

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 33 - PART 70 PERMITS – GENERAL

(Adopted 10/12/93, Revised 9/12/06, 4/12/11)

A. General

Rule 33, which includes Rules 33 through 33.10, specifies the requirements and procedures by which a source would obtain a Part 70 permit. The provisions of this rule shall apply in addition to the requirements of Rules 10 through 32 for any source required to obtain a Part 70 permit.

B. Applicability

The requirement to obtain a Part 70 permit pursuant to this rule shall apply to:

1. Any stationary source with a potential to emit of 100 tons per year or more of any regulated air pollutant. Effective July 1, 2011, this provision shall apply to greenhouse gas emissions only if the source has a potential to emit of 100,000 tons per year or more CO₂ equivalent emissions. (Reference: 40 CFR 70.2 "Major Source" (2), "Subject to Regulation" (1); 70.3(a)(1))
2. Any stationary source with a potential to emit that equals or exceeds the applicable federal major source threshold for Ventura County's ozone nonattainment area classification under the 8-hour ozone standard as follows:

<u>Nonattainment Classification</u>	<u>Major Source Threshold Tons Per Year of ROC or NO_x</u>
Marginal and Moderate and Subpart 1	100
Serious	50
Severe	25
Extreme	10

(Reference: 40 CFR 70.2 "Major Source" (3)(i), 70.3(a)(1))

3. Any stationary source, or group of stationary sources located in a contiguous area and under common control with a potential to emit of:
 - a. 10 tons per year or more of any EPA hazardous air pollutant;
 - b. 25 tons per year or more of any combination of EPA hazardous air pollutants; or
 - c. A lesser quantity, as established by regulations promulgated by the Administrator of the EPA, of any EPA hazardous air pollutant.

(Reference: 40 CFR 70.2 "Major Source" (1)(i); 70.3(a)(1))

4. Any stationary source in a source category required to obtain a Part 70 permit pursuant to regulations promulgated by the Administrator of the EPA. (Reference: CAA Section 502(a); 40 CFR 70.3(a)(5), 70.3(b)(1), 70.3(b)(2))
5. Any acid rain source. (Reference: 40 CFR 70.2, 70.3(a)(4))
6. Any solid waste incineration unit required to obtain a Part 70 permit pursuant to Section 129(e) of the federal Clean Air Act. (Reference: 40 CFR 70.3(b)(1))
7. Any stationary source with a potential to emit that equals or exceeds any federal major source threshold based on Ventura County's attainment classification for PM-10 or CO. (Reference: 40 CFR 70.2 "Major Source" (3)(iii) and (iv), 70.3(a)(1))
8. Any stationary source required to have a permit pursuant to part C or part D of title I of the federal Clean Air Act, including any stationary source that was ever required to have a federal Prevention of Significant Deterioration (PSD) permit or federal New Source Review (NSR) permit. (Reference Clean Air Act 502(a))

C. Exemptions

The requirement to obtain a Part 70 permit for a source listed in Section B shall not apply to:

1. Any stationary source required to obtain a Part 70 permit solely because such source is subject to the provisions of 40 CFR 60, Subpart AAA, Standards of Performance for New Residential Wood Heaters (Reference: 40 CFR 70.3(b)(4)(i)); or
2. Any stationary source or operation required to obtain a Part 70 permit solely because such source is subject to the provisions of 40 CFR 61, Subpart M, National Emission Standard for Hazardous Air Pollutants for Asbestos, Section 61.145, Standard for Demolition and Renovation (Reference: 40 CFR 70.3(b)(4)(ii)); or
3. Any stationary source, including an area source, required to obtain a Part 70 permit solely because such source is subject to regulations or requirements pursuant to Section 112(r) of the federal Clean Air Act. (Reference: 40 CFR 70.3(a)(3))
4. Any solid waste incineration unit required to obtain a permit pursuant to Section 3005 of the Solid Waste Disposal Act. (Reference: CAA Section 129(g)(1))