or operational change to a source or facility. There will be no physical or operational change to the source or facilities nor will the issuance of the model general permit authorize a physical or operational change to the source or facility. Therefore, the model general permit is subject to a ministerial action that is exempt from CEQA.

## **XI. PERMIT CONDITIONS**

See Attachment A for air curtain incinerators with electric powered fans or with a fan powered by an IC engine.

## **ATTACHMENTS**

- A. Draft Model General Permit for Air Curtain Incinerators Registered Under 2280
- B. Model General Permit Application Form
- C. Air Curtain Burn Box Approved Agricultural Materials List

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# ATTACHMENT A

Model General Permit for Air Curtain  
Incinerators Registered Under 2280

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# San Joaquin Valley Air Pollution Control District

**PERMIT UNIT:** C-9803-2-0

**EXPIRATION DATE:**

**EQUIPMENT DESCRIPTION:**

TV MODEL GENERAL PERMIT FOR AIR CURTAIN BURN BOX THAT IS PORTABLY REGISTERED UNDER DISTRICT RULE 2280 AND IS MEETING THE FOLLOWING CRITERIA: 1. UNIT HAS BEEN ISSUED A DISTRICT PORTABLE REGISTRATION PURSUANT TO DISTRICT RULE 2280, 2. THE AIR CURTAIN BURN BOX MUST BE SUBJECT TO 40 CFR 60 SUBPART EEEE "STANDARDS OF PERFORMANCE FOR OTHER SOLID WASTE INCINERATION UNITS, 3. ONLY AGRICULTURAL MATERIALS LISTED ON THE APCO PREPARED LIST OF "AIR CURTAIN BURN BOX APPROVED AGRICULTURAL MATERIALS', FOREST MANAGEMENT MATERIALS, OR HAZARD REDUCTION MATERIALS ARE COMBUSTED, 4. NO MORE THAN 100 TONS OF WASTE MATERIAL IN ANY ONE DAY IS BURNED AS PART OF A SINGLE PROJECT, WHICH IS ONE OR MORE REGISTERED PORTABLE AIR CURTAIN BURN BOXES OPERATING ON ONE OR MORE CONTIGUOUS OR ADJACENT PROPERTIES, 5. NO MORE THAN 7,500 TONS OF WASTE MATERIAL IS BURNED IN THE BURN BOX IN ANY ONE YEAR, 6. NOX AND VOC EMISSIONS ARE LESS THAN 100 POUNDS IN ANY ONE DAY FOR EACH POLLUTANT, 7. PM10 EMISSIONS ARE LESS THAN 150 POUNDS IN ANY ONE DAY FOR EACH POLLUTANT, 8. ACTUAL EMISSIONS DO NOT EXCEED 10 TONS PER YEAR FOR ANY AFFECTED POLLUTANT, AND 9. COMBUSTION IS STARTED USING A PROPANE OR BUTANE TORCH, OR FLARE (NO ACCELERANT IS USED)

## PERMIT UNIT REQUIREMENTS

1. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit
2. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit
3. {4381} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit
4. {4382} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit
5. {4397} The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

6. {4362} The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
7. {4363} The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
8. {4372} Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
9. If the air curtain burn box remains at a location for more than 24 hours within the Administrating District or a Participating District, as defined in District Rule 2280, the operator shall notify that District within 2 calendar days. The notification shall include the following information: 1) The general nature of operations, 2) The estimated duration of operations within the District, and 3) The name and phone number of a contact person with information concerning the locations where the equipment will be operated within the District. [District Rule 2280]
10. Within 30 days after the end of every calendar quarter, the operator of a registered portable emissions unit shall notify the District in which the unit was operated of the level of activities within the District during the preceding calendar quarter. The notification shall include the following information: 1) The location(s) at which the equipment was operated, including the dates operated at each location, 2) the type and quantity of materials processed by each emissions unit, or the daily hours of operation for each emissions unit in conjunction with the hourly throughput rate, and 3) the type and quantity of fuels consumed by each emissions unit, or the daily hours of operation of each emissions unit in conjunction with the hourly horsepower or btu rating. [District Rule 2280]
11. If this equipment is rental equipment, then the following is required: 1) The operator of the rental registered portable equipment shall be responsible for compliance with the notification and recordkeeping requirements of Rule 2280. The operator must furnish the necessary recordkeeping as required by Sections 6.1, 6.2.2, and 6.2.3 of Rule 2280, to the owner of the equipment. 2) The owner of a rental registered portable equipment must provide the operator with a written copy of applicable requirements of Rule 2280, including the notification and recordkeeping requirements, as part of the equipment rental agreement. The owner must maintain written acknowledgement by the operator of receiving the above information for a period of at least two years. 3) The owner of a rental registered portable equipment must compile the records provided by the equipment operators in every calendar quarter, and within 30 days after the end of every calendar quarter must submit the above information to the participating Districts. [District Rule 2280]
12. {4399} When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
13. Particulate matter emissions from the air curtain burn box shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
14. Particulate matter emissions from the air curtain burn box shall not exceed the hourly rate as calculated in District Rule 4202 using the equation  $E=3.59 \times P^{0.62}$  if P is less than or equal to 30 tons per hour. [District Rule 4202] Federally Enforceable Through Title V Permit
15. Only agricultural materials listed on the APCO prepared list of "Air Curtain Burn Box Approved Agricultural Materials," forest management materials or hazard reduction materials may be burned in an air curtain burn box. [District Rules 2280, 2520, and 4001, and 40 CFR 60.2974] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

16. During the start-up period, which shall not exceed the first 30 minutes of operation, no air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark as or darker than Ringelmann 1 or equivalent to 20% opacity. [District Rules 2280, 4001, and 4101, and 40 CFR 60.2971] Federally Enforceable Through Title V Permit
17. After the startup period, during steady state operation, visible emissions from the air curtain burn box shall not equal or exceed either of the following limits: Ringelmann 1 or 20% opacity for more than 3 minutes in any one hour or 10% opacity as determined by the average of three 1-hour blocks consisting of ten 6-minute average opacity values. [District Rules 2280, 4001, and 4101, and 40 CFR 60.2971] Federally Enforceable Through Title V Permit
18. Owner/operator shall conduct periodic testing for opacity at least once every 12 calendar months. Opacity testing shall consist of one 30 minute cold start observation and three 1 hour observations under normal steady state operation. [District Rules 1081, 2280, and 4001, and 40 CFR 60.2972] Federally Enforceable Through Title V Permit
19. Compliance with the opacity limits on this registration shall be determined by EPA Method 9 and shall be conducted by an observer certified pursuant to EPA Method 9. [District Rule 2280, 4001, 4101, and 40 CFR 60.2972] Federally Enforceable Through Title V Permit
20. Observers for the opacity compliance demonstration shall be certified according to the procedure in EPA Method 9. [District Rules 4001 and 4101, and 40 CFR 60.2972] Federally Enforceable Through Title V Permit
21. Owner/operator shall notify the District at least 30 calendar days prior to any compliance opacity testing and an opacity test plan shall be submitted for approval at least 15 calendar days prior to testing. [District Rules 1081 and 2280] Federally Enforceable Through Title V Permit
22. Opacity observations shall be made at the point of greatest opacity in that portion of the plume where condensed water vapor is not present. [District Rule 1081] Federally Enforceable Through Title V Permit
23. Owner/operator shall submit to the District a copy of the opacity test results in paper or electronic format no later than 60 calendar days after completion of the testing. [District Rules 1081, 2280, and 4001, and 40 CFR 60.2973] Federally Enforceable Through Title V Permit
24. Owner/operator shall maintain records of all opacity testing for a period of at least five years and make records available to the District upon request. [District Rules 1070, 2280, and 4001, 40 CFR 60.2973] Federally Enforceable Through Title V Permit
25. When conducting a cold start, the owner/operator shall use a propane or butane torch, drip torch or flare to ignite the material inside the burn box, no accelerants (e.g. gasoline, diesel fuel, kerosene, turpentine, etc.) may be used. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
26. Materials shall be loaded into the burn box such that they do not protrude above the air curtain. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
27. The air curtain burn box shall be attended at all times while materials are being burned or flames are visible inside the burn box. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
28. After the last material has been added, airflow shall be maintained until all material within the burn box has been reduced to coals and flames are no longer visible. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
29. Wood ash removed from the firebox shall be handled, stored and disposed of in a manner minimizing entrainment into the atmosphere. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
30. The air curtain burner box shall be operated according to manufacturer's specifications and in a manner to minimize emissions of air contaminants into the atmosphere. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
31. If the air curtain burn box is equipped with an internal combustion engine to power the unit, the engine shall be a certified compression-ignition engine or certified spark-ignition engine that is certified to the most stringent emissions standard in effect for the applicable horsepower range at the time the application for initial registration is submitted to the District. [District Rules 2280 and 2520, and 17 CCR 93116] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

32. If the air curtain burn box is powered by a compression ignited internal combustion engine to power the unit then the engine shall only be fired on the following fuels: 1) CARB diesel fuel; 2) Alternative diesel fuel that has been verified through the Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines; or 3) CARB diesel fuel utilizing fuel additives that have been verified through the Verification Procedure for In-Use strategies to Control Emissions from Diesel Engines. [District Rules 2280 and 17 CCR 93116]
33. If the air curtain burn box is powered by a compression ignited internal combustion engine with a maximum rating equal to or greater than 50 BHP, then permittee shall comply with the fleet emissions requirements of 17 CCR 93116 (3)(c) and 17 CCR 93116(3)(d) and shall comply with the fleet recordkeeping and reporting requirements of 17 CCR 93116.4. [District Rule 2280 and 17 CCR 93116]
34. If the air curtain burn box is equipped with an internal combustion engine to power the unit, visible emissions from the engine shall not exceed Ringelmann 1 or equivalent 20% opacity for a period or periods aggregating more than 3 minutes in any on hour. [District Rule 2280]
35. If the air curtain burn box is equipped with a spark-ignited internal combustion unit rated greater than 50 BHP to power the unit, the engine shall meet the following emission limits: NO<sub>x</sub>: 1.5 g/bhp-hr (equivalent to 100 ppmv @ 15% oxygen); VOC: 1.5 g/bhp-hr (equivalent to 650 ppmv @ 15% oxygen); and CO: 2.0 g/bhp-hr (equivalent to 500 ppmv @ 15% oxygen). [District Rule 2280]
36. If the air curtain burn box is powered by an internal combustion engine with a rating greater than 50 BHP, then the owner/operator shall keep a record of the following for at least five years and shall make such records available to the District upon request: 1) total hours of operation; 2) The type and quantity of fuel used (cubic feet of gas or gallons of liquid); and 3) Maintenance or modifications performed. [District Rule 4701] Federally Enforceable Through Title V Permit
37. Total NO<sub>x</sub> and VOCs emissions from a project shall not exceed 100 pounds during any one day, for each pollutant. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
38. Total PM<sub>10</sub> emissions from a project shall not exceed 150 pounds during any one day. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
39. All air curtain burn boxes as part of a single project, which is one or more registered portable emission unit operated on one or more contiguous or adjacent properties, shall burn no more than 100 tons of waste material in any one day. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
40. The actual emissions from this unit as verified by the record keeping requirements of the District rule 2280, shall not exceed 10 tons per year of any affected pollutant when operated in any participating district. This unit shall not burn more than 7,500 tons of waste material in any year. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
41. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rules 2280 and 4102]
42. This registered equipment shall not remain at any location for longer than six consecutive months, and shall comply with all other residence time restrictions. [District Rule 2280]
43. This registered equipment shall not be used to replace or supplement any ongoing function of, or utility used at, any existing stationary source. [District Rule 2280]
44. {2082} Except for emergency operations, this unit shall not be operated within 1,000 feet of any K-12 school, unless the public and student notification requirements of the CH&SC Section 42301.6 have been satisfied. [District Rule 4102]
45. Owner/operator shall maintain daily records of the tons of approved agricultural materials burned in the air curtain burn box(es) per project. [District Rules 2280 and 2520] Federally Enforceable Through Title V Permit
46. Emissions (in units of pounds per ton of approved agricultural materials) from the air curtain burn box shall not exceed any of the following limits: 1.0 lb-NO<sub>x</sub>/ton, 0.1 lb-SO<sub>x</sub>/ton, 1.3 lb-PM<sub>10</sub>/ton, 2.6 lb-CO/ton, or 0.9 lb-VOC/ton. [District Rule 2280] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

47. Daily emissions shall be calculated as follows: daily emissions (lb/day) = tons of approved agricultural materials burned in a day x emission limits (lb/ton) for each pollutant (see emissions condition above). Total daily emissions, by pollutant, is the sum of each pollutant for each air curtain burn box for a project. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit
48. Owner/operator shall maintain cumulative annual records of the tons of approved agricultural materials burned in the air curtain burn box when operated in any participating district. [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit
49. Annual unit emissions shall be calculated as follows: annual emissions lb/ton = tons of approved agricultural material burned in a year x emission limits (lb of emissions/ton of material) ÷ 2000 (lb/ton). [District Rules 1070 and 2520] Federally Enforceable Through Title V Permit
50. {4369} The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
51. {4370} The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
52. {4371} The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit
53. {4373} If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit
54. The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rule 2520, 9.8.1 and 9.13.1] Federally Enforceable Through Title V Permit
55. {4374} It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit
56. {4375} The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit
57. {4376} The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit
58. {4377} The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit
59. {4378} The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

60. {4387} With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit
61. All records specified in the record keeping requirements of District Rule 2280 shall be submitted to the District within 30 days after the end of each calendar quarter. [District Rules 1070, 2280, and 2520] Federally Enforceable Through Title V Permit
62. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report begin June 1 of every year, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days after the end of the reporting period. [District Rule 2520] Federally Enforceable Through Title V Permit
63. {4384} No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in Table of Standards 1 effective until 12/30/10 or Table of Standards 2 effective on and after 1/1/11 of District Rule 4601 (12/17/09) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit
64. {4385} All VOC-containing materials subject to Rule 4601 (12/17/09) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit
65. {4386} The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.3 (12/17/09). [District Rule 4601, 6.1 and 6.3] Federally Enforceable Through Title V Permit
66. {4390} Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8021] Federally Enforceable Through Title V Permit
67. {4391} Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8031] Federally Enforceable Through Title V Permit
68. {4392} An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8041] Federally Enforceable Through Title V Permit
69. {4393} Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8051] Federally Enforceable Through Title V Permit
70. {4394} Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8061] Federally Enforceable Through Title V Permit
71. {4395} Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8071] Federally Enforceable Through Title V Permit
72. {4396} Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

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# ATTACHMENT B

Model General Permit Application Form

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# San Joaquin Valley Air Pollution Control District

[www.valleyair.org](http://www.valleyair.org)



## Checklist for Model General Permit Qualification Form Air Curtain Burn Boxes (Portable Registered – Rule 2280)

To avoid unnecessary delays, please review the following checklist before submitting your Application to use the Model General Permit for your Air Curtain Burn Box.

Checklist for Complete Applications (include the following)	
<input type="checkbox"/>	1. A signed Model General Permit (Title V) Qualification Form for Air Curtain Burn Boxes (Portable Registered – Rule 2280) for each Air Curtain Burn Box
<input type="checkbox"/>	2. A signed TV Compliance Certification Form (TVFORM-005)

This form is to request the use of the Model General Permit as the Title V permit for an Air Curtain Incinerator that has been issued a District Portable Registration pursuant to District Rule 2280. You must have already received your portable registration in order to utilize this form. **This Model General Permit is not applicable Air Curtain Incinerators that operated as part of an existing stationary source and require an Authority to Construct/Permit to Operate. This Model General Permit also does not apply to CARB registered units.**

Applications may be submitted either by mail or in person at any of the regional offices listed below. The District is pleased to provide businesses with assistance in all aspects of the permitting process. Any business is welcome to call the **Small Business Assistance (SBA) Hotline** or to visit the SBA Office located in each of the regional offices. No appointment is necessary. For more information, please call the SBA Hotline serving the county in which your business is located.

**Northern Region Office**  
(Serving San Joaquin, Stanislaus, and Merced Counties):

4800 Enterprise Way  
Modesto, California 95356-8718  
(209) 557-6400  
FAX: (209) 557-6475  
**SBA Hotline: (209) 557-6446**

**Central Region Office**  
(Serving Madera, Fresno, and Kings Counties):

1990 E Gettysburg Avenue  
Fresno, California 93726-0244  
(559) 230-5900  
FAX: (559) 230-6061  
**SBA Hotline: (559) 230-5888**

**Southern Region Office**  
(Serving Tulare and Kern Counties):

34946 Flyover Court  
Bakersfield, California 93308  
(661) 392-5500  
FAX: (661) 392-5585  
**SBA Hotline: (661) 392-5665**



# San Joaquin Valley Air Pollution Control District

## Model General Permit (Title V) Qualification Form

### Air Curtain Burn Box (Portable Registered – District Rule 2280)



[www.valleyair.org](http://www.valleyair.org)

<b>1. FACILITY NAME:</b> _____	
<b>2. MAILING ADDRESS:</b>	<b>STREET or P O BOX:</b> _____
	<b>CITY:</b> _____ <b>STATE:</b> _____ <b>ZIP CODE:</b> _____
<b>4. AIR CURTAIN BURN BOX ELIGIBILITY INFORMATION FOR MODEL GENERAL PERMIT</b>	
Please provide all of the following information such that the District may determine the eligibility of the Air Curtain Burn Box.	
a. AIR CURTAIN BURN BOX (ACI) Portable Registration #: _____	
b. IS THE ACI SUBJECT TO 40 CFR 60 SUBPART EEEE REQUIREMENTS: YES <input type="checkbox"/> NO <input type="checkbox"/>	
c. THE ACI WILL COMBUST THE FOLLOWING MATERIALS (check all that apply):	
<input type="checkbox"/> Agricultural Waste as Specified on the District's "Air Curtain Burn Box Approved Agricultural Materials" list	
<input type="checkbox"/> Forest Management Materials	
<input type="checkbox"/> Hazard Reduction Waste	
<input type="checkbox"/> Other, Please Specify: _____	
d. MAXIMUM PERMITTED QUANTITY OF MATERIAL COMBUSTED IN THE AIR CURTAIN BURN BOX:	
In any one hour (tons): _____	
In any one day (tons): _____	
In any one year (tons): _____	
e. COMBUSTION IS STARTED USING THE FOLLOWING (check all that apply):	
<input type="checkbox"/> Butane or Propane Torch	
<input type="checkbox"/> Driptorch	
<input type="checkbox"/> Flare	
<input type="checkbox"/> Accelerant (gasoline, diesel, kerosene or other fuel) or other method, Please Specify: _____	
f. WILL EMISSIONS FROM THE AIR CURTAIN BURN BOX EXCEED ANY OF THE FOLLOWING?	
1. 100 lb in any one day for NOx or VOC? YES <input type="checkbox"/> NO <input type="checkbox"/>	
2. 150 pounds any one day for PM10? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
3. 10 tons per year for NOx, VOC, CO, PM10, or SOx? YES <input type="checkbox"/> NO <input type="checkbox"/>	
g. THE AIR CURTAIN FAN WILL BE POWERED BY AN:	
<input type="checkbox"/> Electric Motor	
<input type="checkbox"/> Diesel-fired Engine Maximum HP Rating of Diesel Engine: _____ Engine EPA/CARB Tier Rating: _____	
<input type="checkbox"/> Spark-ignited Engine Maximum HP Rating of Spark-ignited Engine: _____	
<b>5. PLEASE COMPLETE AND ATTACH TITLE V COMPLIANCE CERTIFICATION FORM (TVFORM-005)</b>	
<b>6. APPLICANT NAME:</b> _____ <b>TITLE:</b> _____  <b>SIGNATURE:</b> _____ <b>DATE:</b> _____	<b>7. APPLICANT CONTACT INFORMATION:</b> <b>PHONE #:</b> (    )    -    _____ <b>CELL PHONE #:</b> (    )    -    _____ <b>E-MAIL:</b> _____

**FOR APCD USE ONLY:**

<b>DATE STAMPS</b> _____ _____ _____	<b>FILING FEE RECEIVED:\$</b>  <b>PROJECT #:</b> _____	<b>CHECK #:</b> _____  <b>DATE PAID:</b> _____  <b>FACILITY ID #:</b> _____
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# ATTACHMENT C

## Air Curtain Burn Box Approved Agricultural Materials List

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# Air Curtain Burn Box Approved Agricultural Materials

JANUARY 28, 2019

RULE 2280

An Air Curtain Burn Box is an open-top combustion device with vertical, refractory lined walls that operates by forcefully projecting a fan driven pane of high velocity air over the top of the combustion chamber in such a manner as to maintain a curtain of air over the surface and a recirculating motion of air under the curtain.

*Only agricultural materials on this list, forest management materials, or hazard reduction materials may be burned in an air curtain burn box.*

Agricultural Material	Description
Orchard Removals	<i>Includes leaves, branches, trunks, roots, stumps, and untreated branch support sticks.</i>
Vineyard Removals	<i>Includes vines, canes, trunks, roots, untreated grape stakes, wires, as well similar materials from kiwi vineyards.</i>
Orchard Attrition	<i>Includes suckers, dead or broken branches, dead trees (trees lost due to natural causes such as wind, not to be confused with orchard removals or trees that perish from lack of watering).</i>
Grape Attrition	<i>Includes suckers, dead or broken stumps, and trunks.</i>
Untreated Grape Stakes	
Paper Raisin Trays	
Diseased Materials	<i>The county agricultural commissioner must determine that burning is the only means available for disposing of the diseased materials.</i>
Tumbleweeds	
Diseased Beehives	

For questions about air curtain burn box use or acceptable materials, please contact the District's Compliance team at 559-230-5950.