



MAR 14 2011

Gerardo C. Rios, Chief
Permits Office (AIR-3)
U.S. EPA - Region IX
75 Hawthorne St.
San Francisco, CA 94105

**Re: Notice of Preliminary Decision – Title V Permit Renewal
District Facility # N-3696
Project # N-1063001**

Dear Mr. Rios:

Enclosed for your review and comment is the District's analysis of the application to renew the Federally Mandated Operating Permit for Highway 59 Landfill Site for its sanitary landfill at 6040 N. Highway 59 in Merced, California.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 45-day comment period which begins on the date of publication of the public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,

David Warner
Director of Permit Services

Attachments
C: Frank DeMaris, Permit Services Engineer

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
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MAR 14 2011

Mike Tollstrup, Chief
Project Assessment Branch
Air Resources Board
P O Box 2815
Sacramento, CA 95812-2815

**Re: Notice of Preliminary Decision - Title V Permit Renewal
District Facility # N-3696
Project # N-1063001**

Dear Mr. Tollstrup:

Enclosed for your review and comment is the District's analysis of the application to renew the Federally Mandated Operating Permit for Highway 59 Landfill Site for its sanitary landfill at 6040 N. Highway 59 in Merced, California.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 30-day comment period which begins on the date of publication of the public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,

David Warner
Director of Permit Services

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MAR 14 2011

Paul Fillebrown
Highway 59 Landfill Site
2222 M Street, Room 206
Merced, CA 95340-3729

**Re: Notice of Preliminary Decision - Title V Permit Renewal
District Facility # N-3696
Project # N-1063001**

Dear Mr. Fillebrown:

Enclosed for your review and comment is the District's analysis of the application to renew the Federally Mandated Operating Permit for Highway 59 Landfill Site for its sanitary landfill at 6040 N. Highway 59 in Merced, California.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 30-day comment period which begins on the date of publication of the public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,

David Warner
Director of Permit Services

Attachments

C: Frank DeMaris, Permit Services Engineer

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Merced Sun Star

**NOTICE OF PRELIMINARY DECISION
FOR THE PROPOSED RENEWAL OF
THE FEDERALLY MANDATED OPERATING PERMIT**

NOTICE IS HEREBY GIVEN that the San Joaquin Valley Air Pollution Control District solicits public comment on the proposed renewal of the Federally Mandated Operating Permit to Highway 59 Landfill Site for its sanitary landfill at 6040 N. Highway 59 in Merced, California.

The District's analysis of the legal and factual basis for this proposed action, project #N-1063001, is available for public inspection at http://www.valleyair.org/notices/public_notices_idx.htm and the District office at the address below. There are no emission changes associated with this proposed action. This will be the public's only opportunity to comment on the specific conditions of the proposed renewal of the Federally Mandated Operating permit. If requested by the public, the District will hold a public hearing regarding issuance of this renewed permit. For additional information, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900. Written comments on the proposed renewed permit must be submitted within 30 days of the publication date of this notice to DAVID WARNER, DIRECTOR OF PERMIT SERVICES, SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT, 1990 E. GETTYSBURG AVE, FRESNO, CALIFORNIA 93726-0244.

**SAN JOAQUIN VALLEY
AIR POLLUTION CONTROL DISTRICT**

**Proposed Title V Permit Renewal Evaluation
Highway 59 Landfill Site
N-3696**

TABLE OF CONTENTS

I.	PROPOSAL	2
II.	FACILITY LOCATION	2
III.	EQUIPMENT LISTING	3
IV.	GENERAL PERMIT TEMPLATE USAGE	3
V.	SCOPE OF EPA AND PUBLIC REVIEW	3
VI.	FEDERALLY ENFORCEABLE REQUIREMENTS	3
VII.	REQUIREMENTS NOT FEDERALLY ENFORCEABLE	7
VIII.	PERMIT REQUIREMENTS	7
IX.	PERMIT SHIELD	20
X.	PERMIT CONDITIONS	21
XI.	ATTACHMENTS	21
A.	DRAFT RENEWED TITLE V OPERATING PERMIT	
B.	PREVIOUS TITLE V OPERATING PERMIT	
C.	DISTRICT RULE 4601 STRINGENCY ANALYSIS	
D.	RULE 4601 TABLES OF STANDARDS	
E.	DISTRICT RULE 4651 STRINGENCY ANALYSIS	
F.	DETAILED FACILITY LIST	

TITLE V PERMIT RENEWAL EVALUATION
Sanitary Landfill

Engineer: Frank DeMaris
Date: March 8, 2011

Facility Number: N-3696
Facility Name: Highway 59 Landfill Site
Mailing Address: Solid Waste Division
2222 M Street, Room 206
Merced, CA 95340-3729

Contact Name: Paul A. Fillebrown
Phone: (209) 385-7602

Responsible Official: Paul A. Fillebrown
Title: Director, Department of Public Works

Project # : N-1063001
Deemed Complete: November 9, 2006

I. PROPOSAL

The Highway 59 Landfill Site was issued a Title V permit on December 31, 2002. As required by District Rule 2520, the applicant is requesting a permit renewal. The existing Title V permit will be reviewed and modified to reflect all applicable District and federal rules that have been updated, removed, or added since the issuance of the initial Title V permit.

The purpose of this evaluation is to provide the legal and factual basis for all updated applicable requirements and to determine if the facility will comply with these updated requirements. It also specifically identifies all additions, deletions, and/or changes made to permit conditions or equipment descriptions.

II. FACILITY LOCATION

Highway 59 Landfill Site is located at 6040 N Highway 59 in Merced, California.

III. EQUIPMENT LISTING

A detailed facility printout listing all permitted equipment at the facility is included as Attachment F. However, this equipment listing includes a compost screening operation (unit N-3696-3-1) that, while located at the Hwy 59 Landfill Site, is not part of the landfill stationary source because composting operations are not part of the same 2-digit SIC code as landfill operations¹. The compost screening operation is not part of the Hwy 59 Landfill Site stationary source, and therefore cannot be included in the Title V permit. The compost screening operation will not be discussed further in this evaluation.

IV. GENERAL PERMIT TEMPLATE USAGE

The applicant does not propose to use any model general permit templates.

V. SCOPE OF EPA AND PUBLIC REVIEW

The applicant is not requesting any model general permit templates. Therefore, all federally enforceable conditions in this current Title V permit will be subject to EPA and public review.

VI. FEDERALLY ENFORCEABLE REQUIREMENTS

A. Rules Updated

- District Rule 1020, Definitions
(amended January 15, 2009)
- District Rule 2020, Exemptions
(amended September 21, 2006 ⇒ amended December 20, 2007)
- District Rule 2201, New and Modified Stationary Source Review Rule
(amended April 20, 2005 ⇒ amended December 15, 2005 ⇒ amended September 21, 2006 ⇒ amended December 18, 2008)
- District Rule 4101, Visible Emissions
(amended February 17, 2005)

¹ The SIC code for compost production is 2875, while the SIC code for a landfill is 4911.

- District Rule 4601, Architectural Coatings
(amended December 17, 2009)
- District Rule 4621, Gasoline Transfer Into Stationary Storage Containers, Delivery Vessels, and Bulk Plants
(amended December 20, 2007)
- District Rule 4622, Transfer of Gasoline Into Vehicle Fuel Tanks
(amended December 20, 2007)
- District Rule 4651, Soil Decontamination Operations
(amended September 20, 2007)
- District Rule 8011, General Requirements
(amended August 19, 2004)
- District Rule 8021, Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities
(amended August 19, 2004)
- District Rule 8031, Bulk Materials
(amended August 19, 2004)
- District Rule 8041, Carryout and Trackout
(amended August 19, 2004)
- District Rule 8051, Open Areas
(amended August 19, 2004)
- District Rule 8061, Paved and Unpaved Roads
(amended August 19, 2004)
- District Rule 8071, Unpaved Vehicle/Equipment Traffic Areas
(amended September 16, 2004)
- 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos
- 40 CFR Part 82, Subparts B and F, Stratospheric Ozone
- 40 CFR Part 60, Subpart WWW, Standard of Performance for Municipal Solid Waste Landfills

B. Rules Removed

No applicable federally-enforceable rules have been removed since the most recent Title V action, which was the issuance of the original Title V permit on December 31, 2002.

C. Rules Added

- 40 CFR Part 63, Subpart AAAA, National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills
- 40 CFR Part 63, Subpart CCCCCC, National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities

D. Rules Not Updated

- District Rule 1010, Title
(adopted June 18, 1992)
- District Rule 1080, Stack Monitoring
(amended December 17, 1992)
- District Rule 1081, Source Sampling
(amended December 17, 1992)
- District Rule 1110, Circumvention
(amended December 17, 1992)
- District Rule 1130, Severability
(amended December 17, 1992)
- District Rule 1140, Applicability of Emission Limits
(amended December 17, 1992)
- District Rule 1150, Separation and Combination
(amended December 17, 1992)
- District Rule 2010, Permits Required
(amended December 17, 1992)
- District Rule 2031, Transfer of Permits
(amended December 17, 1992)

- District Rule 2050, Cancellation of Application
(amended December 16, 1993)
- District Rule 2070, Standards for Granting Applications
(amended December 17, 1992)
- District Rule 2080, Conditional Approval
(amended December 17, 1992)
- District Rule 2092, Standards for Permits to Operate
(amended December 17, 1992)
- District Rule 2520, Federally Mandated Operating Permits
(amended June 21, 2001)
- 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 4642, Solid Waste Disposal Sites
(amended April 16, 1998)
- District Rule 4801, Sulfur Compounds (amended December 17, 1992)
- 40 CFR Part 60, Subpart Cc, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills
- 40 CFR Part 62, Subpart GGG, Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction Prior to May 30, 1991 and Have Not Been Modified or Reconstructed Since May 30, 1991
- 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 Permit. 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 are not federally enforceable and will not be discussed in further detail:

A. Rules Added

No applicable non-federally-enforceable rules have been added since the most recent Title V action, which was the issuance of the original Title V permit on December 31, 2002.

B. Rules Not Updated

- District Rule 4102, Nuisance
(amended December 17, 1992)

Condition 43 of permit unit N-3696-0-0 is based on District Rule 4102. It is noted that condition 43 is incorrectly described as being "Federally Enforceable Through Title V Permit" in permit 0-0. This error is corrected in unit 0-1, with revised condition 43 no longer described as "Federally Enforceable Through Title V Permit".

VIII. PERMIT REQUIREMENTS

The purpose of this evaluation is to review changes to federally enforceable requirements; therefore, this compliance section will only address rules that have been amended or added since the issuance of the initial Title V permit.

A. District Rule 1020 – Definitions

District Rule 1020 lists the definitions of common terms used throughout the District rules. The amendment to this rule does not have any effect on current permit requirements, and will therefore not be addressed in this evaluation.

B. District Rule 2020 – Exemptions

District Rule 2020 lists equipment which is specifically exempt from obtaining permits and specifies recordkeeping requirements to verify such exemptions. The amendments to this rule do not have any effect on current permit requirements and will therefore not be addressed in this evaluation.

C. District Rule 2201 – New and Modified Stationary Source Review Rule

District Rule 2201 has been amended since this facility's initial Title V permit was issued. This Title V permit renewal does not constitute a modification per section 3.26, defined as an action including at least one of the following items:

- 1) Any change in hours of operation, production rate, or method of operation of an existing emissions unit, which would necessitate a change in permit conditions.
- 2) Any structural change or addition to an existing emissions unit which would necessitate a change in permit conditions. Routine replacement shall not be considered to be a structural change.
- 3) An increase in emissions from an emissions unit caused by a modification of the Stationary Source when the emissions unit is not subject to a daily emissions limitation.
- 4) Addition of any new emissions unit which is subject to District permitting requirements.
- 5) A change in a permit term or condition proposed by an applicant to obtain an exemption from an applicable requirement to which the source would otherwise be subject.

The updated requirements of this rule are not applicable at this time. Condition 27 on the current Permit to Operate specifies that a minimum of two 250 lb carbon canisters connected in series will be used as the LFG control device. ATC N-3696-2-3, issued on May 21, 2002, authorized the use of two 1,275 lb carbon canisters, or equivalent as approved by the District's Permit Services Division. Approximately two weeks later the District received a request to determine that 12 smaller carbon canisters would be equivalent equipment; this request was approved in a letter dated June 10, 2002. However, the carbon adsorption system was incorporated into the Title V permit as two 250 lb carbon canisters. Condition 27 has been revised and renumbered as condition 29 on the proposed Permit to Operate in order to reflect the previously-approved alternative carbon canister configuration, which has been confirmed by the District's Compliance Division.

Condition 29 on the current Permit to Operate specifies a VOC control efficiency of 98%, or a maximum VOC emission rate of 2 lb/day. ATC N-3696-2-1 included separate conditions to specify the minimum VOC control efficiency depending on the control device, either 95% for carbon canisters (with an alternative maximum emission rate of 2 lb/day) or 98% for either an open or an enclosed flare. Both conditions were established to ensure compliance with the control efficiency that constituted best available control technology (BACT) for the applicable control device. However, the initial Title V permit evaluation consolidated these separate VOC control efficiency requirements for different control devices into a single condition requiring 98% control efficiency or maximum VOC emissions of 2 lb/day. These control efficiency requirement is clearly inappropriate for adsorption systems such as carbon canisters, which generally achieved a control efficiency of 95% or slightly greater. Therefore, condition 29 has been revised and renumbered as 31 on the proposed Permit to Operate in order to reflect the correct BACT control efficiency for a carbon adsorption system.

D. District Rule 2520 – Federally Mandated Operating Permits

There are no federally applicable greenhouse gas (GHG) requirements for this source. It should be noted that the Mandatory Greenhouse Gas Reporting rule (40 CFR 98) is not included in the definition of an applicable requirement within Title V, as specified in 40 CFR 71.2. Therefore, no GHG requirements will be included in the proposed Permit to Operate. No further discussion is required.

E. District Rule 4101 – Visible Emissions

The purpose of this rule is to prohibit the emissions of visible air contaminants to the atmosphere. The provisions of this rule shall apply to any source operation which emits or may emit air contaminants.

The District has verified that condition 22 of N-3696-0-2 ensures compliance with the requirements of this rule. However, Condition 22 cites as its authority both Merced County Rule 401 and District Rule 4101. Since District Rule 4101 was adopted and incorporated into the SIP (with final EPA approval published in the Federal Register on August 11, 2005) specifically to replace the county-level rules such as Merced County Rule 401, existing Condition 22 will be replaced with new Condition 22 which does not cite Merced County Rule 401.

F. 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, and storage requirements.

The latest version of District Rule 4601 has not been SIP approved. Appendix C contains the streamlining of the SIP approved District Rule 4601 (10/31/01) to the current District Rule 4601 to show the current rule is as stringent if not more than the SIP approved version.

a. N-3696-0-1 (Facility-Wide Requirements)

The District has verified that conditions 23, 24, and 25 on the proposed Permit to Operate will ensure compliance with the requirements of this rule.

G. District Rule 4621 – Gasoline Transfer Into Stationary Storage Containers, Delivery Vessels, and Bulk Plants

The purpose of this rule is to limit VOC emissions from the transfer of gasoline into stationary storage containers and similar affected facilities. The rule was amended on December 20, 2007.

a. N-3696-1-2 (Gasoline Dispensing Operation)

The District has verified that conditions 1, 3 through 6, 10, 11, 14, 16 through 20, 24, and 25 on the proposed Permit to Operate will ensure compliance with the requirements of this rule.

H. District Rule 4622 – Gasoline Transfer Into Motor Vehicle Fuel Tanks

The purpose of this rule is to limit VOC emissions from the transfer of gasoline into motor vehicle fuel tanks. The rule was amended on December 20, 2007.

a. N-3696-1-2 (Gasoline Dispensing Operation)

The District has verified that conditions 1, 2, 4, 5, 7 through 10, 12 through 19, and 21 through 25 on the proposed Permit to Operate will ensure compliance with the requirements of this rule.

I. District Rule 4651 - Soil Decontamination

The purpose of this rule is to limit volatile organic compound (VOC) emissions from soil that has been contaminated with a VOC-containing liquid. The rule was amended in September 20, 2007 but had not been SIP approved. The stringency analysis in Attachment E shows that the amended rule is as stringent as the SIP approved version of the rule amended in December 17, 1992.

a. N-3696-2-8 – Municipal Solid Waste Landfill

The District has verified that new conditions 33 and 34 on the proposed Permit to Operate will ensure compliance with this rule.

J. District Rule 8011 – General Requirements

The purpose of Regulation VIII (Fugitive PM₁₀ Prohibitions) is to reduce ambient concentrations of fine particulate matter (PM₁₀) by requiring actions to prevent, reduce or mitigate anthropogenic (human-caused) fugitive dust emissions. The Rules contained in this Regulation have been developed pursuant to USEPA guidance for Serious PM₁₀ Nonattainment Areas, and are applicable to specified anthropogenic fugitive dust sources. Fugitive dust contains PM₁₀ and particles larger than PM₁₀. Controlling fugitive dust emissions when visible emissions are detected will not prevent all PM₁₀ emissions, but will substantially reduce PM₁₀ 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 PM₁₀ Prohibitions) of the Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District.

a. N-3696-0-1 – Facility-Wide Requirements

The District has verified that conditions 29 through 34 on the proposed Permit to Operate will ensure compliance with the requirements of this rule.

K. District Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving 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 VDE to 20% opacity. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII.

a. N-3696-0-1 – Facility-Wide Requirements

The District has verified that condition 29 of the proposed Permit to Operate ensures compliance with the requirements of this rule.

L. District Rule 8031 – Bulk Materials

The purpose of this rule is to limit fugitive dust emissions from the outdoor handling, storage, and transport of bulk materials.

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 VDE to 20% opacity 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.

a. N-3696-0-1 – Facility-Wide Requirements

The District has verified that condition 30 of the proposed Permit to Operate ensures compliance with the requirements of this rule.

M. District Rule 8041 – 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 an owner/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/operator from obtaining state or local agency permits which may be required for the cleanup of mud and dirt on paved public roads.

a. N-3696-0-1 – Facility-Wide Requirements

The District has verified that condition 31 of the proposed Permit to Operate ensures compliance with the requirements of this rule.

N. District Rule 8051 – Open Areas

The purpose of this rule is to limit fugitive dust emissions from open areas, as defined in Rule 8011, with at least 1,000 square feet of disturbed surface area. Section 5.0 requires an owner or operator to implement one or more control measures in open areas to prevent visible emissions from exceeding 20% opacity.

a. N-3696-0-1 – Facility-Wide Requirements

The District has verified that condition 32 of the proposed Permit to Operate ensures compliance with the requirements of this rule.

O. District Rule 8061 – 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.

a. N-3696-0-1 – Facility-Wide Requirements

The District has verified that condition 33 of the proposed Permit to Operate ensures compliance with the requirements of this rule.

P. District Rule 8071 – Unpaved Vehicle/Equipment Traffic Area

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.

a. N-3696-0-1 – Facility-Wide Requirements

The District has verified that condition 34 of the proposed Permit to Operate ensures compliance with the requirements of this rule.

Q. 40 CFR Part 60, Subpart WWW – Standards of Performance for Municipal Solid Waste Landfills

The requirements of this subpart apply to each existing municipal solid waste landfill for which construction, reconstruction, or modification was commenced on or after May 30, 1991. As noted above, Highway 59 Landfill commenced modification after May 30, 1991, so the requirements of Subpart WWW apply to this facility.

a. N-3696-2-8 – Municipal Solid Waste Landfill

Section 60.752 requires the owner or operator of the landfill to comply with either §60.752(a) or §60.752(b) depending on the design capacity of the landfill.

- If the landfill is less than 2.5 million megagrams or 2.5 million cubic meters, the owner or operator must comply with the requirements of 40 CFR 60.752(a).

- If the landfill is equal to or greater than 2.5 million megagrams or 2.5 million cubic meters, the owner or operator must comply with the requirements of 40 CFR 60.752(b).

The Highway 59 Landfill Site design capacity is over 30 million cubic yards, equivalent to just under 23 million cubic meters. Therefore, the owner or operator must comply with §60.752(b).

Section 60.752(b) specifies that the owner or operator of a landfill required to comply with this section must either design, install, maintain, and operate a landfill gas collection system in accordance with §60.752(b)(2) or calculate the NMOC emission rate using the procedure specified in §60.754. If the NMOC emission rate is calculated to exceed 50 Mg/yr, using a series of increasingly site-specific calculations, then a landfill gas collection system that complies with §60.752(b)(2) must be designed, installed, maintained, and operated.

The District has verified that conditions 16 and 17 of N-3696-2-8 ensure compliance with the requirements of this section.

Section 60.753 specifies the operational requirements for a landfill with a gas collection system used to comply with the provisions of §60.752(b)(2). The Highway 59 Landfill Site is not currently required to comply with §60.752(b)(2), because NMOC emissions were not projected to exceed the 50 Mg/yr threshold at the time the Title V renewal application was deemed complete. However, NMOC emissions were projected to exceed that threshold within a few years; therefore, it is appropriate to include conditions intended to ensure the operational requirements are satisfied if and when applicable.

The District has verified that condition 17 of N-3696-2-8 will ensure compliance with the requirements of this section if and when they become applicable.

Section 60.754(a)(1) requires that the owner or operator calculate NMOC emissions on an annual basis unless the facility qualifies for a five-year report in accordance with §60.757(b)(1)(ii). The first level of NMOC emission calculations, known as the Tier 1 calculation (§60.754(a)(2)), can be refined for site-specific data as necessary if the calculation shows that NMOC emissions will exceed the 50 Mg/yr threshold for requiring a gas collection and control system. These more refined, site-specific emission calculations are referred to as Tier 2 and Tier 3 calculations. Tier 1 calculations already show the Highway 59 Landfill Site exceeding the 50 Mg/yr threshold, so the

provisions of this section, while still applicable, are superseded by later provisions.

Section 60.754(a)(3) specifies the procedure for installing landfill gas sampling probes and using the data collected to determine the site-specific NMOC concentration for use in the Tier 2 calculation of the NMOC emission rate. If the NMOC emission rate calculated using the Tier 2 procedure exceeds 50 Mg/yr, the owner or operator must either install the landfill gas collection system for compliance with §60.752(b)(2) or recalculate NMOC emissions using the Tier 3 procedure as specified in §60.754(a)(4).

The District has verified that conditions 1, 2, and 3 of N-3696-2-8 ensure compliance with this section.

Section 60.754(a)(4) specifies the procedure for estimating the site-specific methane generation rate for use in calculating NMOC emissions under the Tier 3 calculation procedure. If the NMOC emission rate calculated using the Tier 2 procedure exceeds 50 Mg/yr, the owner or operator must install the landfill gas collection system for compliance with §60.752(b)(2).

The district has verified that conditions 4 and 5 of N-3696-2-8 ensure compliance with this section.

Section 60.754(c) states that when calculating emissions for PSD purposes, the owner or operator of each MSW landfill subject to the provisions of this subpart shall estimate the NMOC emission rate for comparison to the PSD major source and significance levels in §§51.166 or 52.21 of this chapter using AP-42 or other approved measurement procedures. The district has verified that condition 6 of N-3696-2-8 ensures compliance with this section.

Section 60.755 specifies the provisions under which an owner or operator must demonstrate compliance with the applicable requirements of §60.752(b)(2). The Highway 59 Landfill Site is not currently required to comply with §60.752(b)(2), because NMOC emissions were not projected to exceed the 50 Mg/yr threshold at the time the Title V renewal application was deemed complete. However, NMOC emissions were projected to exceed that threshold within a few years; therefore, it is appropriate to include conditions intended to ensure the operational requirements are satisfied if and when applicable.

The District has verified that condition 17 of N-3696-2-8 will ensure compliance with the requirements of this section if and when they become applicable.

Section 60.756 specifies the monitoring provisions that apply to an owner or operator required to comply with §60.752(b)(2). The Highway 59 Landfill Site is not currently required to comply with §60.752(b)(2), because NMOC emissions were not projected to exceed the 50 Mg/yr threshold at the time the Title V renewal application was deemed complete. However, NMOC emissions were projected to exceed that threshold within a few years; therefore, it is appropriate to include conditions intended to ensure the operational requirements are satisfied if and when applicable.

The District has verified that condition 17 of N-3696-2-8 will ensure compliance with the requirements of this section if and when they become applicable.

Section 60.757(a) specifies the requirement for every owner and operator to submit an initial design capacity report by the applicable deadline. The Highway 59 Landfill Site has submitted the required initial design capacity report, which showed that the design capacity exceeds 2.5 million cubic meters and 2.5 million megagrams. The facility has already complied with this section, and no further discussion is required.

Section 60.757(b) requires each owner and operator subject to these requirements to submit an NMOC emission report to the Administrator. An initial report must be submitted to the Administrator either with or shortly after the design capacity report, and additional reports must be submitted annually thereafter with the proviso (specified in §60.757(b)(1)(ii)) that the NMOC report may cover a five-year period if the NMOC emissions shall not exceed 50 Mg/yr in any of those five years. In addition, a facility that is required to install a gas collection and control system to comply with the requirements of this Subpart is exempt from the annual NMOC reporting requirement as long as the gas collection and control system is operating and in compliance with the performance specifications in this Subpart.

The District has verified that conditions 7 through 10 of N-3696-2-8 will ensure compliance with the requirements of this section.

Section 60.757(c) specifies that an owner or operator subject to the requirements of §60.752(b)(2)(i) must either submit a gas collection and control system design plan within 1 year of the first report in which the NMOC emission rate equals or exceeds 50 Mg/yr, or recalculate the NMOC emission rate after Tier 2 sampling using the applicable Tier 2 calculation methodology. If the NMOC emission rate using the Tier 2 methodology shows the NMOC emission rate is less than 50 Mg/yr, then the owner or operator is to resume annual NMOC reporting. The revised calculation using the Tier 2 methodology must be submitted within 180 days of the first calculated

exceedance of 50 Mg/yr. Similarly, if the NMOC emission rate calculated using the Tier 2 methodology exceeds 50 Mg/yr, the owner or operator may recalculate the NMOC emission rate after Tier 3 sampling using the applicable Tier 3 calculation methodology. If the NMOC emission rate using the Tier 3 methodology shows the NMOC emission rate is less than 50 Mg/yr, then the owner or operator is to resume annual NMOC reporting. The revised calculation using the Tier 3 methodology must be submitted within one year of the first calculated exceedance of 50 Mg/yr.

The District has verified that conditions 11 and 12 of N-3696-2-8 ensure compliance with the requirements of these sections.

Section 60.757(d) requires an owner or operator of a controlled landfill that stops accepting waste to submit a closure report to the Administrator within 30 days. If a closure notice has been submitted, no additional wastes may be placed into the landfill without filing a notice of modification with the Administrator as specified in 40 CFR 60.7(a)(4).

The District has verified that condition 15 of N-3696-2-8 will ensure compliance with the requirements of this section.

Section 60.758(a) specifies that the owner or operator of a landfill subject to the provisions of §60.752(b) must keep for at least five years up-to-date, readily accessible on-site records of the design capacity report, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records are acceptable if they can be retrieved within four hours. Either paper copy or electronic document formats are acceptable.

The District has verified that condition 13 of N-3696-2-8 will ensure compliance with the requirements of this section.

Section 60.759 details the specifications for active gas collection systems installed for compliance with this Subpart. These specifications cover a variety of design and construction requirements, including design by a professional engineer, sufficient density of active gas collection wells, and proper construction of the gas collection wells, pipelines, and gas extraction systems.

The District has verified that condition 17 of N-3696-2-8 will ensure compliance with the requirements of this section.

R. 40 CFR Part 61, Subpart M – National Emission Standard for Asbestos

These regulations apply to demolition or renovation activity, as defined in 40 CFR 61.141. 40 CFR Section 61.150 of this Subpart was amended September 18, 2003, and condition 37 of N-3696-0-1 ensures compliance with the requirements.

S. 40 CFR Part 63, Subpart AAAA – National Emissions Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills

This subpart establishes national emission standards for hazardous air pollutants for existing and new municipal solid waste (MSW) landfills. This subpart requires landfill that are a major source, collocated with a major source, or an area source landfill that has a design capacity equal to or greater than 2.5 million megagrams (Mg) and 2.5 million cubic meters (m³) and has estimated uncontrolled emissions equal to or greater than 50 megagrams per year (Mg/yr) NMOC to meet the requirements of 40 CFR part 60, subpart Cc or WWW and requires timely control of bioreactors. This subpart also requires such landfills to meet the startup, shutdown, and malfunction (SSM) requirements of the general provisions of this part and provides that compliance with the operating conditions shall be demonstrated by parameter monitoring results that are within the specified ranges.

a. N-3696-2-8 – Municipal Solid Waste Landfill

The Highway 60 Landfill Site is not currently subject to the requirements of this Subpart because projected NMOC emissions do not exceed the 50 Mg/yr threshold. However, it is expected that this threshold will be exceeded prior to closure. The District has verified that conditions 18 through 20 on the proposed Permit to Operate will ensure compliance with the requirements of this subpart if and when it becomes applicable.

T. 40 CFR Part 63, Subpart CCCCC

This subpart establishes national emission standards for hazardous air pollutants for the gasoline dispensing facility (GDF) source category. This subpart applies to each GDF located at an area source (any stationary source of hazardous air pollutants that is not a major source). This subpart requires the operator of an affected facility with a throughput less than 10,000 gallons per month to maintain records documenting the gasoline throughput, and to prevent gasoline from being handled in a manner that would result in vapor releases to the atmosphere for a significant period of time.

a. N-3696-1-2 – Gasoline Dispensing Operation

The District has verified that conditions 1, 4, and 24 on the proposed Permit to Operate will ensure compliance with the requirements of this Subpart.

U. 40 CFR Part 82, Subparts B and F – Stratospheric Ozone

These regulations apply to servicing motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC). Sections of this regulation were amended in 2007 and 2008, and conditions 27 and 28 of N-3696-0-1 assure compliance with the requirements.

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.

District Rule 1100, 6.1 and 7.0

Compliance with these requirements was addressed in Section IV of this document, and is assured by conditions 1 and 2. Therefore, a permit shield is being granted for these requirements in condition 40.

District Rule 2010, 3.0 and 4.0

Compliance with these requirements was addressed in Section IV of this document, and is assured by condition 4. Therefore, a permit shield is being granted for these requirements in condition 40.

District Rule 2031; 2070, and 2080

Compliance with these requirements was addressed in Section IV of this document, and is assured by conditions 5 and 6. Therefore, a permit shield is being granted for these requirements in condition 40.

District Rule 2040

Compliance with these requirements was addressed in Section IV of this document, and is assured by condition 7. Therefore, a permit shield is being granted for these requirements in condition 40.

District Rule 4101

Compliance with these requirements was addressed in Section IV of this document, and is assured by condition 22. Therefore, a permit shield is being granted for these requirements in condition 40.

District Rule 4601

Compliance with these requirements was addressed in Section IV of this document, and is assured by conditions 23 through 25. Therefore, a permit shield is being granted for these requirements in condition 40.

District Rule 8021, 8031, 8041, 8051, 8061, and 8071

Compliance with these requirements was addressed in Section IV of this document, and is assured by conditions 29 through 34. Therefore, a permit shield is being granted for these requirements in condition 40.

County APCD Rules

Where current District rules assure compliance with comparable county rules that are part of the SIP, a permit shield is granted in condition 39.

X. PERMIT CONDITIONS

See Attachment A - Draft Renewed Title V Operating Permit.

XI. ATTACHMENTS

- A. Draft Renewed Title V Operating Permit
- B. Previous Title V Operating Permit
- C. District Rule 4601 Stringency Analysis
- D. Rule 4601 Tables of Standards
- E. District Rule 4651 Stringency Analysis
- F. Detailed Facility List

ATTACHMENT A

Draft Renewed Title V Operating Permit

San Joaquin Valley Air Pollution Control District

FACILITY: N-3696-0-1

EXPIRATION DATE: 04/30/2007

FACILITY-WIDE REQUIREMENTS

1. {1255} 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
2. {1256} 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
3. {1257} The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. {1258} Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (7/21/94). [District Rule 2010, 3.0 and 4.0; 2020; and County Rule 201 (in all eight counties in the San Joaquin Valley)] Federally Enforceable Through Title V Permit
5. {1259} 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 Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.12.1] Federally Enforceable Through Title V Permit
6. {1260} A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. {1261} Every application for a permit required under Rule 2010 (12/17/92) (Permits Required) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. {1262} 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, 9.5.1] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate. Any amendments to these Facility-wide Requirements that affect specific Permit Units may constitute modification of those Permit Units.

Facility Name: HIGHWAY 59 LANDFILL SITE
Location: 6040 N HIGHWAY 59, MERCED, CA 95340

N-3696-0-1 Jan 25 2011 10 46AM - DEMARISF

9. {1263} 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, 9.5.2] Federally Enforceable Through Title V Permit
10. {1264} 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, 9.6.1] Federally Enforceable Through Title V Permit
11. {1265} 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(6/15/95) [District Rules 2520, 9.6.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
12. {1266} 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, 9.8] Federally Enforceable Through Title V Permit
13. {1267} 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, 9.9.2] Federally Enforceable Through Title V Permit
14. {1268} 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, 9.9.3] Federally Enforceable Through Title V Permit
15. {1269} The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.9.4] Federally Enforceable Through Title V Permit
16. {1270} 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, 9.9.5] Federally Enforceable Through Title V Permit
17. {1271} 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, 9.10] Federally Enforceable Through Title V Permit
18. {1272} 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 Rule 2520, 9.14.2.1] Federally Enforceable Through Title V Permit
19. {1273} 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 Rule 2520, 9.14.2.2] Federally Enforceable Through Title V Permit
20. {1274} 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, 9.14.2.3] Federally Enforceable Through Title V Permit
21. {1275} 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, 9.14.2.4] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE
These terms and conditions are part of the Facility-wide Permit to Operate.

22. No air contaminants shall be discharged into the atmosphere from any source operation (as defined in District Rule 1020) for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (12/17/92), by using EPA method 9. If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101] Federally Enforceable Through Title V Permit
23. {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
24. {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
25. {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
26. {1282} 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, 9.14.1 and 10.0] Federally Enforceable Through Title V Permit
27. {1283} If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR Part 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit
28. {1284} If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR Part 82, Subpart B. [40 CFR Part 82, Subpart B] Federally Enforceable Through Title V Permit
29. {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 Rule 8021 and 8011] Federally Enforceable Through Title V Permit
30. {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 Rule 8031 and 8011] Federally Enforceable Through Title V Permit
31. {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 Rule 8041 and 8011] Federally Enforceable Through Title V Permit
32. {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 Rule 8051 and 8011] Federally Enforceable Through Title V Permit
33. {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 Rule 8061 and Rule 8011] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE
These terms and conditions are part of the Facility-wide Permit to Operate.

34. {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 Rule 8071 and Rule 8011] Federally Enforceable Through Title V Permit
35. {1288} 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
36. {1289} 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, 9.17] Federally Enforceable Through Title V Permit
37. {1375} Any Title V permittee shall submit an application permit renewal to the District at least six months, but not greater than 18 months, prior to the Title V permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
38. {1291} 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 permit shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
39. {1376} Compliance with permit conditions in the Title V permit shall be deemed compliance with the following outdated SIP requirements: Rule 401 (Madera, Fresno, Kern, Kings, San Joaquin, Stanislaus, Tulare and Merced), Rule 110 (Fresno, Stanislaus, San Joaquin), Rule 109 (Merced), Rule 113 (Madera), Rule 111 (Kern, Tulare, Kings), Rules 201, 202, 203, 208, and 209 (Fresno, Kern, Tulare, Kings, Madera, Stanislaus, Merced, San Joaquin), Rule 204 (Fresno, Kern, Tulare, Kings, Madera, Stanislaus, Merced), Rule 206 (San Joaquin), Rule 410.1 (Kern), and Rule 423 (Kern, Fresno, Stanislaus, San Joaquin). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
40. Compliance with permit conditions in the Title V permit shall be deemed compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92); 2070, section 7.0 (12/17/92); 2080 (12/17/92); 4101 (2/17/05); 4601(12/17/09); 8021 (8/19/04); 8031 (8/19/04); 8041 (8/19/04); 8051 (8/19/04); 8061 (8/19/04); and 8071 (9/16/04). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
41. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
42. On December 31, 2002, the initial Title V permit was issued. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report begin January 1 of each 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

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

DRAFT

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-3696-1-2

EXPIRATION DATE: 04/30/2007

EQUIPMENT DESCRIPTION:

ONE 1,000 GALLON STEEL TANK INSTITUTE FIREGUARD ABOVEGROUND GASOLINE STORAGE TANK SERVED BY A TWO POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-162) AND 1 GASOLINE DISPENSING NOZZLE SERVED BY BALANCE PHASE II VAPOR RECOVERY SYSTEM (G-70-162)

PERMIT UNIT REQUIREMENTS

1. The Phase I and Phase II vapor recovery systems shall be installed and maintained in accordance with the manufacturer specifications and the ARB Executive Orders specified in this permit, including applicable rules and regulations of the Division of Measurement Standards of the Department of Food and Agriculture, the Office of the State Fire Marshal of the Department of Forestry and Fire Protection, the Division of Occupational Safety and Health of the Department of Industrial Relations, and the Division of Water Quality of the State Water Resources Control Board that have been made conditions of the certification. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
2. This gasoline storage and dispensing equipment shall not be used in retail sales, where gasoline dispensed by the unit is subject to payment of California sales tax on gasoline sales. [District Rule 4622] Federally Enforceable Through Title V Permit
3. The storage container(s) shall be installed, maintained, and operated such that they are leak-free. [District Rule 4621] Federally Enforceable Through Title V Permit
4. The Phase I and Phase II vapor recovery systems and gasoline dispensing equipment shall be maintained without leaks as determined in accordance with the test method specified in this permit. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
5. A leak is defined as the dripping of VOC-containing liquid at a rate of more than three (3) drops per minute, or the detection of any gaseous or vapor emissions with a concentration of total organic compound greater than 10,000 ppmv, as methane, above background when measured in accordance with EPA Test Method 21. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
6. No gasoline delivery vessel shall be operated or be allowed to operate unless valid State of California decals are displayed on the cargo container, which attest to the vapor integrity of the container. [District Rule 4621] Federally Enforceable Through Title V Permit
7. No person shall operate any ARB certified Phase II vapor recovery system or any portion thereof that has a major defect or an equipment defect that is identified in any applicable ARB Executive Order until the following conditions have been met: 1) the defect has been repaired, replaced, or adjusted as necessary to correct the defect; 2) the District has been notified, and the District has reinspected the system or authorized the system for use (such authorization shall not include the authority to operate the equipment prior to the correction of the defective components); and 3) all major defects, after repair, are duly entered into the Operations and Maintenance (O&M) manual. [District Rule 4622] 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.

8. Upon identification of any major defects, the permittee shall tag "Out-of-Order" all dispensing equipment for which vapor recovery has been impaired. Tagged equipment shall be rendered inoperable and the tag(s) shall not be removed until the defective equipment has been repaired, replaced, or adjusted, as necessary. In the case of defects identified by the District, tagged equipment shall be rendered inoperable, and the tag shall not be removed until the District has been notified of the repairs, and the District has either reinspected the system or authorized the tagged equipment for use. [District Rule 4622] Federally Enforceable Through Title V Permit
9. The permittee shall implement a periodic maintenance inspection program for the certified Phase II vapor recovery system consistent with the requirements of this permit. The program shall be documented in an operation and maintenance (O&M) manual and shall at a minimum contain the following information: 1) copies of all vapor recovery performance tests; 2) all applicable ARB Executive Orders, Approval Letters, and District Permits; 3) the manufacturer's specifications and instructions for installation, operation, repair, and maintenance required pursuant to ARB Certification Procedure CP-201, and any additional instruction provided by the manufacturer; 4) system and/or component testing requirements, including test schedules and passing criteria for each of the standard tests required by this permit (the owner/operator may include any non-ARB required diagnostic and other tests as part of the testing requirements), and 5) additional O&M instructions, if any, that are designed to ensure compliance with the applicable rules, regulations, ARB Executive Orders, and District permit conditions, including replacement schedules for failure or wear prone components. [District Rule 4622] Federally Enforceable Through Title V Permit
10. The permittee shall conduct periodic maintenance inspections based on the greatest monthly throughput of gasoline dispensed by the facility in the previous year as follows: A) less than 2,500 gallons - one day per month; B) 2,500 to less than 25,000 gallons - one day per week; or C) 25,000 gallons or greater - five days per week. All inspections shall be documented within the O & M Manual. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
11. Periodic maintenance inspections of the Phase I vapor recovery system shall include, at a minimum, verification that 1) the fill caps and vapor caps are not missing, damaged, or loose; 2) the fill cap gasket and vapor cap gaskets are not missing or damaged; 3) the fill adapter and vapor adapter are securely attached to the risers; 4) where applicable, the spring-loaded submerged fill tube seals properly against the coaxial tubing; 5) the dry break (poppet-valve) is not missing or damaged; and 6) the submerged fill tube is not missing or damaged. [District Rule 4621] Federally Enforceable Through Title V Permit
12. Periodic maintenance inspections of the Phase II vapor recovery system shall include, at a minimum, verification that 1) the fueling instructions required by this permit are clearly displayed with the appropriate toll-free complaint phone number and toxic warning signs; 2) the following nozzle components are in place and in good condition as specified in ARB Executive Order as applicable: faceplate/facecone, bellows, latching device spring, vapor check valve, spout (proper diameter/vapor collection holes), insertion interlock mechanism, automatic shut-off mechanism, and hold open latch (unless prohibited by law or the local fire control authority); 3) the hoses are not torn, flattened or crimped; 4) the vapor path of the coaxial hoses associated with bellows equipped nozzles does not contain more than 100 ml of liquid if applicable; and 5) the vapor processing unit is functioning properly, for operations that are required to have or possess such a unit. [District Rule 4622] Federally Enforceable Through Title V Permit
13. In the event of a separation due to a drive off, the permittee shall, unless otherwise specified in the applicable ARB Executive Order, conduct a visual inspection of the affected equipment and either 1) perform qualified repairs on any damaged components and conduct applicable re-verification tests pursuant to the requirements of this permit, or 2) replace the affected nozzles, coaxial hoses, breakaway couplings, and any other damaged components with new or certified rebuilt components that are ARB certified. The activities shall be documented in accordance with the requirements of this permit before placing the affected equipment back in service. [District Rule 4622] Federally Enforceable Through Title V Permit
14. The permittee shall conduct all periodic vapor recovery system performance tests specified in this permit, no more than 30 days before or after the required compliance testing date, unless otherwise required under the applicable ARB Executive Order. [District Rules 4621 and 4622] 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.

15. For certified Phase II vapor recovery systems with liquid removal devices, the permittee shall perform and pass an ARB TP-201.6 Liquid Removal Test whenever the liquid in the vapor path exceeds 100 ml of liquid. The amount of liquid in the vapor path shall be measured by lowering the gasoline dispensing nozzle into a container until such time that no more liquid drains from the nozzle. The amount of liquid drained into the container shall be measured using a graduated cylinder or graduated beaker. The vapor path shall be inspected once per month if monthly throughput is below 2,500 gallons or once per week otherwise. [District Rule 4622] Federally Enforceable Through Title V Permit
16. The permittee shall perform and pass a Static Leak Test for Aboveground Tanks using ARB TP-201.3B or TP-206.3 at least once every 12 months. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
17. A person conducting testing of, or repairs to, a certified vapor recovery system shall be in compliance with District Rule 1177 (Gasoline Dispensing Facility Tester Certification). [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
18. A person performing installation of, or maintenance on, a certified Phase I or Phase II vapor recovery system shall be certified by the ICC for Vapor Recovery System Installation and Repair, or work under the direct and personal supervision of an individual physically present at the work site who is certified. The ICC certification shall be renewed every 24 months. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
19. Proof of the ICC certification and all other certifications required by the Executive Order and installation and operation manual shall be made available onsite. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
20. The permittee shall notify the District at least 7 days prior to each performance test. The test results shall be submitted to the District no later than 30 days after the completion of each test. [District Rule 4621] Federally Enforceable Through Title V Permit
21. The permittee shall maintain a copy of all test results. The test results shall be dated and shall contain the name, address, and telephone number of the company responsible for system installation and testing. [District Rule 4622] Federally Enforceable Through Title V Permit
22. The permittee shall maintain on the premises a log of any repairs made to the certified Phase I or Phase II vapor recovery system. The repair log shall include the following: 1) date and time of each repair; 2) the name and applicable certification numbers of the person(s) who performed the repair, and if applicable, the name, address and phone number of the person's employer; 3) description of service performed; 4) each component that was repaired, serviced, or removed; 5) each component that was installed as replacement, if applicable; and 6) receipts or other documents for parts used in the repair and, if applicable, work orders which shall include the name and signature of the person responsible for performing the repairs. [District Rule 4622] Federally Enforceable Through Title V Permit
23. The O&M manual shall be kept at the dispensing operation and made available to any person who operates, inspects, maintains, repairs, or tests the equipment at the operation as well as to District personnel upon request. [District Rule 4622] Federally Enforceable Through Title V Permit
24. The permittee shall maintain monthly and annual gasoline throughput records. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
25. All records required by this permit shall be retained on-site for a period of at least five years and shall be made available for District inspection upon request. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit

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

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San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-3696-2-8

EXPIRATION DATE: 04/30/2007

EQUIPMENT DESCRIPTION:

MUNICIPAL SOLID WASTE LANDFILL (115 ACRES), INCLUDING LANDFILL GAS COLLECTION SYSTEM WITH GAS EXTRACTION BLOWER, COLLECTION PIPING NETWORK, GAS/LIQUID SEPARATOR, AND CONTROLLED BY A CARBON ADSORPTION UNIT

PERMIT UNIT REQUIREMENTS

1. Tier 2 specifications to determine the site-specific NMOC concentration shall include the following: 1) For sampling, at least 2 sample probes shall be installed per hectare of landfill surface that has retained waste for at least 2 years, up to a maximum of 50 required probes. One sample of landfill gas shall be collected from each probe to determine the NMOC concentration, using EPA Method 25, 25C, another method approved by the EPA, or 18, in accordance with 40 CFR 60.754(a)(3). If EPA Method 18 is used, the minimum list of compounds to be tested shall be those published in the most recent Compilation of AP-42. If composite sampling is used, equal sample volumes are required. All samples taken shall be used in the analysis. The NMOC concentration from Method 25 or 25C shall be divided by 6 to convert from C-NMOC, as carbon to as hexane. 2) For landfills equipped with active collection systems, samples may be collected from the common header pipe before gas moving or condensate removal equipment; a minimum of 3 samples must be collected. [40 CFR 60.754(a)(3) and (a)(5)] Federally Enforceable Through Title V Permit
2. Tier 2 specifications to determine the site-specific NMOC concentration shall include the following: 1) The NMOC mass emission rate shall be recalculated using the average site-specific concentration, instead of the default value, 2) If the resulting calculated mass emission rate is equal to or greater than 50 megagrams/year, the landfill owner or operator shall either comply with 60.752(b)(2), or determine a site-specific methane generation rate constant and recalculate the NMOC emission rate using Tier 3 specifications. [40 CFR 60.754(a)(3)(i)&(ii)] Federally Enforceable Through Title V Permit
3. If the calculated NMOC mass emission rate, using the site-specific NMOC concentration, is less than 50 megagrams/year, then a periodic estimate of the emission rate report, pursuant to 60.757(b)(1) shall be submitted to the Administrator. The site-specific NMOC concentration shall be retested every 5 years, using Tier 2 specifications. [40 CFR 60.754(a)(3)(iii)] Federally Enforceable Through Title V Permit
4. Tier 3 specifications to determine the site-specific methane generation rate constant shall include the following: 1) EPA Method 2E or another method approved by the EPA shall be used, 2) The NMOC mass emission rate shall be recalculated using the average site-specific NMOC concentration and the site-specific methane generation rate constant k, instead of the default values in 40 CFR 60(a)(1), and 3) If the resulting calculated NMOC mass emission rate is equal to or greater than 50 megagrams/year, the landfill owner or operator shall comply with 60.752(b)(2). [40 CFR 60.754(a)(4), (a)(5) and (i)] Federally Enforceable Through Title V Permit
5. If Tier 3 specifications are used to determine the site-specific methane generation rate and the calculated NMOC mass emission rate is less than 50 megagrams/year, then a periodic emission rate report shall be submitted to the Administrator, pursuant to 60.757(b)(1) and the NMOC concentration shall be recalculated annually, pursuant to 60.757(b)(1), using the site-specific methane generation rate constant and the NMOC concentration obtained using Tier 2 specifications. Determination of the site-specific methane generation rate constant is performed once and used in all subsequent annual NMOC emission rate calculations. [40 CFR 60.754(a)(4)(ii)] 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. For PSD purposes, the NMOC emission rate shall be estimated and compared to the PSD major source and significance levels in 40 CFR 51.166 or 52.21, using AP-42 or EPA-approved procedures. [40 CFR 60.754(c)] Federally Enforceable Through Title V Permit
7. The NMOC emission rate shall be recalculated and reported to the APCO annually, except as otherwise provided in this permit, until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams/year and a collection and control system is installed or until the landfill is closed. [40 CFR 60.752(b)(1), 60.754(a) and 60.757(b)] Federally Enforceable Through Title V Permit
8. If the NMOC emission rate, as reported in the annual report is less than 50 megagrams/year in each of the next 5 consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual reports for those 5 years. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years. All data and calculations upon which this estimate is based shall be provided to the APCO. This estimate shall be revised at least once every 5 years. [40 CFR 60.757(b)(1)(ii)] Federally Enforceable Through Title V Permit
9. If the actual waste acceptance rate exceeds the estimated rate used in any year reported in a 5-year estimate of the NMOC emission rate, then a revised 5-year estimate shall be submitted to the APCO. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated acceptance rate. [40 CFR 60.757(b)(1)(ii)] Federally Enforceable Through Title V Permit
10. The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions. [40 CFR 60.757(b)(2)] Federally Enforceable Through Title V Permit
11. If the owner or operator elects to recalculate the NMOC emission rate using Tier 2 specifications and the resulting NMOC emission rate is less than 50 megagrams/year, annual periodic reporting shall resume. The revised NMOC emission rate report, with the recalculated NMOC emission rate using Tier 2 specifications, shall be submitted within 180 days of the first Tier 1 calculated exceedance of 50 Megagrams/year. [40 CFR 60.757(c)(1)] Federally Enforceable Through Title V Permit
12. If the owner or operator elects to recalculate the NMOC emission rate using Tier 3 specifications and the resulting NMOC emission rate is less than 50 megagrams/year, annual periodic reporting shall resume. The revised NMOC emission rate report, with the recalculated NMOC emission rate using Tier 3 specifications, shall be submitted within 1 year of the first Tier 1 calculated exceedance of 50 Megagrams/year. [40 CFR 60.757(c)(2)] Federally Enforceable Through Title V Permit
13. Each owner or operator shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. [40 CFR 60.758(a) and District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
14. This operating permit may be cancelled with APCO approval when the landfill is closed, pursuant to the requirements of this permit, if the landfill is not otherwise subject to the requirements of either 40 CFR part 70 or part 71 and if either 1) it was never subject to the requirement for a control system under 40 CFR 60.752(b)(2); or 2) the owner or operator meets the conditions for control system removal specified in 40 CFR 60.752(b)(2)(v). [40 CFR 60.752(d)] Federally Enforceable Through Title V Permit
15. If the landfill is permanently closed, a closure notification shall be submitted to the APCO within 30 days of waste disposal cessation. A permanent closure must take place in accordance with 40 CFR 258.60. If a closure report has been submitted, no additional waste may be placed in the landfill without filing a notification of modification to the APCO, pursuant to 40 CFR 60.7(a)(4). [40 CFR 60.752(b)(1)(ii)(B), 60.757(d)] Federally Enforceable Through Title V Permit
16. If the calculated NMOC is equal to or greater than 50 megagrams/year, the owner or operator shall install a collection and control system, that effectively captures the gas generated within the landfill, within 30 months of that determination. This operating permit must be modified accordingly to show compliance with 40 CFR 62, Subpart GGG requirements applicable to a MSWL with a collection and control system. [40 CFR 60.752(b)(2)(ii), 60.753, 60.755 and 60.756] 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.

17. If a gas collection and control system is installed, it shall comply with the operational standards of 40 CFR 60.753, the compliance provisions of 40 CFR 60.755, the monitoring provisions of 40 CFR 60.756, the reporting and record keeping requirements of 40 CFR 60.757 and 60.758, and the requirements of 40 CFR 60.759 (for active collection systems). [40 CFR 60.752(b)(2)(ii), 60.753, 60.755, 60.756, 60.757, 60.758 and 60.759] Federally Enforceable Through Title V Permit
18. If required to install a gas collection and control system in accordance with the provisions of 40 CFR 60.752(b)(2), the owner or operator shall comply with the requirements of 40 CFR 63.1960 through 63.1985, and with the general provisions of 40 CFR part 63, as specified in table 1 of 40 CFR part 63, subpart AAAA. [40 CFR 63.1955(b) and 63.1980(b)] Federally Enforceable Through Title V Permit
19. If required to install a gas collection and control system in accordance with the provisions of 40 CFR 60.752(b)(2), the owner or operator shall develop and implement a written startup, shutdown and malfunction (SSM) plan according to the provisions of 40 CFR 63.6(e)(3). A copy of the SSM plan shall be maintained on site. Failure to write, implement or maintain a copy of the SSM plan is a deviation from the requirements of 40 CFR part 63, subpart AAAA. [40 CFR 63.1960] Federally Enforceable Through Title V Permit
20. If required to install a gas collection and control system in accordance with the provisions of 40 CFR 60.752(b)(2), the owner or operator shall keep records and reports as specified in 40 CFR part 60 subpart WWW, except that the owner or operator shall submit the annual report described in 40 CFR 60.757(f) every 6 months. [40 CFR 63.1980(a)] Federally Enforceable Through Title V Permit
21. Upon receiving an approved plan for closure, or partial closure, the operator shall modify this operating permit to comply with the requirements of District Rule 4642. [District Rule 4642, 3.2 and 4.1.1] Federally Enforceable Through Title V Permit
22. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201] Federally Enforceable Through Title V Permit
23. All equipment shall be constructed, maintained and operated according to the specifications and plans contained in the permit application except as otherwise specified herein. [District Rule 2201] Federally Enforceable Through Title V Permit
24. Landfill gas collection rate shall not exceed 1500 cubic feet per minute. [District Rule 2201] Federally Enforceable Through Title V Permit
25. Landfill gas line from collection header shall be equipped with a gas flow rate measurement device. [District Rule 2201] Federally Enforceable Through Title V Permit
26. Sampling ports adequate for extraction of grab samples, measurement of gas flow rate, and use of an FID, PID, or other District-approved VOC detection device shall be provided for both the influent and the effluent gas streams. [District Rule 1081] Federally Enforceable Through Title V Permit
27. Ongoing compliance with VOC emission rate and control efficiency requirements shall be demonstrated by sampling both the influent and the effluent gas streams with an FID, PID, or other District-approved VOC detection device. [District Rule 1081] Federally Enforceable Through Title V Permit
28. Sampling to demonstrate ongoing compliance shall be performed at least once per week. [District Rule 1081] Federally Enforceable Through Title V Permit
29. A minimum of twelve 200-pound carbon canisters which are connected as pairs in series shall be utilized. [District Rule 2201] Federally Enforceable Through Title V Permit
30. The carbon canisters removed from the system shall be sealed vapor tight. [District Rule 2201] Federally Enforceable Through Title V Permit
31. Either the VOC control efficiency shall not be less than 95%, or the total VOC emission rate shall not exceed 2 pounds in any one day. [District Rule 2201] Federally Enforceable Through Title V Permit
32. The VOC concentration of the effluent gas from the vapor collection system served by carbon canisters shall not exceed 28 ppmv as hexane. [District Rule 2201] 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.

33. Soil with VOC content of 50 ppm by weight or greater shall not be used as daily cover. [District Rule 4651] Federally Enforceable Through Title V Permit
34. Daily records of the weight of materials received - including waste material (tons) and soil cover (cubic yards converted to tons) - and daily records of all soil organic content test results and certifications for loads contaminated with VOCs, shall be maintained, kept on site for a period of five years, and made available to District staff upon request. [District Rule 4651] Federally Enforceable Through Title V Permit
35. Records of the cumulative running time and the measured influent and effluent VOC concentrations shall be maintained. Records of system inspections including: date, time and inspection results shall be maintained. All records shall be retained on the premises for at least five years and made available for District inspection upon request. [District Rule 2201] 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

Previous Title V Operating Permit

San Joaquin Valley Air Pollution Control District

FACILITY: N-3696-0-0

EXPIRATION DATE: 04/30/2007

FACILITY-WIDE REQUIREMENTS

1. 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
2. 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
3. The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (7/21/94). [District Rule 2010, 3.0 and 4.0; 2020; and County Rule 201 (in all eight counties in the San Joaquin Valley)] Federally Enforceable Through Title V Permit
5. 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 Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.12.1] Federally Enforceable Through Title V Permit
6. A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. Every application for a permit required under Rule 2010 (12/17/92) (Permits Required) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. 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, 9.5.1] Federally Enforceable Through Title V Permit
9. 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, 9.5.2] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate. Any amendments to these Facility-wide Requirements that affect specific Permit Units may constitute modification of those Permit Units.

Facility Name: HIGHWAY 59 LANDFILL SITE
Location: 6040 N HIGHWAY 59, MERCED, CA 95340
N-3696-0-0 Jan 18 2011 9:20AM -- DEMARISF

10. 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, 9.6.1] Federally Enforceable Through Title V Permit
11. 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(6/15/95) [District Rules 2520, 9.6.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
12. 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, 9.8] Federally Enforceable Through Title V Permit
13. 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, 9.9.2] Federally Enforceable Through Title V Permit
14. 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, 9.9.3] Federally Enforceable Through Title V Permit
15. The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.9.4] Federally Enforceable Through Title V Permit
16. 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, 9.9.5] Federally Enforceable Through Title V Permit
17. 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, 9.10] Federally Enforceable Through Title V Permit
18. 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 Rule 2520, 9.14.2.1] Federally Enforceable Through Title V Permit
19. 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 Rule 2520, 9.14.2.2] Federally Enforceable Through Title V Permit
20. 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, 9.14.2.3] Federally Enforceable Through Title V Permit
21. 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, 9.14.2.4] Federally Enforceable Through Title V Permit
22. No air contaminants shall be discharged into the atmosphere from any source operation (as defined in District Rule 1020) for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (12/17/92), by using EPA method 9. If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101, and Merced County Rule 401] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

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

23. No person shall supply, sell, solicit or apply any architectural coating, except specialty coatings, that contains more than 250 grams of VOC per liter of coating (less water and exempt compounds, and excluding any colorant added to tint bases), or manufacture, blend, or repackage such coating with more than 250 grams of VOC per liter (less water and exempt compounds, and excluding any colorant added to tint bases) for use within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit
24. No person shall apply, sell, solicit, or offer for sale any specialty architectural coating listed in the Table of Standards (District Rule 4601, Table 1 (12/17/92)), nor manufacture, blend, or repackage such coating for use within the District, which contains VOCs (less water and exempt compounds, excluding any colorant added to tint bases) in excess of the specified limits listed in Table 1 of Rule 4601 (12/17/92). [District Rule 4601, 5.2] Federally Enforceable Through Title V Permit
25. All VOC-containing materials shall be stored in closed containers when not in use. In use includes, but is not limited to: being accessed, filled, emptied, maintained or repaired. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit
26. A person shall not use VOCs for the cleanup of spray equipment unless equipment for collection of the cleaning compounds and minimizing its evaporation to the atmosphere is used. [District Rule 4601, 5.5] Federally Enforceable Through Title V Permit
27. The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.2 (12/17/92). [District Rule 4601, 6.1 and 6.2] Federally Enforceable Through Title V Permit
28. 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, 9.14.1 and 10.0] Federally Enforceable Through Title V Permit
29. If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR Part 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit
30. If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR Part 82, Subpart B. [40 CFR Part 82, Subpart B] Federally Enforceable Through Title V Permit
31. Disturbances of soil related to any construction, demolition, excavation, extraction, and other earthmoving activities shall comply with the requirements for fugitive dust control in Rule 8021 (11/15/01) unless specifically exempted under section 4.0 of Rule 8021. [District Rule 8021] Federally Enforceable Through Title V Permit
32. Outdoor handling, storage, and transport of any bulk material shall comply with the requirements of Rule 8031 (11/15/01), unless specifically exempted under section 4.0 of Rule 8031. [District Rule 8031] Federally Enforceable Through Title V Permit
33. All operational landfills shall comply with the requirements of District Rule 8041 (11/15/01). This condition also applies to closure activities and closed landfill sites when activities are conducted which disturb surface soils covering an area greater than one (1) acre. [District Rule 8041] Federally Enforceable Through Title V Permit
34. 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 shall comply with the requirements of Rule 8051 (11/15/01), unless specifically exempted under section 4.0 of Rule 8051. [District Rule 8051] Federally Enforceable Through Title V Permit
35. Any new or existing public or private paved or unpaved road, road construction project, or road modification project shall implement the control measures and design criteria of, and comply with the requirements of Rule 8061 (11/15/01) unless specifically exempted under section 4.0 of Rule 8061. [District Rule 8061] Federally Enforceable Through Title V Permit
36. Any unpaved vehicle/equipment traffic area of 1.0 acre or larger shall comply with the requirements of Rule 8071 (11/15/01), unless specifically exempted under section 4.0 of Rule 8071. [District Rule 8071] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

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

37. 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
38. 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, 9.17] Federally Enforceable Through Title V Permit
39. Any Title V permittee shall submit an application permit renewal to the District at least six months, but not greater than 18 months, prior to the Title V permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
40. 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 permit shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
41. Compliance with permit conditions in the Title V permit shall be deemed compliance with the following outdated SIP requirements: Rule 401 (Madera, Fresno, Kern, Kings, San Joaquin, Stanislaus, Tulare and Merced), Rule 110 (Fresno, Stanislaus, San Joaquin), Rule 109 (Merced), Rule 113 (Madera), Rule 111 (Kern, Tulare, Kings), Rules 201, 202, 203, 208, and 209 (Fresno, Kern, Tulare, Kings, Madera, Stanislaus, Merced, San Joaquin), Rule 204 (Fresno, Kern, Tulare, Kings, Madera, Stanislaus, Merced), Rule 206 (San Joaquin), Rule 410.1 (Kern), and Rule 423 (Kern, Fresno, Stanislaus, San Joaquin). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
42. Compliance with permit conditions in the Title V permit shall be deemed compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92); 2070, section 7.0 (12/17/92); 2080 (12/17/92); 4101 (12/17/92); 4601, sections 5.1, 5.2, 5.4, 5.5, 6.1, and 6.2 (12/17/92); 8020 (4/25/96); 8030 (4/25/96); 8040 (4/25/96); 8060 (4/25/96); and 8070 (4/25/96). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
43. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102] Federally Enforceable Through Title V Permit
44. On December 31, 2002, the initial Title V permit was issued. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report are based upon this initial permit issuance date, 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

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

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-3696-1-1

EXPIRATION DATE: 04/30/2007

EQUIPMENT DESCRIPTION:

ONE 1,000 GALLON STEEL TANK INSTITUTE FIREGUARD ABOVEGROUND GASOLINE STORAGE TANK SERVED BY A TWO POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-162) AND 1 GASOLINE DISPENSING NOZZLE SERVED BY BALANCE PHASE II VAPOR RECOVERY SYSTEM (G-70-162)

PERMIT UNIT REQUIREMENTS

1. This gasoline storage and dispensing equipment shall not be used in retail sales, where gasoline dispensed by the unit is subject to payment of California sales tax on gasoline sales. [District Rule 2520, 9.1] Federally Enforceable Through Title V Permit
2. Each gasoline storage tank shall be equipped with a permanent submerged fill pipe. [District Rule 4621, 5.1.1] Federally Enforceable Through Title V Permit
3. Each storage tank subject to this permit shall be equipped with an ARB certified Phase I vapor recovery system, which shall prevent at least 95% by weight of all gasoline vapors displaced during the filling of storage tanks from entering the atmosphere. The transfer of gasoline from any delivery vessel to any stationary storage container with 250 gallon capacity or more shall not be allowed unless the container is equipped with an ARB certified Phase I system and maintained and operated according to manufacturers specifications. [District Rule 4621, 3.1 and 5.1.1] Federally Enforceable Through Title V Permit
4. No gasoline delivery vessel shall be operated or be allowed to operate unless valid State of California decals are displayed on the cargo tank which attest to the vapor integrity of the tank. [District Rule 4621, 5.2.1] Federally Enforceable Through Title V Permit
5. Each dispensing system shall be equipped with an ARB certified Phase II vapor recovery system which shall prevent at least 95% by weight of all gasoline vapors displaced during refueling of vehicles from entering the atmosphere. [District Rule 4622, 5.1] Federally Enforceable Through Title V Permit
6. Compliance with the requirement of the Phase II system to be 95% effective for displaced vapors is considered to be demonstrated by passing performance tests, at least once every year from the date of the most recent test, or at more frequent intervals, as specified by the ARB Executive Order certifying the system. Facilities shall be tested in accordance with BAAQMD Source Test Procedures ST-27 (Dynamic Back Pressure) and ST-38 (Static Leak Test Procedure Aboveground Tanks). [District Rules 2520, 9.4.2 and 4622, 5.2, 6.2, 6.3] Federally Enforceable Through Title V Permit
7. Each ARB certified vapor recovery system shall be tested within 60 days of major modification or installation, except as otherwise allowed by this permit. For this condition, a major modification is considered to be replacing, repairing, or upgrading 75% or more of the certified system. [District Rule 4622, 6.2.2] Federally Enforceable Through Title V Permit
8. The ARB certified vapor recovery system and all of its components shall be maintained in good repair. Any ARB certified gasoline vapor recovery system, which has been installed and has been issued a permit to operate, shall not be removed regardless of the amount of gasoline dispensed or how the gasoline is delivered to the facility. [District Rule 4622, 5.3] 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.

9. No gasoline shall be transferred into vehicle fuel tanks if the vapor recovery system contains any defect listed in Section 94006 of Title 17 of the California Code of Regulations or in Section 5.4 of SJVUAPCD Rule 4622 (as amended February 17, 1994) until the defect has been repaired, replaced, or adjusted as necessary to correct the defect, and the District has reinspected the system or has authorized its use pending reinspection. [District Rule 4622, 5.4] Federally Enforceable Through Title V Permit
10. Any defects identified shall be tagged "Out of Order"; the tagged equipment shall be rendered inoperable and the tag(s) shall not be removed until the defect has been repaired, replaced or adjusted. In the case of defects identified by the District, tagged equipment shall be rendered inoperable and the tag shall not be removed until the District has been notified of the repairs, and/or the District has inspected and authorized the tagged equipment for use. A log containing at least the following shall be maintained: date and type of defect identified and date repaired, replaced or corrected. [District Rules 2520, 9.4.2 and 4622, 5.5] Federally Enforceable Through Title V Permit
11. Vapor recovery systems and gasoline dispensing equipment shall be maintained leak-free as verified using EPA Test Method 21 and visual inspection. Leak testing shall be performed at least annually and within 60 days of all major modifications. For this condition, a major modification is considered to be replacing, repairing, or upgrading 75% or more of the certified system. A leak is defined as the dripping at a rate of more than three (3) drops per minute of liquid containing VOCs or a reading as methane in excess of 10,000 ppm as determined using EPA Method 21. [District Rules 2520, 9.4.2 and 4622, 3.6, 5.6] Federally Enforceable Through Title V Permit
12. Each operator shall maintain a leak inspection log containing, at a minimum, the following: inspector's name, location and description of component type where any leak is found; date of leak detection, emission level (ppm) if applicable, and date leak is repaired. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
13. No person shall top off a motor vehicle fuel tank. [District Rule 4622, 5.9] Federally Enforceable Through Title V Permit
14. No owner or operator shall tamper with, or permit tampering with, the ARB certified vapor recovery system in a manner that would impair the operation or effectiveness of the system. [District Rule 4622, 5.11] Federally Enforceable Through Title V Permit
15. Pressure/Vacuum relief valves shall be maintained operational at all times. [District Rule 4622]
16. The District shall be notified by the permittee 15 days prior to each test. The test results shall be submitted to the District no later than 30 days after each test. [District Rule 1081]
17. Operator shall maintain all records of required monitoring data and support information for inspection for a period of five years. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

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

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-3696-2-7

EXPIRATION DATE: 04/30/2007

EQUIPMENT DESCRIPTION:

MUNICIPAL SOLID WASTE LANDFILL (115 ACRES), INCLUDING LANDFILL GAS COLLECTION SYSTEM WITH GAS EXTRACTION BLOWER, COLLECTION PIPING NETWORK, GAS/LIQUID SEPARATOR, AND CONTROLLED BY A CARBON ADSORPTION UNIT

PERMIT UNIT REQUIREMENTS

1. Tier 2 specifications to determine the site-specific NMOC concentration shall include the following: 1) For sampling, at least 2 sample probes shall be installed per hectare of landfill surface that has retained waste for at least 2 years, up to a maximum of 50 required probes. One sample of landfill gas shall be collected from each probe to determine the NMOC concentration, using EPA Method 25, 25C, another method approved by the EPA, or 18, in accordance with 40 CFR 60.754(a)(3). If EPA Method 18 is used, the minimum list of compounds to be tested shall be those published in the most recent Compilation of AP-42. If composite sampling is used, equal sample volumes are required. All samples taken shall be used in the analysis. The NMOC concentration from Method 25 or 25C shall be divided by 6 to convert from C-NMOC, as carbon to as hexane. 2) For landfills equipped with active collection systems, samples may be collected from the common header pipe before gas moving or condensate removal equipment; a minimum of 3 samples must be collected. [40 CFR 60.754(a)(3) and (a)(5)] Federally Enforceable Through Title V Permit
2. Tier 2 specifications to determine the site-specific NMOC concentration shall include the following: 1) The NMOC mass emission rate shall be recalculated using the average site-specific concentration, instead of the default value, 2) If the resulting calculated mass emission rate is equal to or greater than 50 megagrams/year, the landfill owner or operator shall either comply with 60.752(b)(2), or determine a site-specific methane generation rate constant and recalculate the NMOC emission rate using Tier 3 specifications. [40 CFR 60.754(a)(3)(i)&(ii)] Federally Enforceable Through Title V Permit
3. If the calculated NMOC mass emission rate, using the site-specific NMOC concentration, is less than 50 megagrams/year, then a periodic estimate of the emission rate report, pursuant to 60.757(b)(1) shall be submitted to the Administrator. The site-specific NMOC concentration shall be retested every 5 years, using Tier 2 specifications. [40 CFR 60.754(a)(3)(iii)] Federally Enforceable Through Title V Permit
4. Tier 3 specifications to determine the site-specific methane generation rate constant shall include the following: 1) EPA Method 2E or another method approved by the EPA shall be used, 2) The NMOC mass emission rate shall be recalculated using the average site-specific NMOC concentration and the site-specific methane generation rate constant k, instead of the default values in 40 CFR 60(a)(1), and 3) If the resulting calculated NMOC mass emission rate is equal to or greater than 50 megagrams/year, the landfill owner or operator shall comply with 60.752(b)(2). [40 CFR 60.754(a)(4), (a)(5) and (i)] Federally Enforceable Through Title V Permit
5. If Tier 3 specifications are used to determine the site-specific methane generation rate and the calculated NMOC mass emission rate is less than 50 megagrams/year, then a periodic emission rate report shall be submitted to the Administrator, pursuant to 60.757(b)(1) and the NMOC concentration shall be recalculated annually, pursuant to 60.757(b)(1), using the site-specific methane generation rate constant and the NMOC concentration obtained using Tier 2 specifications. Determination of the site-specific methane generation rate constant is performed once and used in all subsequent annual NMOC emission rate calculations. [40 CFR 60.754(a)(4)(ii)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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6. For PSD purposes, the NMOC emission rate shall be estimated and compared to the PSD major source and significance levels in 40 CFR 51.166 or 52.21, using AP-42 or EPA-approved procedures. [40 CFR 60.754(c)] Federally Enforceable Through Title V Permit
7. The NMOC emission rate shall be recalculated and reported to the APCO annually, except as otherwise provided in this permit, until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams/year and a collection and control system is installed or until the landfill is closed. [40 CFR 60.752(b)(1), 60.754(a) and 60.757(b)] Federally Enforceable Through Title V Permit
8. If the NMOC emission rate, as reported in the annual report is less than 50 megagrams/year in each of the next 5 consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual reports for those 5 years. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years. All data and calculations upon which this estimate is based shall be provided to the APCO. This estimate shall be revised at least once every 5 years. [40 CFR 60.757(b)(1)(ii)] Federally Enforceable Through Title V Permit
9. If the actual waste acceptance rate exceeds the estimated rate used in any year reported in a 5-year estimate of the NMOC emission rate, then a revised 5-year estimate shall be submitted to the APCO. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated acceptance rate. [40 CFR 60.757(b)(1)(ii)] Federally Enforceable Through Title V Permit
10. The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions. [40 CFR 60.757(b)(2)] Federally Enforceable Through Title V Permit
11. If the owner or operator elects to recalculate the NMOC emission rate using Tier 2 specifications and the resulting NMOC emission rate is less than 50 megagrams/year, annual periodic reporting shall resume. The revised NMOC emission rate report, with the recalculated NMOC emission rate using Tier 2 specifications, shall be submitted within 180 days of the first Tier 1 calculated exceedance of 50 Megagrams/year. [40 CFR 60.757(c)(1)] Federally Enforceable Through Title V Permit
12. If the owner or operator elects to recalculate the NMOC emission rate using Tier 3 specifications and the resulting NMOC emission rate is less than 50 megagrams/year, annual periodic reporting shall resume. The revised NMOC emission rate report, with the recalculated NMOC emission rate using Tier 3 specifications, shall be submitted within 1 year of the first Tier 1 calculated exceedance of 50 Megagrams/year. [40 CFR 60.757(c)(2)] Federally Enforceable Through Title V Permit
13. Each owner or operator shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. [40 CFR 60.758(a) and District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
14. This operating permit may be cancelled with APCO approval when the landfill is closed, pursuant to the requirements of this permit, if the landfill is not otherwise subject to the requirements of either 40 CFR part 70 or part 71 and if either 1) it was never subject to the requirement for a control system under 40 CFR 60.752(b)(2); or 2) the owner or operator meets the conditions for control system removal specified in 40 CFR 60.752(b)(2)(v). [40 CFR 60.752(d)] Federally Enforceable Through Title V Permit
15. If the landfill is permanently closed, a closure notification shall be submitted to the APCO within 30 days of waste disposal cessation. A permanent closure must take place in accordance with 40 CFR 258.60. If a closure report has been submitted, no additional waste may be placed in the landfill without filing a notification of modification to the APCO, pursuant to 40 CFR 60.7(a)(4). [40 CFR 60.752(b)(1)(ii)(B), 60.757(d)] Federally Enforceable Through Title V Permit
16. If the calculated NMOC is equal to or greater than 50 megagrams/year, the owner or operator shall install a collection and control system, that effectively captures the gas generated within the landfill, within 30 months of that determination. This operating permit must be modified accordingly to show compliance with 40 CFR 62, Subpart GGG requirements applicable to a MSWL with a collection and control system. [40 CFR 60.752(b)(2)(ii), 60.753, 60.755 and 60.756] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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17. If a gas collection and control system is installed, it shall comply with the operational standards of 40 CFR 60.753, the compliance provisions of 40 CFR 60.755, the monitoring provisions of 40 CFR 60.756, the reporting and record keeping requirements of 40 CFR 60.757 and 60.758, and the requirements of 40 CFR 60.759 (for active collection systems). [40 CFR 60.752(b)(2)(ii), 60.753, 60.755, 60.756, 60.757, 60.758 and 60.759] Federally Enforceable Through Title V Permit
18. Upon receiving an approved plan for closure, or partial closure, the operator shall modify this operating permit to comply with the requirements of District Rule 4642. [District Rule 4642, 3.2 and 4.1.1] Federally Enforceable Through Title V Permit
19. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District Rule 2201] Federally Enforceable Through Title V Permit
20. All equipment shall be constructed, maintained and operated according to the specifications and plans contained in the permit application except as otherwise specified herein. [District Rule 2201] Federally Enforceable Through Title V Permit
21. The entire gas collection system shall be inspected for leaks with a portable analyzer in accordance with EPA Method 21 at least quarterly. After four successful inspections, the frequency shall be annually. If a leak is detected, quarterly inspections shall resume. A leak is defined as a measurement in excess of 1,000 ppm (measured as methane) above background when measured at a distance of one (1) centimeter from the potential source. Leaks shall be repaired within 15 calendar days after it is detected. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
22. Landfill gas collection rate shall not exceed 1500 cubic feet per minute. [District Rule 2201] Federally Enforceable Through Title V Permit
23. Landfill gas line from collection header shall be equipped with a gas flow rate measurement device. [District Rule 2201] Federally Enforceable Through Title V Permit
24. Sampling ports adequate for extraction of grab samples, measurement of gas flow rate, and use of an FID, PID, or other District-approved VOC detection device shall be provided for both the influent and the effluent gas streams. [District Rule 1081] Federally Enforceable Through Title V Permit
25. Ongoing compliance with VOC emission rate and control efficiency requirements shall be demonstrated by sampling both the influent and the effluent gas streams with an FID, PID, or other District-approved VOC detection device. [District Rule 1081] Federally Enforceable Through Title V Permit
26. Sampling to demonstrate ongoing compliance shall be performed at least once per week. [District Rule 1081] Federally Enforceable Through Title V Permit
27. A minimum of two (2) 250-pound carbon canisters which are connected in series shall be utilized. [District Rule 2201] Federally Enforceable Through Title V Permit
28. The carbon canisters removed from the system shall be sealed vapor tight. [District Rule 2201] Federally Enforceable Through Title V Permit
29. Either the VOC control efficiency shall not be less than 98%, or the total VOC emission rate shall not exceed 2 pounds in any one day. [District Rule 2201] Federally Enforceable Through Title V Permit
30. The VOC concentration of the effluent gas from the vapor collection system served by carbon canisters shall not exceed 28 ppmv as hexane. [District Rule 2201] Federally Enforceable Through Title V Permit
31. Records of the cumulative running time and the measured influent and effluent VOC concentrations shall be maintained. Records of system inspections including: date, time and inspection results shall be maintained. All records shall be retained on the premises for at least five years and made available for District inspection upon request. [District Rule 2201] Federally Enforceable Through Title V Permit

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

ATTACHMENT C

District Rule 4601 Stringency Analysis

Stringency Comparison of District Rule 4601 Non-SIP Version (12/17/09) to Current SIP Version (10/31/01)

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
2.0 Applicability	This rule is applicable to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures any architectural coating for use within the District.	This rule is applicable to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures, blends or repackages any architectural coating for use within the District.	No change in the applicability, therefore, non-SIP version of rule is as stringent as SIP version.
4.0 Exemptions	<p>The provisions of this rule shall not apply to:</p> <p>4.1 Any architectural coating that is sold or manufactured for use outside of the District or for shipment to other manufacturers for reformulation or repackaging.</p> <p>4.2 Any architectural coating that is sold in a containers with a volume of one liter (1.057 quarts) or less.</p> <p>4.3 Any aerosol coating product.</p>	<p>4.1 The provisions of this rule shall not apply to:</p> <p>4.1.1 Any architectural coating that is supplied, sold, offered for sale, or manufactured for use outside of the District or for shipment to other manufacturers for reformulation or repackaging.</p> <p>4.1.2 Any aerosol coating product.</p> <p>4.2 With the exception of Section 6.2, the provisions of this rule shall not apply to any architectural coating that is sold in a container with a volume of one liter (1.057 quarts) or less.</p>	The only change is to require reporting requirements as discussed in Section 6.2 of the non-SIP approved version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.
5.0 Requirements	Note: Section 5.0 requirements refer to Table of Standards, Table of Standards 1, and Table of Standards 2. These tables are included as Attachment D.		
	<p>5.1 VOC Content Limits: Except as provided in Sections 5.2, 5.3, 5.8 and 8.0, no person shall;</p> <p>5.1.1 manufacture, blend, or repackage for sale within the District;</p> <p>5.1.2 supply, sell, or offer for sale within the district;</p> <p>5.1.3 solicit for application or apply within the District any architectural coating with a VOC content in excess of the corresponding limit specified in the Table of Standards, after the specified effective date in the Table of Standards.</p>	<p>5.1 VOC Content Limits: Except as provided in Sections 5.2 and 5.3, no person shall: manufacture, blend, or repackage for use within the District; or supply, sell, or offer for sale within the District; or solicit for application or apply within the District any architectural coating with a VOC content in excess of the corresponding limit specified in the Table of Standards 1 or the Table of Standards 2, after the specified effective date in the Table of Standards 1 or the Table of Standards 2. Limits are expressed as VOC Regulatory, thinned to the manufacturer's maximum thinning recommendation, excluding any colorant added to tint bases.</p>	Sections 5.8 and 8.0 of the SIP version are not included in the non-SIP version. As discussed in corresponding sections the non-SIP version is more stringent. The Table of Standards and Table of Standards 1 have the same VOC limits. Table of Standard 2 is more stringent as discussed below. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.
	<p>5.2 Most Restrictive VOC Limit: If anywhere on the container of any architectural coating, or any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf, any representation is made that indicates that the coating meets the definition of or is recommended for use for more than one of the coating categories listed in the Table of Standards, then the most restrictive VOC content limit shall apply. This provision does not apply to the following coating categories:</p> <p>5.2.1 Lacquer coatings (including</p>	<p>5.2 Most Restrictive VOC Limit: If a coating meets the definition in Section 3.0 for one or more specialty coating categories listed in the Table of Standards 1 or the Table of Standards 2, then that coating is not required to meet the VOC limits for Flat, Nonflat, or Nonflat – High Gloss coatings, but is required to meet the VOC limit for the applicable specialty coating listed in the Table of Standards 1 or the Table of Standards 2.</p> <p>5.2.1 Effective until December 31, 2010, with the exception of the specialty coating categories specified in Section 5.2.3.1 through 5.2.3.15, if a coating is recommended for use</p>	The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	lacquer sanding sealers) 5.2.2 Metallic pigmented coatings 5.2.3 Shellacs 5.2.4 Fire-retardant coatings 5.2.5 Pretreatment wash primers 5.2.6 Industrial maintenance coatings 5.2.7 Low-solids coatings 5.2.8 Wood preservatives 5.2.9 High temperature coatings 5.2.10 Temperature-indicator safety coatings 5.2.11 Antenna coatings 5.2.12 Antifouling coatings 5.2.13 Flow coatings 5.2.14 Bituminous roof primers 5.2.15 Specialty primers, sealers and undercoaters	in more than one of the specialty coating categories listed in the Table of Standards 1, the most restrictive (or lowest) VOC content limit shall apply. 5.2.2 Effective on and after January 1, 2011, with the exception of the specialty coating categories specified in Sections 5.2.3.2, 5.2.3.3, 5.2.3.5 through 5.2.3.9, and 5.2.3.14 through 5.2.3.18, if a coating is recommended for use in more than one of the specialty coating categories listed in the Table of Standards 2, the most restrictive (or lowest) VOC content limit shall apply. 5.2.3 This requirement applies to: usage recommendations that appear anywhere on the coating container, anywhere on any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf. 5.2.3.1 Lacquer coatings (including lacquer sanding sealers) 5.2.3.2 Metallic pigmented coatings 5.2.3.3 Shellacs 5.2.3.4 Fire-retardant coatings 5.2.3.5 Pretreatment wash primers 5.2.3.6 Industrial maintenance coatings 5.2.3.7 Low-solids coatings 5.2.3.8 Wood preservatives 5.2.3.9 High temperature coatings 5.2.3.10 Temperature-indicator safety coatings 5.2.3.11 Antenna coatings 5.2.3.12 Antifouling coatings 5.2.3.13 Flow coatings 5.2.3.14 Bituminous roof primers 5.2.3.15 Specialty primers, sealers and undercoaters 5.2.3.16 Aluminum roof coatings 5.2.3.17 Zinc-rich primers 5.2.3.18 Wood Coatings	
	5.3 Sell-Through of Coatings: 5.3.1 A coating manufactured prior to the January 1, 2003 or January 1, 2004 effective date specified for that coating in the Table of Standards may be sold, supplied, or offered for sale for up to three years after the specified effective date. In addition, a coating manufactured before the effective date specified for that	5.3 Sell-Through of Coatings: A coating manufactured prior to the effective date specified for that coating in the Table of Standards 1 or the Table of Standards 2, and that complied with the standards in effect at the time the coating was manufactured, may be sold, supplied, or offered for sale for up to three years after the specified effective date. In addition, a coating	The VOC limit of the non-SIP version is at least as stringent as the SIP version. Section 5.3.2 was removed it is no longer applicable in the SIP version. Therefore, the non-SIP version of the rule is more stringent

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>coating in the Table of Standards may be applied at any time, both before and after the specified effective date, so long as the coating complied with the standards in effect at the time the coating was manufactured. This Section 5.3 does not apply to any coating that does not display the date or date-code required by Section 6.1.1.</p> <p>5.3.2 A coating included in an approved Averaging Program that does not comply with the specified limit in the Table of Standards may be sold, supplied, or offered for sale for up to three years after the end of the compliance period specified in the approved Averaging Program. In addition, such a coating may be applied at any time, both during and after the compliance period. This Section 5.3.2 does not apply to any coating that does not display on the container either the statement: "This product is subject to architectural coatings averaging provisions in California" or a substitute symbol specified by the Executive Officer of the California Air Resources Board (ARB). This Section 5.3.2 shall remain in effect until January 1, 2008.</p>	<p>manufactured before the effective date specified for that coating in the Table of Standards 1 or the Table of Standards 2 may be applied at any time, both before and after the specified effective date, so long as the coating complied with the standards in effect at the time the coating was manufactured. This Section 5.3 does not apply to any coating that does not display the date or date-code required by Section 6.1.1.</p>	<p>than the SIP version of the rule.</p>
	<p>5.4 Painting Practices: All architectural coating containers used to apply the contents therein to a surface directly from the container by pouring, siphoning, brushing, rolling, padding, ragging or other means, shall be closed when not in use. These architectural coating containers include, but are not limited to, drums, buckets, cans, pails, trays or other application containers. Containers of any VOC containing materials used for thinning and cleanup shall also be closed when not in use.</p>	<p>5.4 Painting Practices: All architectural coating containers used to apply the contents therein to a surface directly from the container by pouring, siphoning, brushing, rolling, padding, ragging or other means, shall be closed when not in use. These architectural coating containers include, but are not limited to, drums, buckets, cans, pails, trays or other application containers. Containers of any VOC-containing materials used for thinning and cleanup shall also be closed when not in use.</p>	<p>No change in the requirements, therefore, non-SIP version of rule is as stringent as SIP version.</p>
	<p>5.5 Thinning: No person who applies or solicits the application of any architectural coating shall apply a coating that is thinned to exceed the applicable VOC limit specified in the Table of Standards.</p>	<p>5.5 Thinning: No person who applies or solicits the application of any architectural coating shall apply a coating that is thinned to exceed the applicable VOC limit specified in the Table of Standards 1 or the Table of Standards 2.</p>	<p>The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>
	<p>5.6 Rust Preventative Coatings: Effective January 1, 2004, no person shall apply or solicit the application of any rust preventative coating for industrial use, unless such a rust preventative coating complies with the industrial maintenance coating VOC limit specified in the Table of Standards.</p>	<p>5.6 Rust Preventative Coatings: Effective through December 31, 2010, no person shall apply or solicit the application of any rust preventative coating for industrial use, unless such a rust preventative coating complies with the industrial maintenance coating VOC limit specified in the Table of Standards</p>	<p>The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>5.7 Coatings Not Listed in the Table of Standards: For any coating that does not meet any of the definitions for the specialty coatings categories listed in the Table of Standards, the VOC content limit shall be determined by classifying the coating as a flat coating or a nonflat coating, based on its gloss, as defined in Sections 3.21, 3.36 and 3.37 and the corresponding flat or nonflat VOC limit shall apply.</p>	<p>1. 5.7 Coatings Not Listed in the Table of Standards 1 or the Table of Standards 2: For any coating that does not meet any of the definitions for the specialty coatings categories listed in the Table of Standards 1 or the Table of Standards 2, the VOC content limit shall be determined by classifying the coating as a Flat, Nonflat, or Nonflat – High Gloss coating, based on its gloss, and the corresponding Flat, Nonflat, or Nonflat – High Gloss VOC limit in the Table of Standards 1 or the Table of Standards 2 shall apply.</p>	<p>The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>
	<p>5.8 Lacquers: Notwithstanding the provisions of Section 3.1, a person or facility may add up to 10 percent by volume of VOC to a lacquer to avoid blushing of the finish during days with relative humidity greater than 70 percent and temperature below 65°F, at the time of application, provided that the coating contains acetone and no more than 550 grams of VOC per liter of coating, less water and exempt compounds, prior to the addition of VOC.</p>	<p>---</p>	<p>This section has been removed. The operation is required to meet the lacquer VOC limit regardless of temperature and humidity. Therefore, non-SIP version of rule is as stringent as SIP version</p>
	<p>5.9 Averaging Compliance Option: On or after January 1, 2003, in lieu of compliance with the specified limits in The Table of Standards for floor coatings; industrial maintenance coatings; primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters; quick-dry enamels; roof coatings; bituminous roof coatings; rust preventative coatings; stains; waterproofing sealers, as well as flats and non-flats (excluding recycled coatings), manufacturers may average designated coatings such that their actual cumulative emissions from the averaged coatings are less than or equal to the cumulative emissions that would have been allowed under those limits over a compliance period not to exceed one year. Such manufacturers must also comply with the averaging provisions contained in Section 8.0, as well as maintain and make available for inspection records for at least three years after the end of the compliance period. This Section 5.9 and Section 8.0 shall cease to be effective on January 1, 2005, after which averaging will no longer be allowed.</p>	<p>---</p>	<p>This section is removed from the non-SIP version, it is no longer applicable. Therefore, non-SIP version of rule is as stringent as SIP version.</p>
	<p>---</p>	<p>5.8 Prior to January 1, 2011, any coating that meets a definition in Section 3.0 for a coating category listed in the Table of Standards 2 and complies with the applicable VOC limit in the Table of Standards 2 and with Sections 5.2 and 6.1 (including those provision of Section</p>	<p>Table of Standards 2 is more stringent than the VOC limits of Table of Standards in the SIP-Approved version. Therefore, non-SIP</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		6.1 otherwise effective on January 1, 2011) shall be considered in compliance with this rule.	version of rule is as stringent as SIP version.
	Table of Standards 1 (See Attachment D for Table)	Table of Standards 1 (Effective through 12/31/10) (See Attachment D for Table)	The non-SIP rule requirements are the same as the Table of Standards in the SIP approved rule, except Table of Standards 1 expires at which time Table of Standards 2 is in effect. As discussed below these standards are more stringent. Therefore, non-SIP version of rule is as stringent as SIP version.
		Table of Standards 2 (Effective on and after 1/1/11) (See Attachment D for Table)	The requirements of Table of Standards 2 are more stringent than the Table of Standards in the SIP rule. Therefore, non-SIP version of rule is as stringent as SIP version.
6.0 Administrative Requirements	<p>6.1 Labeling Requirements: Each manufacturer of any architectural coating subject to this rule shall display the information listed in Sections 6.1.1 through 6.1.9 on the coating container (or label) in which the coating is sold or distributed.</p> <p>6.1.1 Date Code: The date the coating was manufactured, or a date code representing the date, shall be indicated on the label, lid or bottom of the container. If the manufacturer uses a date code for any coating, the manufacturer shall file an explanation of each code with the Executive Officer of the ARB.</p> <p>6.1.2 Thinning Recommendations: A statement of the manufacturer's recommendation regarding thinning of the coating shall be indicated on the label or lid of the container. This requirement does not apply to the thinning of architectural coatings with water. If thinning of the coating prior to use is not necessary, the recommendation must specify that the coating is to be applied without thinning.</p> <p>6.1.3 VOC Content: Each container of any coating subject to this rule shall display either the maximum or actual VOC content of the coating, as supplied, including the maximum thinning as recommended by the manufacturer. VOC content shall be displayed in grams of VOC per liter of coating. VOC content displayed shall be calculated using product</p>	<p>6.1 Labeling Requirements: Each manufacturer of any architectural coating subject to this rule shall display the information listed in Sections 6.1.1 through 6.1.14 on the coating container (or label) in which the coating is sold or distributed.</p> <p>6.1.1 Date Code: The date the coating was manufactured, or a date code representing the date, shall be indicated on the label, lid or bottom of the container. If the manufacturer uses a date code for any coating, the manufacturer shall file an explanation of each code with the Executive Officer of the ARB.</p> <p>6.1.2 Thinning Recommendations: A statement of the manufacturer's recommendation regarding thinning of the coating shall be indicated on the label or lid of the container. This requirement does not apply to the thinning of architectural coatings with water. If thinning of the coating prior to use is not necessary, the recommendation must specify that the coating is to be applied without thinning.</p> <p>6.1.3 VOC Content: Each container of any coating subject to this rule shall display one of the following values, in grams of VOC per liter of coating:</p> <p>6.1.3.1 Maximum VOC Content, as determined from all potential product formulations; or</p> <p>6.1.3.2 VOC Content, as determined from actual formulation data; or</p>	The non-SIP approved rule contain sections listed in the SIP rule plus additional requirements not found in the SIP version. Therefore, non-SIP version of rule is as stringent as SIP version.

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>formulation data, or shall be determined using the test methods in Section</p> <p>6.3.1. The equations in Sections 3.25 or 3.26, as appropriate, shall be used to calculate VOC content.</p> <p>6.1.4 Industrial Maintenance Coatings: In addition to the information specified in Sections 6.1.1, 6.1.2 and 6.1.3, each manufacturer of any industrial maintenance coating subject to this rule shall display on the label or lid of the container in which the coating is sold or distributed one or more of the following descriptions listed in Section 6.1.4.1 through 6.1.4.3.</p> <p>6.1.4.1 "For industrial use only"</p> <p>6.1.4.2 "For professional use only"</p> <p>6.1.4.3 "Not for residential use" or "Not intended for residential use"</p> <p>6.1.5 Clear Brushing Lacquers: Effective January 1, 2003, the labels of all clear brushing lacquers shall prominently display the statements "For brush application only," and "This product must not be thinned or sprayed."</p> <p>6.1.6 Rust Preventative Coatings: Effective January 1, 2003, the labels of all rust preventative coatings shall prominently display the statement "For Metal Substrates Only"</p> <p>6.1.7 Specialty Primers, Sealers and Undercoaters: Effective January 1, 2003, the labels of all specialty primers, sealers and undercoaters shall prominently display one or more of the descriptions listed in Section 6.1.7.1 through 6.1.7.5.</p> <p>6.1.7.1 For blocking stains.</p> <p>6.1.7.2 For fire-damaged substrates.</p> <p>6.1.7.3 For smoke-damaged substrates.</p> <p>6.1.7.4 For water-damaged substrates.</p> <p>6.1.7.5 For excessively chalky substrates.</p> <p>6.1.8 Quick Dry Enamels: Effective January 1, 2003, the labels of all quick dry enamels shall prominently display the words "Quick Dry" and the dry hard time.</p> <p>6.1.9 Non-flat – High Gloss Coatings: Effective January 1, 2003, the labels of all non-flat – high gloss coatings shall prominently display the words "High Gloss".</p>	<p>6.1.3.3 VOC Content, as determined using the test methods in Section 6.3.2.</p> <p>If the manufacturer does not recommend thinning, the container must display the VOC Content, as supplied. If the manufacturer recommends thinning, the container must display the VOC Content, including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multicomponent product, the container must display the VOC content as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing.</p> <p>6.1.4 Faux Finishing Coatings: Effective January 1, 2011, the labels of all clear topcoat Faux Finishing coatings shall prominently display the statement "This product can only be sold or used as part of a Faux Finishing coating system".</p> <p>6.1.5 Industrial Maintenance Coatings: Each manufacturer of any industrial maintenance coating subject to this rule shall display on the label or lid of the container in which the coating is sold or distributed one or more of the following descriptions listed in Section 6.1.5.1 through 6.1.5.3.</p> <p>6.1.5.1 "For industrial use only"</p> <p>6.1.5.2 "For professional use only"</p> <p>6.1.5.3 "Not for residential use" or "Not intended for residential use"</p> <p>6.1.6 Clear Brushing Lacquers: The labels of all clear brushing lacquers shall prominently display the statements "For brush application only," and "This product must not be thinned or sprayed." (Category deleted effective January 1, 2011.)</p> <p>6.1.7 Rust Preventative Coatings: The labels of all rust preventative coatings shall prominently display the statement "For Metal Substrates Only".</p> <p>6.1.8 Specialty Primers, Sealers and Undercoaters: Effective until December 31, 2010, the labels of all specialty primers, sealers and undercoaters shall prominently display one or more of the descriptions listed in Section 6.1.8.1 through 6.1.8.5. Effective on and after January 1, 2011, the labels of all specialty primers, sealers, and</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>undercoaters shall prominently display one or more of the descriptions listed in Sections 6.1.8.1 through 6.1.8.3. On and after January 1, 2011, Sections 6.1.8.4 and 6.1.8.5 will be no longer effective.</p> <p>6.1.8.1 For fire-damaged substrates.</p> <p>6.1.8.2 For smoke-damaged substrates.</p> <p>6.1.8.3 For water-damaged substrates.</p> <p>6.1.8.4 For excessively chalky substrates.</p> <p>6.1.8.5 For blocking stains.</p> <p>6.1.9 Quick Dry Enamels: The labels of all quick dry enamels shall prominently display the words "Quick Dry" and the dry hard time. (Category deleted effective January 1, 2011.)</p> <p>6.1.10 Reactive Penetrating Sealers: Effective January 1, 2011, the labels of all Reactive Penetrating Sealers shall prominently display the statement "Reactive Penetrating Sealer."</p> <p>6.1.11 Stone Consolidants: Effective January 1, 2011, the labels of all Stone Consolidants shall prominently display the statement "Stone Consolidant - For Professional Use Only."</p> <p>6.1.12 Nonflat- High Gloss Coatings: The labels of all Nonflat - high gloss coatings shall prominently display the words "High Gloss."</p> <p>6.1.13 Wood Coatings: Effective January 1, 2011, the labels of all Wood Coatings shall prominently display the statement "For Wood Substrates Only."</p> <p>6.1.14 Zinc Rich Primers: Effective January 1, 2011, the labels of all Zinc Rich Primers shall prominently display one or more of the following descriptions listed in Section 6.1.14.1 through 6.1.14.3.</p> <p>6.1.14.1 "For industrial use only"</p> <p>6.1.14.2 "For professional use only"</p> <p>6.1.14.3 "Not for residential use" or "Not intended for residential use"</p>	
	<p>6.2 Reporting Requirements</p> <p>6.2.1 Clear Brushing Lacquers: Each manufacturer of clear brushing lacquers shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of clear brushing lacquers sold</p>	<p>6.2 Reporting Requirements</p> <p>The reporting requirements specified in Sections 6.2.1 through 6.2.6 shall apply until December 31, 2010.</p> <p>6.2.1 Clear Brushing Lacquers: Each manufacturer of clear brushing lacquers shall, on or before April 1 of each calendar year beginning in the</p>	<p>Until December 31, 2010 both versions of the rule have the same reporting requirements. After that date the non-SIP approved rule includes very specific information to be kept and is required for all</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.2 Rust Preventative Coatings: Each manufacturer of rust preventative coatings shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of rust preventative coatings sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.3 Specialty Primers, Sealers and Undercoaters: Each manufacturer of specialty primers, sealers and undercoaters shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of specialty primers, sealers and undercoaters sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.4 Toxic Exempt Compounds: For each architectural coating that contains perchloroethylene or methylene chloride, the manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB the following information for products sold in the State during the preceding year:</p> <p>6.2.4.1 the product brand name and a copy of the product label with legible usage instructions;</p> <p>6.2.4.2 the product category listed in the Table of Standards to which the coating belongs;</p> <p>6.2.4.3 the total sales in California during the calendar year to the nearest gallon;</p> <p>6.2.4.4 the volume percent, to the nearest 0.10 percent, of perchloroethylene and methylene chloride in the coating.</p> <p>6.2.5 Recycled Coatings: Manufacturers of recycled coatings must submit a letter to the Executive Officer of the ARB certifying their status as a Recycled Paint Manufacturer. The manufacturer shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of the ARB. The</p>	<p>year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of clear brushing lacquers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.2 Rust Preventative Coatings: Each manufacturer of rust preventative coatings shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of rust preventative coatings sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.3 Specialty Primers, Sealers and Undercoaters: Each manufacturer of specialty primers, sealers and undercoaters shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of specialty primers, sealers and undercoaters sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.4 Toxic Exempt Compounds: For each architectural coating that contains perchloroethylene or methylene chloride, the manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB the following information for products sold in the State during the preceding year:</p> <p>6.2.4.1 the product brand name and a copy of the product label with legible usage instructions;</p> <p>6.2.4.2 the product category listed in the Table of Standards 1 or the Table of Standards 2 to which the coating belongs;</p> <p>6.2.4.3 the total sales in California during the calendar year to the nearest gallon;</p> <p>6.2.4.4 the volume percent, to the nearest 0.10 percent, of perchloroethylene and methylene chloride in the coating.</p> <p>6.2.5 Recycled Coatings: Manufacturers of recycled coatings must submit a</p>	<p>architectural coatings. Therefore, non-SIP version of rule is as stringent as SIP version.</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>report shall include, for all recycled coatings, the total number of gallons distributed in the State during the preceding year, and shall describe the method used by the manufacturer to calculate State distribution.</p> <p>6.2.6 Bituminous Coatings: Each manufacturer of bituminous roof coatings or bituminous roof primers shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of ARB. The report shall specify the number of gallons of bituminous roof coatings or bituminous roof primers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p>	<p>letter to the Executive Officer of the ARB certifying their status as a Recycled Paint Manufacturer. The manufacturer shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall include, for all recycled coatings, the total number of gallons distributed in the State during the preceding year, and shall describe the method used by the manufacturer to calculate State distribution.</p> <p>6.2.6 Bituminous Coatings: Each manufacturer of bituminous roof coatings or bituminous roof primers shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of ARB. The report shall specify the number of gallons of bituminous roof coatings or bituminous roof primers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate state sales.</p> <p>6.2.7 Effective on and after January 1, 2011, Sales Data: All sales data listed in Sections 6.2.7.1 to 6.2.7.14 shall be maintained on-site by the responsible official for a minimum of three years. A responsible official from each manufacturer shall upon request of the Executive Officer of the ARB, or his or her delegate, provide data concerning the distribution and sales of architectural coatings. Sales data submitted by the responsible official to the Executive Officer of the ARB may be claimed as confidential, and such information shall be handled in accordance with the procedures specified in Title 17, California Code of Regulations Sections 91000-91022. The responsible official shall within 180 days provide information, including, but not limited to the data listed in Sections 6.2.7.1 through 6.2.7.14:</p> <p>6.2.7.1 the name and mailing address of the manufacturer;</p> <p>6.2.7.2 the name, address and telephone number of a contact person;</p> <p>6.2.7.3 the name of the coating product as it appears on the label and the applicable coating category;</p> <p>6.2.7.4 whether the product is marketed for interior or exterior use or both;</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>6.2.7.5 the number of gallons sold in California in containers greater than one liter (1.057 quart) and equal to or less than one liter (1.057 quart);</p> <p>6.2.7.6 the VOC Actual content and VOC Regulatory content in grams per liter. If thinning is recommended, list the VOC Actual content and VOC Regulatory content after maximum recommended thinning. If containers less than one liter have a different VOC content than containers greater than one liter, list separately. If the coating is a multi-component product, provide the VOC content as mixed or catalyzed;</p> <p>6.2.7.7 the names and CAS numbers of the VOC constituents in the product;</p> <p>6.2.7.8 the names and CAS numbers of any compounds in the product specifically exempted from the VOC definition;</p> <p>6.2.7.9 whether the product is marketed as solvent-borne, waterborne, or 100% solids;</p> <p>6.2.7.10 description of resin or binder in the product;</p> <p>6.2.7.11 whether the coating is a single-component or multi-component product;</p> <p>6.2.7.12 the density of the product in pounds per gallon;</p> <p>6.2.7.13 the percent by weight of: solids, all volatile materials, water, and any compounds in the product specifically exempted from the VOC definition; and</p> <p>6.2.7.14 the percent by volume of: solids, water, and any compounds in the product specifically exempted from the VOC definition.</p>	
	<p>6.3 Test Methods</p> <p>6.3.1 VOC Content of Coatings: To determine the physical properties of a coating in order to perform the calculations in Section 3.26 and 3.27, the reference method for VOC content is U.S. EPA Method 24, except as provided in Sections 6.3.2 and 6.3.15. An alternative method to determine the VOC content of coatings is SCAQMD Method 304-91 (Revised February 1996), incorporated by reference in Section</p>	<p>6.3 Test Methods</p> <p>The test methods listed below shall be used to demonstrate compliance with this rule. Alternate equivalent test methods may be used provided the test methods have been approved by the APCO and EPA.</p> <p>6.3.1 Calculation of VOC Content: For the purpose of determining compliance with the VOC content limits in the Table of Standards 1 or the Table of Standards 2, the VOC content of a</p>	<p>The non-SIP version includes all the requirements of the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>6.3.14. The exempt compounds content shall be determined by SCAQMD Method 303-91 (Revised August 1996), incorporated by reference in Section 6.3.12. To determine the VOC content of a coating, the manufacturer may use U.S. EPA Method 24, or an alternative method as provided in Section 6.3.2, formulation data, or any other reasonable means for predicting that the coating has been formulated as intended (e.g., quality assurance checks, recordkeeping). However, if there are any inconsistencies between the results of a Method 24 test and any other means for determining VOC content, the Method 24 test results will govern, except when an alternative method is approved as specified in Section 6.3.2. The District Air Pollution Control Officer (APCO) may require the manufacturer to conduct a Method 24 analysis.</p> <p>6.3.2 Alternative Test Methods: Other test methods demonstrated to provide results that are acceptable for purposes of determining compliance with Section 6.3.1, after review and approved in writing by the staffs of the District, the ARB and the U.S. EPA, may also be used.</p> <p>6.3.3 Methacrylate Traffic Marking Coatings: Analysis of methacrylate multicomponent coatings used as traffic marking coatings shall be conducted according to a modification of U.S. EPA Method 24 (40 CFR 59, subpart D, Appendix A), incorporated by reference in Section 6.3.15. This method has not been approved for methacrylate multicomponent coatings used for other purposes than as traffic marking coatings or for other classes of multicomponent coatings.</p> <p>6.3.4 Flame Spread Index: The flame spread index of a fire-retardant coating shall be determined by ASTM Designation E 84-99, "Standard Test Method for Surface Burning Characteristics of Building Materials"(see Section 3, Fire-Retardant Coating).</p> <p>6.3.5 Fire Resistance Rating: The fire resistance rating of a fire-resistive coating shall be determined by ASTM Designation E 119-98, "Standard Test Methods for Fire</p>	<p>coating shall be determined as defined in Section 3.77, 3.78, or 3.79 as appropriate. The VOC content of a tint base shall be determined without colorant that is added after the tint base is manufactured. If the manufacturer does not recommend thinning, the VOC Content must be calculated for the product as supplied. If the manufacturer recommends thinning, the VOC Content must be calculated including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multi-component product, the VOC content must be calculated as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOC during the curing process, the VOC content must include the VOCs emitted during curing.</p> <p>6.3.2 VOC Content of Coatings: To determine the physical properties of a coating in order to perform the calculations in Section 3.77 and 3.79, the reference method for VOC content is EPA Method 24, except as provided in Sections 6.3.3 and 6.3.16. An alternative method to determine the VOC content of coatings is SCAQMD Method 304-91 (Revised February 1996). The exempt compounds content shall be determined by SCAQMD Method 303-91 (Revised 1993), BAAQMD Method 43 (Revised 1996), or BAAQMD Method 41 (Revised 1995), as applicable. To determine the VOC content of a coating, the manufacturer may use EPA Method 24, or an alternative method as provided in Section 6.3.3, formulation data, or any other reasonable means for predicting that the coating has been formulated as intended (e.g., quality assurance checks, recordkeeping). However, if there are any inconsistencies between the results of EPA Method 24 test and any other means for determining VOC content, the EPA Method 24 test results will govern, except when an alternative method is approved as specified in Section 6.3.3. The District Air Pollution Control Officer (APCO) may require the manufacturer to conduct an EPA Method 24 analysis.</p> <p>6.3.3 Alternative Test Methods: Other test methods demonstrated to provide results that are acceptable for</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>Tests of Building Construction Materials"(see Section 3, Fire-Resistive Coating).</p> <p>6.3.6 Gloss Determination: The gloss of a coating shall be determined by ASTM Designation D 523-89 (1999), "Standard Test Method for Specular Gloss"(see Section 3, Flat Coating, Nonflat Coating, Nonflat-High Gloss Coating and Quick-Dry Enamel).</p> <p>6.3.7 Metal Content of Coatings: The metallic content of a coating shall be determined by SCAQMD Method 318-95, Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction, <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3, Metallic Pigmented Coating).</p> <p>6.3.8 Acid Content of Coatings: The acid content of a coating shall be determined by ASTM Designation D 1613-96, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer and related products"(see Section 3, Pre-Treatment Wash Primer).</p> <p>6.3.9 Drying Times: The set-to-touch, dry-hard, dry-to-touch and dry-to-recoat times of a coating shall be determined by ASTM Designation D 1640-95, "Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature" (see Section 3, Quick-Dry Enamel and Quick-Dry Primer, Sealer and Undercoater) The tack-free time of a quickdry enamel coating shall be determined by the Mechanical Test Method of ASTM Designation D 1640-95.</p> <p>6.3.10 Surface Chalkiness: The chalkiness of a surface shall be determined using ASTM Designation D4214-98, "Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films"(see Section 3, Specialty Primer, Sealer and Undercoater).</p> <p>6.3.11 Exempt Compounds—Siloxanes: Exempt compounds that are cyclic, branched, or linear completely methylated siloxanes, shall be analyzed as exempt compounds for compliance with Section 6 by BAAQMD Method 43, "Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials," <i>BAAQMD Manual of</i></p>	<p>purposes of determining compliance with Section 6.3.2 4, after review and approved in writing by the staffs of the District, ARB and EPA, may also be used.</p> <p>6.3.4 Methacrylate Traffic Marking Coatings: Analysis of methacrylate multicomponent coatings used as traffic marking coatings shall be conducted according to a modification of EPA Method 24 (40 CFR 59, subpart D, Appendix A). This method has not been approved for methacrylate multicomponent coatings used for other purposes than as traffic marking coatings or for other classes of multicomponent coatings.</p> <p>6.3.5 Flame Spread Index: The flame spread index of a fire-retardant coating shall be determined by ASTM E84-07, "Standard Test Method for Surface Burning Characteristics of Building Materials" (see Section 3.0, Fire-Retardant Coating).</p> <p>6.3.6 Fire Resistance Rating: The fire resistance rating of a fire-resistive coating shall be determined by ASTM E119-07, "Standard Test Methods for Fire Tests of Building Construction Materials" (see Section 3.0, Fire-Resistive Coating).</p> <p>6.3.7 Gloss Determination: The gloss of a coating shall be determined by ASTM D523-89 (1999), "Standard Test Method for Specular Gloss" (see Section 3.0, Flat Coating, Nonflat Coating, Nonflat-High Gloss Coating and Quick-Dry Enamel).</p> <p>6.3.8 Metal Content of Coatings: The metallic content of a coating shall be determined by SCAQMD Method 318-95, Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction, <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3.0, Metallic Pigmented Coating, Aluminum Roof Coating and Faux Finish).</p> <p>6.3.9 Acid Content of Coatings: The acid content of a coating shall be determined by ASTM D1613-06, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer and related products" (see Section 3.0, Pre-Treatment Wash Primer).</p> <p>6.3.10 Drying Times: The set-to-touch, dry-hard, dry-to-touch and dry-to-recoat times of a coating shall be determined by ASTM D1640-95,</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p><i>Procedures</i>, Volume III, adopted 11/6/96 (see Section 3, Volatile Organic Compound, and Section 6.3.1).</p> <p>6.3.12 Exempt Compounds—Parachlorobenzotrifluoride (PCBTF): The exempt compound parachlorobenzotrifluoride, shall be analyzed as an exempt compound for compliance with Section 6 by BAAQMD Method 41, "Determination of Volatile Organic Compounds in Solvent Based Coatings and Related Materials Containing Parachlorobenzotrifluoride," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 12/20/95 (see Section 3, Volatile Organic Compound, and Section 6.3.1).</p> <p>6.3.13 Exempt Compounds: The content of compounds under U.S. EPA Method 24 shall be analyzed by SCAQMD Method 303-91 (Revised 1996), "Determination of Exempt Compounds," <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3, Volatile Organic Compound, and Section 6.3.1).</p> <p>6.3.14 VOC Content of Coatings: The VOC content of a coating shall be determined by U.S. EPA Method 24 as it exists in appendix A of 40 <i>Code of Federal Regulations</i> (CFR) part 60, "Determination of Volatile Matter Content, Water Content, Density, Volume Solids and Weight Solids of Surface Coatings"(see Section 6.3.1).</p> <p>6.3.15 Alternative VOC Content of Coatings: The VOC content of coatings may be analyzed either by U.S. EPA Method 24 or SCAQMD Method 304-91 (Revised 1996), "Determination of Volatile Organic Compounds (VOC) in Various Materials," <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 6.3.1).</p> <p>6.3.16 Methacrylate Traffic Marking Coatings: The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR part 59, subpart D, appendix A, "Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings" (September 11, 1998) (see Section</p>	<p>"Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature" (see Section 3.0, Quick-Dry Enamel and Quick-Dry Primer, Sealer and Undercoater) The tack-free time of a quick-dry enamel coating shall be determined by the Mechanical Test Method of ASTM D1640-95. (Category deleted effective January 1, 2011.)</p> <p>6.3.11 Surface Chalkiness: The chalkiness of a surface shall be determined using ASTM D4214-98, "Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films"(see Section 3, Specialty Primer, Sealer and Undercoater). (Category deleted effective January 1, 2011.)</p> <p>6.3.12 Exempt Compounds—Siloxanes: Exempt compounds that are cyclic, branched, or linear completely methylated siloxanes, shall be analyzed as exempt compounds for compliance with Section 6 by BAAQMD Method 43, "Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 11/6/96 (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).</p> <p>6.3.13 Exempt Compounds—Parachlorobenzotrifluoride (PCBTF): The exempt compound parachlorobenzotrifluoride, shall be analyzed as an exempt compound for compliance with Section 6 by BAAQMD Method 41, "Determination of Volatile Organic Compounds in Solvent Based Coatings and Related Materials Containing Parachlorobenzotrifluoride," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 12/20/95 (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).</p> <p>6.3.14 Exempt Compounds: The content of compounds under U.S. EPA Method 24 shall be analyzed by SCAQMD Method 303-91 (Revised 1993), "Determination of Exempt Compounds," <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).</p> <p>6.3.15 VOC Content of Coatings: The VOC content of a coating shall be determined by EPA Method 24 as it exists in appendix A of 40 <i>Code of</i></p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	6.3.3).	<p><i>Federal Regulations</i> (CFR) part 60, "Determination of Volatile Matter Content, Water Content, Density, Volume Solids and Weight Solids of Surface Coatings" (see Section 6.3.2).</p> <p>6.3.16 Alternative VOC Content of Coatings: The VOC content of coatings may be analyzed either by U.S. EPA Method 24 or SCAQMD Method 304-91 (Revised 1996), "Determination of Volatile Organic Compounds (VOC) in Various Materials," <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i>.</p> <p>6.3.17 Methacrylate Traffic Marking Coatings: The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR part 59, subpart D, appendix A, "Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings" (September 11, 1998).</p> <p>6.3.18 Hydrostatic Pressure for Basement Specialty Coatings: The hydrostatic pressure resistance for basement specialty coatings shall be analyzed using ASTM D7088-04, "Standard Practice for Resistance to Hydrostatic Pressure for Coatings Used in Below Grade Applications Applied to Masonry".</p> <p>6.3.19 Tub and Tile Refinish Coating Adhesion: The adhesion of tub and tile coating shall be determined by ASTM D4585-99, "Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation" and ASTM D3359-02, "Standard Test Methods for Measuring Adhesion by Tape Test".</p> <p>6.3.20 Tub and Tile Refinish Coating Hardness: The hardness of tub and tile refinish coating shall be determined by ASTM D3363-05, "Standard Test Method for Film Hardness by Pencil Test".</p> <p>6.3.21 Tub and Tile Refinish Coating Abrasion Resistance: Abrasion resistance of tub and tile refinish coating shall be analyzed by ASTM D4060-07, "Standard Test Methods for Abrasion Resistance of Organic Coatings by the Taber Abraser".</p> <p>6.3.22 Tub and Tile Refinish Coating Water Resistance: Water resistance of tub and tile refinish coatings shall be determined by ASTM D4585-99,</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>"Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation" and ASTM D714-02e1, "Standard Test Method for Evaluating Degree of Blistering of Paints".</p> <p>6.3.23 Waterproofing Membrane: Waterproofing membrane shall be tested by ASTM C836-06, "Standard Specification for High Solids Content, Cold Liquid-Applied Elastomeric Waterproofing Membrane for Use with Separate Wearing Course".</p> <p>6.3.24 Mold and Mildew Growth for Basement Specialty Coatings: Mold and mildew growth resistance for basement specialty coatings shall be determined by ASTM D3273-00, "Standard Test Method for Resistance to Growth of Mold on the Surface of Interior Coatings in an Environmental Chamber" and ASTM D3274-95, "Standard Test Method for Evaluating Degree of Surface Disfigurement of Paint Films by Microbial (Fungal or Algal) Growth or Soil and Dirt Accumulation".</p> <p>6.3.25 Reactive Penetrating Sealer Water Repellency: Reactive penetrating sealer water repellency shall be analyzed by ASTM C67-07, "Standard Test Methods for Sampling and Testing Brick and Structural Clay Tile"; or ASTM C97-02, "Standard Test Methods for Absorption and Bulk Specific Gravity of Dimension Stone"; or ASTM C140-06, "Standard Test Methods for Sampling and Testing Concrete Masonry Units and Related Units".</p> <p>6.3.26 Reactive Penetrating Sealer Water Vapor Transmission: Reactive penetrating sealer water vapor transmission shall be analyzed ASTM E96/E96M-05, "Standard Test Method for Water Vapor Transmission of Materials".</p> <p>6.3.27 Reactive Penetrating Sealer - Chloride Screening Applications: Reactive penetrating sealers shall be analyzed by National Cooperative Highway Research Report 244 (1981), "Concrete Sealers for the Protection of Bridge Structures".</p> <p>6.3.28 Stone Consolidants: Stone consolidants shall be tested using ASTM E2167-01, "Standard Guide for Selection and Use of Stone Consolidants".</p>	
7.0 Compliance Schedule	Persons subject to this rule shall be in compliance with this rule by October 31, 2001.	Persons subject to this rule shall be in compliance with this rule by the dates specified within the rule.	No change in the requirements, therefore, non-SIP version of rule is as stringent as SIP

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
8.0 Averaging Compliance Option	<p>8.1 On or after January 1, 2003, in lieu of compliance with the specified limits in the Table of Standards for floor coatings; industrial maintenance coatings; primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters; quick-dry enamels; roof coatings; rust preventative coatings; stains; waterproofing sealers, as well as flats and non-flats (excluding recycled coatings), manufacturers may average designated coatings such that their actual cumulative emissions from the averaged coatings are less than or equal to the cumulative emissions that would have been allowed under those limits over a compliance period not to exceed one year. Such manufacturers must also comply with the averaging provisions contained in this Section, as well as maintain and make available for inspection records for at least three years after the end of the compliance period. This Section shall cease to be effective on January 1, 2005, after which averaging will no longer be allowed.</p> <p>Per Section 8.1, averaging is no longer applicable. Therefore, Section 8.2 through 8.14 are not listed.</p>		<p>version. No change in the requirements, therefore, non-SIP version of rule is as stringent as SIP version.</p>

District Rule 4601 was amended (12/17/2009). As analyzed, each amended section of the non-SIP version of the rule is at least as stringent as, or more stringent than the corresponding section of the SIP version of the rule. Therefore, it is concluded that overall the non-SIP version of the rule is more stringent than the SIP version of the rule.

ATTACHMENT D

Rule 4601 Tables of Standards

TABLE OF STANDARDS 1 (Effective through 12/31/10)

Limits are expressed in grams of VOC per liter^a of coating thinned to the manufacturer's maximum recommendation, excluding the volume of any water, exempt compounds, or colorant added to tint bases. Manufacturer's maximum recommendation means the maximum recommendation for thinning that is indicated on the label or lid of the coating container.

COATING CATEGORY	Effective Date: 1/1/2003
Flat Coatings	100
Nonflat Coatings	150
Nonflat - High Gloss Coatings	250
Specialty Coatings	
Antenna Coatings	530
Antifouling Coatings	400
Bituminous Roof Coatings	300
Bituminous Roof Primers	350
Bond Breakers	350
Clear Wood Coatings:	
Clear Brushing Lacquers	680
Lacquers (including lacquer sanding sealers)	550
Sanding Sealers (other than lacquer sanding sealers)	350
Varnishes	350
Concrete Curing Compounds	350
Dry Fog Coatings	400
Faux Finishing Coatings	350
Fire Resistive Coatings	350
Fire-Retardant Coatings:	
Clear	650
Opaque	350
Floor Coatings	250
Flow Coatings	420
Form-Release Compounds	250
Graphic Arts Coatings (Sign Paints)	500
High Temperature Coatings	420
Industrial Maintenance Coatings	250
Low Solids Coatings	120 ^b
Magnesite Cement Coatings	450
Mastic Texture Coatings	300
Metallic Pigmented Coatings	500
Multi-Color Coatings	250

TABLE OF STANDARDS 1, continued (Effective through 12/31/10)

COATING CATEGORY	Effective Date: 1/1/2003
Pre-Treatment Wash Primers	420
Primers, Sealers, and Undercoaters	200
Quick-Dry Enamels	250
Quick-Dry Primers, Sealers and Undercoaters	200
Recycled Coatings	250
Roof Coatings	250
Rust Preventative Coatings	400
Shellacs:	
Clear	730
Opaque	550
Specialty Primers, Sealers, and Undercoaters	350
Stains	250
Swimming Pool Coatings	340
Swimming Pool Repair and Maintenance Coatings	340
Temperature-Indicator Safety Coatings	550
Traffic Marking Coatings	150
Waterproofing Sealers	250
Waterproofing Concrete/Masonry Sealers	400
Wood Preservatives	350

a Conversion factor: one pound VOC per gallon (U.S.) = 119.95 grams VOC per liter.

b Units are grams of VOC per liter of coating, including water and exempt compounds in accordance with Section 3.27.

TABLE OF STANDARDS 2 (Effective on and after 1/1/11)

Limits are expressed as VOC Regulatory, thinned to the manufacturer's maximum thinning recommendation, excluding any colorant added to tint bases.

COATING CATEGORY	VOC Limit (g/l) Effective 1/1/2011 through 12/31/2011²	VOC Limit (g/l) Effective on and after 1/1/2012²
Flat Coatings	50	50
Nonflat Coatings	100	100
Nonflat - High Gloss Coatings	150	150
Specialty Coatings		
Aluminum Roof Coatings	400	400
Basement Specialty Coatings	400	400
Bituminous Roof Coatings	50	50
Bituminous Roof Primers	350	350
Bond Breakers	350	350
Concrete Curing Compounds	350	350
Concrete/Masonry Sealers	100	100
Driveway Sealers	50	50
Dry Fog Coatings	150	150
Faux Finishing Coatings	350	350
Fire Resistive Coatings	350	350
Floor Coatings	100	100
Form-Release Compounds	250	250
Graphic Arts Coatings (Sign Paints)	500	500
High Temperature Coatings	420	420
Industrial Maintenance Coatings	250	250
Low Solids Coatings ¹	120 ¹	120 ¹
Magnesite Cement Coatings	450	450
Mastic Texture Coatings	100	100
Metallic Pigmented Coatings	500	500
Multi-Color Coatings	250	250
Pre-Treatment Wash Primers	420	420
Primers, Sealers, and Undercoaters	100	100
Reactive Penetrating Sealers	350	350
Recycled Coatings	250	250
Roof Coatings	50	50
Rust Preventative Coatings	400	250

TABLE OF STANDARDS 2 (continued) (Effective on and after 1/1/11)

Limits are expressed as VOC Regulatory, thinned to the manufacturer's maximum thinning recommendation, excluding any colorant added to tint bases.

COATING CATEGORY	VOC Limit (g/l) Effective 1/1/2011 through 12/31/2011²	VOC Limit (g/l) Effective on and after 1/1/2012²
Shellacs:		
Clear	730	730
Opaque	550	550
Specialty Primers, Sealers, and Undercoaters	350	100
Stains	250	250
Stone Consolidants	450	450
Swimming Pool Coatings	340	340
Traffic Marking Coatings	100	100
Tub and Tile Refinish Coatings	420	420
Waterproofing Membranes	250	250
Wood Coatings	275	275
Wood Preservatives	350	350
Zinc-Rich Primers	340	340

1 Units are grams of VOC per liter of coating, including water and exempt compounds in accordance with Section 3.77.

2 The dates listed do not preclude voluntary compliance with the applicable limit prior to those dates.

6.0 Administrative Requirements

6.1 **Labeling Requirements:** Each manufacturer of any architectural coating subject to this rule shall display the information listed in Sections 6.1.1 through 6.1.14 on the coating container (or label) in which the coating is sold or distributed.

6.1.1 **Date Code:** The date the coating was manufactured, or a date code representing the date, shall be indicated on the label, lid or bottom of the container. If the manufacturer uses a date code for any coating, the manufacturer shall file an explanation of each code with the Executive Officer of the ARB.

ATTACHMENT E

District Rule 4651 Stringency Analysis

Comparison of the Non-SIP version (amended September 20, 2007) of District Rule 4651 (Soil Decontamination Operations) with the SIP approved version (amended December 17, 1992)

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
1.0 PURPOSE		
The purpose of this rule is to limit VOC emissions from the excavation and treatment of soil that has been contaminated by organic liquid as a result of leakage from storage or transfer facilities, from accidental spillage, or other deposition.	X	
The purpose of this rule is to limit volatile organic compound (VOC) emissions from soil that has been contaminated with a VOC-containing liquid.		X
2.0 APPLICABILITY		
This rule shall apply to the excavation and treatment of soil that has been contaminated by organic liquid as a result of leakage from storage or transfer facilities, from accidental spillage, or other deposition.	X	
This rule shall apply to operations involved in the excavation, transportation, handling, decontamination, and disposal of contaminated soil.		X
3.0 DEFINITIONS		
3.1 Active Soil Aeration Pile: a pile of contaminated soil with a volume at least one cubic yard which is undergoing limited aeration in accordance with the requirements contained in Section 5.2.	X	
3.1 Aeration: exposure of excavated soil containing volatile organic compounds to the atmosphere.		X
3.3 Approved: requirements accepted by the APCO and EPA that have been determined to be in compliance with Rule 4651 or a permitted facility that satisfy the requirements of Rule 4651.		X
3.2 Contaminated Soil: soil which registers 50 ppm or greater of VOC when measured as hexane at a distance of three (3) inches above the surface with an organic vapor analyzer, or soil containing VOC which has been identified for decontamination by the designated lead agency.	X	

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
3.4 Contaminated Soil: soil which registers fifty (50) ppmv or greater of VOC concentration before suppression materials have been applied when measured as hexane at a distance of three (3) inches above the surface with an organic vapor analyzer, or soil containing VOC which has been identified for decontamination or disposal by the designated lead agency.		X
3.3 Decontamination: the removal of VOC from contaminated soil by an approved process.	X	
3.5 Decontamination: the removal, destruction, remediation, or encapsulation of VOC from contaminated soil according to Section 5.4.		X
3.6 Decontaminated Soil: soil that has undergone the decontamination process. For the purposes of this rule, decontaminated soil is still considered contaminated unless it satisfies the requirements of Section 5.4.6.		X
3.8 Emergency Excavation: an excavation of contaminated soil carried out pursuant to an order of a state or local government agency issued because the contaminated soil poses an imminent threat to public health, safety, or the environment.		X
3.10 Excavation: the process of exposing, digging out, and removing contaminated soil, including but not limited to digging out and removal of soil, sand, asphalt, concrete, or other materials necessary to expose the contaminated soil.		X
3.11 Facility: a portion of real property that is on one or more contiguous or adjacent properties all of which are under common ownership or control. A facility includes, but is not limited to, all buildings, storage areas, installations, structures, VOC control systems, and treatment of contaminated soil on the properties.		X
3.12 Operation: any physical action resulting in a change in the location, form, or physical properties of a material, or any chemical action resulting in a change in the chemical composition or the chemical or physical properties of a material.		X
3.13 Operator: includes but is not limited to any person who owns, leases, supervises, or operates a facility and equipment.		X
3.4 Organic Content: the VOC concentration used to determine the daily rate at which contaminated soil may be added to an active soil aeration pile.	X	
3.5 Organic Vapor Analyzer: a hydrocarbon analyzer which satisfies the specification requirements of EPA Method 21, 40 CFR Part 60.	X	

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
3.14 Organic Vapor Analyzer: a hydrocarbon analyzer, which satisfies the specification requirements of EPA Method 21, 40 CFR Part 60.		X
3.15 Petroleum: crude oil or any fraction thereof that is liquid at Standard Conditions of temperature and pressure (60°F and 14.7 pounds per square inch absolute), including, but is not limited to aviation fuel, gasoline, kerosene, fuel oils, diesel, and other related hydrocarbons.		X
3.16 Storage Pile: For the purposes of this rule, any pile of soil resulting from operations related to the excavation of contaminated soil.		X
3.17 Uncontaminated Soil: soil which registers below fifty (50) ppmv of VOC concentration before suppression materials have been applied when measured as hexane at a distance of three (3) inches above the surface of the excavated soil with an organic vapor analyzer or decontaminated soil which registers below 50 ppmw of VOC content or soil that has been identified as uncontaminated by the designated lead agency.		X
3.18 Vapor Suppressant: At least six (6) inches of uncontaminated soil or any material that is demonstrated to reduce VOC emissions into the atmosphere from contaminated soil by at least 10%.		X
3.19 VOC Control Device: any machine or technology used to reduce VOC emissions from contaminated soil. Such devices include, but are not limited to, thermal oxidizers, carbon canisters, or incineration devices.		X
3.20 Volatile Organic Compound (VOC): as defined in Rule 1020 (Definitions).		X
4.0 EXEMPTIONS		
<p>4.1 The requirements of this rule shall not apply to:</p> <p>4.1.1 Treatment of less than one (1) cubic yard of contaminated soil.</p> <p>4.1.2 Accidental spillage of one barrel (42 gallons) or less of liquids containing VOC.</p> <p>4.1.3 Contaminated soil exposed for the sole purpose of sampling.</p> <p>4.1.4 Soil contaminated solely by VOC containing liquid that has an initial boiling point of 302° F or higher, as determined by ASTM D86-78, provided that the soil is not heated above ambient temperature and samples of the contaminating liquid can be obtained.</p> <p>4.1.5 Soil which is contaminated through natural seepage of liquids from natural sources.</p>	X	

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
4.1.6 The emergency excavation and decontamination of soil performed by, under the jurisdiction of, or pursuant to the requirements of, an authorized health officer, agricultural commissioner, fire protection officer, or other authorized agency officer. Whenever possible, the APCO shall be notified prior to commencing such excavation.		
<p>4.1 The requirements of this rule shall not apply to:</p> <p>4.1.1 Excavation, handling, transportation, and decontamination of less than one (1) cubic yard of contaminated soil per occurrence.</p> <p>4.1.2 Operations related to the accidental spillage of five (5) gallons or less of VOC-containing liquid per occurrence.</p> <p>4.1.3 Contaminated soil exposed for the sole purpose of sampling.</p> <p>4.1.4 Soil contaminated solely by a known VOC-containing liquid or a petroleum liquid that has an initial boiling point of 302°F or higher, as determined by Section 6.5.1, provided that the soil is not heated above ambient temperature and samples of the contaminating liquid can be obtained.</p>		X
4.2 Except for the administrative requirements in Section 6.3.1, the rule requirements shall not apply to operations related to the accidental spillage of more than five (5) gallons but no more than 42 gallons of VOC-containing liquid.		X
<p>4.3 Except for the requirements in Section 4.3.1 to Section 4.3.5, the requirements of this rule shall not apply to the emergency excavation of contaminated soil performed by, at the direction of, under the jurisdiction of, or pursuant to the requirements of, an authorized health officer, agricultural commissioner, fire protection officer, or other authorized state or local government officer.</p> <p>4.3.1 Whenever possible, the APCO shall be notified by fax or by other approved methods prior to commencing such excavation of contaminated soil.</p> <p>4.3.2 No later than 48 hours following the commencement of the excavation, the operator shall notify the APCO in writing, in accordance with Section 6.1. No later than 30 working days after excavation is completed, the operator shall provide the APCO a written verification of completion of the emergency excavation, in accordance with Section 6.2.</p> <p>4.3.3 The operator shall maintain records pursuant to Section 6.3.1.</p> <p>4.3.4 The operator shall cover the excavated contaminated soil with a tarp or other covering within 24 hours of excavation. Within 30 days of excavation, the soil shall be decontaminated, recycled, disposed of in an approved facility, or returned to excavation and permanently covered with at least six (6) inches of uncontaminated soil, unless otherwise directed by an authorized health officer,</p>		X

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
<p>agricultural commissioner, fire protection officer, or other authorized state or local government officer.</p> <p>4.3.5 The operator shall also comply with all applicable requirements of Section 5.3 and Section 5.4.</p>		
5.0 REQUIREMENTS		
<p>5.1 Excavation of Contaminated Soil</p> <p>5.1.1 The owner or operator who is performing an excavation as the result of the removal of an underground storage tank, leakage from a storage or transfer facility, accidental spillage, or other deposition, shall monitor for VOC contaminated soil during the excavation of the material.</p> <p>5.1.2 If VOC contaminated soil is detected, the excavated soil shall be either transported off-site for treatment, recycling, disposal in an approved disposal site, stockpiled or returned to excavation, and covered as required by Section 5.1.3.</p> <p>5.1.3 Contaminated soil which is not being treated shall be covered except when soil is being added or removed. The soil may be covered with a layer of uncontaminated soil no less than six (6) inches deep; or, it may be covered with a tarp or other covering, provided no head space where vapors may accumulate is formed.</p>	X	
<p>5.1 Excavation of Contaminated Soil</p> <p>The operator excavating contaminated soil shall comply with the following:</p> <p>5.1.1 A written notice, according to Section 6.1, shall be submitted to the APCO prior to commencement of excavation of known contaminated soil. Where contaminated soil is discovered during excavation, operators shall provide written notice according to Section 6.1 within 48 hours after detection. No later than 30 working days after excavation is completed, the operator shall provide the APCO a written verification of completion of the excavation, in accordance with Section 6.2.</p> <p>5.1.2 Any excavation of soil resulting from operations related to contaminated soil shall be monitored for VOC contamination during the excavation and at least once every 15 minutes, unless the excavated soil is treated according to Section 5.2.1.</p> <p>5.1.2.1 All readings shall be taken using the applicable test methods in Section 6.5.2.</p> <p>5.1.2.2 All VOC concentration readings shall be recorded according to Section 6.3.4.</p> <p>5.1.3 Excavated soil that has been detected as contaminated soil shall be placed in storage piles and handled as required by Section 5.2, and</p> <p>5.1.4 Excavated contaminated soil shall be decontaminated, recycled, disposed of in an approved</p>		X

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)																				
<p>facility, returned to excavation and permanently covered with at least six (6) inches of uncontaminated soil, or transported to a location outside of the San Joaquin Valley Air Basin within thirty (30) calendar days from the time of excavation or as directed by an authorized health officer, agricultural commissioner, fire protection officer, or other authorized state or local government officer having jurisdiction.</p>																						
<p>5.2 Limited Aeration</p> <p>5.2.1 Limited aeration shall be subject to the following conditions:</p> <p>5.2.1.1 is prohibited within 1000 feet of the nearest residence unless a risk assessment performed using the CAPCOA Air Toxics Assessment Manual indicates an excess cancer risk of less than one (1) in a million.</p> <p>5.2.1.2 the rate at which contaminated soil may be added to an active soil aeration pile shall be limited by the soil's organic content.</p> <p>5.2.1.3 the maximum rates for the addition of contaminated soil that may be added to soil which is already aerating is listed in Table 1.</p> <p>Table 1</p> <table border="1" data-bbox="261 1041 905 1423"> <thead> <tr> <th data-bbox="261 1041 640 1125">Organic Content (ppm by weight)</th> <th data-bbox="640 1041 905 1125">Allowable Rate of Limited Aeration (Cubic yards/day)</th> </tr> </thead> <tbody> <tr> <td data-bbox="261 1125 640 1157">0 - 50</td> <td data-bbox="640 1125 905 1157">Exempt</td> </tr> <tr> <td data-bbox="261 1157 640 1188">51 - 100</td> <td data-bbox="640 1157 905 1188">600</td> </tr> <tr> <td data-bbox="261 1188 640 1220">101 - 500</td> <td data-bbox="640 1188 905 1220">120</td> </tr> <tr> <td data-bbox="261 1220 640 1251">501 - 1000</td> <td data-bbox="640 1220 905 1251">60</td> </tr> <tr> <td data-bbox="261 1251 640 1283">100 - 2000</td> <td data-bbox="640 1251 905 1283">30</td> </tr> <tr> <td data-bbox="261 1283 640 1314">2001 - 3000</td> <td data-bbox="640 1283 905 1314">15</td> </tr> <tr> <td data-bbox="261 1314 640 1346">3001 - 4000</td> <td data-bbox="640 1314 905 1346">10</td> </tr> <tr> <td data-bbox="261 1346 640 1377">4001 - 5000</td> <td data-bbox="640 1346 905 1377">8</td> </tr> <tr> <td data-bbox="261 1377 640 1423">5001 or greater</td> <td data-bbox="640 1377 905 1423"></td> </tr> </tbody> </table> <p>5.2.1.4 The APCO shall be notified in writing for all limited aeration projects. Notification shall include:</p> <p>5.2.1.4.1 the applicant's business name,</p> <p>5.2.1.4.2 address,</p> <p>5.2.1.4.3 quantity of soil</p> <p>5.2.1.4.4 daily aeration rate,</p> <p>5.2.1.4.5 location of stockpile and aeration area including distances from nearest residence, and</p> <p>5.2.1.4.6 expected life of the project.</p>	Organic Content (ppm by weight)	Allowable Rate of Limited Aeration (Cubic yards/day)	0 - 50	Exempt	51 - 100	600	101 - 500	120	501 - 1000	60	100 - 2000	30	2001 - 3000	15	3001 - 4000	10	4001 - 5000	8	5001 or greater		X	
Organic Content (ppm by weight)	Allowable Rate of Limited Aeration (Cubic yards/day)																					
0 - 50	Exempt																					
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100 - 2000	30																					
2001 - 3000	15																					
3001 - 4000	10																					
4001 - 5000	8																					
5001 or greater																						
<p>5.3 Decontamination Systems</p> <p>5.3.1 Treating contaminated soil, except as allowed in Section 5.2 (Limited Aeration), shall be done by implementing one of the following decontamination systems:</p> <p>5.3.1.1 installation and operation of a VOC collection and</p>	X																					

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
<p>control system for the in-situ treatment of the contaminated soil; or</p> <p>5.3.1.2 installation and operation of a VOC collection and control system for the on-site treatment of the contaminated soil.</p> <p>5.3.2 An Authority to Construct shall be obtained prior to the installation of equipment required for a decontamination system.</p>		
<p>5.2 Handling of Contaminated Soil</p> <p>The operator handling contaminated soil shall comply with the following:</p> <p>5.2.1 For VOC concentration of the excavated contaminated soil measuring at 1,000 ppm or greater, the contaminated soil shall be sprayed with water or vapor suppressant and be subject to the following requirements in addition to all applicable requirements of the rule:</p> <p>5.2.1.1 Place the contaminated soil in sealed containers as soon as possible, but no more than 30 minutes after excavation, and handle pursuant to Section 5.1.4, or</p> <p>5.2.1.2 Load the contaminated soil into trucks as soon as possible but no more than 30 minutes after excavation, moisten with additional water, cover as required in Section 5.3, and transport immediately to an approved facility, or</p> <p>5.2.1.3 Implement other approved alternative storage methods and handle pursuant to Section 5.1.4.</p> <p>5.2.2 Storage piles of contaminated soil shall be clearly isolated and identifiable from storage piles of uncontaminated soil according to Section 6.3.2,</p> <p>5.2.3 Storage piles of contaminated soil that have been inactive for more than 60 consecutive minutes shall be subject to one of the following:</p> <p>5.2.3.1 Treat with water or a vapor suppressant and cover with heavy-duty plastic sheeting to reduce VOC emissions. The covering shall have at least a six-foot overlap of adjacent sheets, be securely anchored, and have minimal headspace where vapors may accumulate, or</p> <p>5.2.3.2 Cover with a layer of uncontaminated soil no less than six (6) inches deep.</p> <p>5.2.4 A visual inspection of all storage piles of contaminated soil shall be conducted at least once every 24 hours, except when operators do not report to the facility for a given 24-hour period, to ensure the integrity of the covered surfaces and compliance with Section 5.2.5. Record of the visual inspections shall be maintained pursuant to Section 6.3.3.</p> <p>5.2.5 Aeration of contaminated soil shall not be allowed except that which occurs during removal or addition of contaminated soil to a storage pile. This prohibition includes the use of contaminated soil in daily, intermediate, or final cover operations at disposal sites.</p>		X

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
<p>5.3 Transportation of Contaminated Soil The operator transporting contaminated soil, whether by truck or other means of transportation, shall comply with all of the following prior to leaving the facility:</p> <p>5.3.1 Any truck or trailer transporting contaminated soil shall be filled such that contaminated soil does not extend above the sides or rear of the truck,</p> <p>5.3.2 Contaminated soil shall be treated with water or a vapor suppressant and covered with an continuous heavy duty plastic sheeting or other covering to prevent spillage of contaminated soil during transport, and</p> <p>5.3.3 Chain-of-custody records shall be maintained according to Section 6.3.1 by the operators to document transfer of the transported contaminated soil.</p>		X
6.0 ADMINISTRATIVE REQUIREMENTS		
<p>6.1 Test Methods</p> <p>6.1.1 The initial boiling point of a liquid shall be measured in accordance with ASTM D86-78.</p> <p>6.1.2 The VOC concentration of contaminated soils shall be measured using an organic vapor analyzer which satisfies this specification requirements of EPA Method 21, 40 CFR Part 60.</p> <p>6.1.3 The organic content of soil shall be determined by EPA Reference Method 8240, 8015 or the gas chromatographic method in the Leaking Underground Fuel Tank (LUFT) Manual (October, 1989) as approved by the California Department of Health Services.</p>	X	
<p>6.2 Soil Sampling Procedure</p> <p>One composite sample shall be collected and analyzed for every 50 cubic yards of excavated contaminated soil to be aerated. At least one (1) composite sample shall be collected from each inactive, uncovered storage pile within 24 hours of excavation. Samples are not required if the soil is uncontaminated.</p> <p>6.2.1 A composite sample shall consist of one sample taken from the center of each of four (4) equal sectors of the area required to be sampled using the procedures described below unless other methods are approved by the APCO.</p> <p>6.2.2 Samples shall be taken from at least three (3) inches below the surface of the pile using a driven-tube type sampler, capped and sealed with inert materials, and extruded in the lab in order to reduce the loss of volatile materials; or by using a clean brass or stainless steel tube (at least three (3) inches long) driven into the soil with a suitable instrument. The ends of the brass tube shall then be covered with aluminum foil, then plastic end caps, and finally wrapped with a suitable tape. The samples shall then be immediately placed on ice, or dry ice, for transport to a</p>	X	

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
laboratory. 6.2.3 Chain-of-custody records shall be kept to document possession of a sample from the time it is taken in the field until it is analyzed.		
6.3 Offsets <i>If a decontamination/treatment system is required solely to comply with the requirements of this rule, such system shall not be subject to Rule 2201 (New and Modified Stationary Source Review), , provided the system includes Best Available Control Technology and the emissions do not exceed two (2) tons per year of any affected pollutant.</i>	X	
6.1 Written Notice of Excavation Activity The operator shall include the following information in the notice of excavation activities required by Sections 4.3 and 5.1: 6.1.1 Names and addresses of operator(s) performing and responsible for excavation, 6.1.2 Location of site where excavation will occur, 6.1.3 Scheduled starting date of excavation. If the excavation does not commence on the start date, renotification is required, 6.1.4 Estimated volume of soil to be excavated, 6.1.5 Estimated volume (in gallons) of VOC liquid spilled in the soil, if known, and <i>6.1.6 Where emergency excavation is conducted at the direction of an authorized officer, pursuant to Section 4.3: name, title and contact information of the authorized officer, and a copy of the signed emergency declaration from the authorized officer.</i>		X
6.2 Written Verification of Completion of Excavation Activity The operator shall include the following information in the written verification as required by Section 4.3 and Section 5.1. 6.2.1 Names and addresses of operator(s) performing and responsible for excavation, 6.2.2 Address of site where excavation occurred, 6.2.3 Date(s) of excavation, 6.2.4 Estimated volume of contaminated soil excavated, and 6.2.5 Estimated average VOC content of the contaminated soil or estimated volume of VOC contaminant, and 6.2.6 Final disposition of the contaminated soil.		X
6.3 Recordkeeping Records shall be retained for at least five (5) years, shall be readily available, and shall be made available to the APCO upon request. 6.3.1 Recordkeeping Requirements for Chain-of-Custody:		X

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
<p>Operators shall maintain records at the time custody is transferred. Records shall include but are not limited to the following:</p> <p>6.3.1.1 The identities and business addresses of the relevant parties such as the generator, transporter, and storage/treatment facilities,</p> <p>6.3.1.2 The volume of contaminated soil generated or received,</p> <p>6.3.1.3 All analytical data associated with the contaminated soil (this section does not apply to Section 4.3),</p> <p>6.3.1.4 The date and location of excavation of the contaminated soil, and</p> <p>6.3.1.5 The date and signatures of the operators at the time custody is transferred.</p> <p>6.3.2 Recordkeeping Requirements for Excavated Storage Piles</p> <p>Each storage pile shall be identified according to, but not limited to, the following information:</p> <p>6.3.2.1 Location of storage pile.</p> <p>6.3.2.2 Unique identification of storage pile.</p> <p>6.3.2.3 Date that soil storage pile was excavated.</p> <p>6.3.3 Recordkeeping Requirements for Visual Inspection</p> <p>Operators shall maintain visual inspection records at least once every 24 hours except when operators do not report to the facility for that given 24 hours. The records shall include, but are not limited to the following information:</p> <p>6.3.3.1 Location and unique identification of each specific storage pile.</p> <p>6.3.3.2 Name, date, and signature of operator inspecting the storage piles.</p> <p>6.3.4 Recordkeeping Requirements for VOC concentration readings pursuant to Section 5.1 and Section 5.4.</p> <p>6.3.4.1 The identities and business addresses of the relevant parties such as the generator or storage/treatment facilities,</p> <p>6.3.4.2 The volume of contaminated or decontaminated soil,</p> <p>6.3.4.3 Date of contaminated or decontaminated soil,</p> <p>6.3.4.4 VOC concentration reading, and</p> <p>6.3.4.5 The origin of the contaminated or decontaminated soil.</p> <p>6.3.5 Calibrations for all approved monitoring instruments shall be recorded and kept available onsite.</p>		
<p>6.4 Testing Requirements</p> <p>6.4.1 The operator of a VOC control device used to decontaminate excavated soil shall demonstrate compliance with the requirements of Section 5.4.1 before operation of such system.</p> <p>6.4.2 Source sampling to determine the compliance status of an emissions source shall be witnessed or authorized by District personnel.</p>		X

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
<p>6.4.3 The operator of the facility shall maintain a copy of the source test protocol. A copy of the source test results must be maintained for at least five years and be readily available to the APCO upon written or oral request.</p>		
<p>6.5 Test Methods Test methods referenced shall be the latest approved method. The following methods shall be used: 6.5.1 The initial boiling point of a liquid from samples of contaminated soil shall be measured in accordance with one of the following applicable methods: 6.5.1.1 ASTM D86 for soil contaminated with petroleum liquid or 6.5.1.2 ASTM D-1078-93 for soil contaminated with known organic chemical. 6.5.2 The VOC concentration of soils shall be measured as hexane using an organic vapor analyzer, complying with EPA Reference Method 21. 6.5.3 The VOC content of soil that can be reasonably demonstrated to be contaminated only with petroleum shall be determined by using EPA Reference Method 8015 or EPA Test Method 25D. 6.5.4 The VOC content of soil that is contaminated by unknown VOC-containing liquids, or that cannot be reasonably demonstrated to be contaminated only with petroleum, shall be determined by using EPA Reference Method 8015 or EPA Test Method 25D. In addition to one of the aforementioned methods, the operator shall use EPA Reference Method 8260B or the gas chromatographic method in the Leaking Underground Fuel Tank (LUFT) Manual (October 1989). 6.5.5 An operator may use an equivalent alternative test method to those listed in Sections 6.5.1 through 6.5.4 for which APCO and EPA approval has been obtained. 6.5.6 When more than one test method or set of test methods is specified for any testing, a violation of any requirement of this rule established by any one of the specified test methods or set of test methods shall constitute a violation of this rule.</p>		X
<p>6.6 Soil Sampling Procedure for Decontaminated Soil 6.6.1 One composite sample shall be collected and analyzed for VOC for every 50 cubic yards of excavated soil that has been determined to be uncontaminated by the test method in Section 6.5.2. At least one (1) composite sample shall be collected from each storage pile within 12 hours of soil decontamination. 6.6.2 A composite sample shall consist of one sample taken from the center of each of four (4) equal sectors using the procedures described in Section 6.6.3 or other approved methods. 6.6.3 Samples shall be taken from at least twelve (12)</p>		X

District Rule 4651 Requirements	SIP Rule (Amended 12/17/92)	Non-SIP Rule (Amended 9/20/07)
<p>inches below the surface of the pile using a driven-tube type sampler, capped and sealed with inert materials, and extruded in the lab in order to reduce the loss of volatile materials; or by using a clean brass or stainless steel tube (at least twelve (12) inches long) driven into the soil with a suitable instrument. The ends of the brass tube shall then be covered with aluminum foil, then plastic end caps, and finally wrapped with a suitable tape. The samples shall then be immediately placed on ice, or dry ice, for transport to a laboratory.</p> <p>6.6.4 Chain-of-custody records shall be kept by the operators to document possession of a sample from the time it is taken in the field until it is analyzed.</p>		
7.0 COMPLIANCE SCHEDULE		
<p>The requirements of this rule become effective September 19, 1991 except for the following:</p> <p>7.1 Any soil excavation or decontamination project which received District approval prior to September 19, 1991 may continue their operation until the soil is no longer contaminated or until July 1, 1992, whichever comes first.</p> <p>7.2 Any decontamination system whose initial installation occurs on or after September 19, 1991 shall be in full compliance with the provisions of the rule upon initial operation.</p>	X	
<p>7.0. Compliance Schedule</p> <p>7.1 All contaminated soil excavation, handling, transporting, and decontamination projects shall be in compliance with the rule on and after March 20, 2008.</p> <p>7.2 Any VOC control device whose initial installation occurs on or after September 20, 2007 shall be in full compliance with the requirements of the rule upon initial operation.</p> <p>7.3 Any VOC control device installed prior to September 20, 2007 shall be in full compliance with the requirements of the rule no later than March 20, 2008.</p>		X

ATTACHMENT F

Detailed Facility List

Detailed Facility Report

For Facility=3696

Sorted by Facility Name and Permit Number

HIGHWAY 59 LANDFILL SITE 6040 N HIGHWAY 59 MERCED, CA 95340	FAC #	N 3696	TYPE:	TitleV	EXPIRE ON:	04/30/2007
	STATUS:	A	TOXIC ID:		AREA:	7 / 308
	TELEPHONE:	2093857388			INSP. DATE:	06/11

PERMIT NUMBER	FEE DESCRIPTION	FEE RULE	QTY	FEE AMOUNT	FEE TOTAL	PERMIT STATUS	EQUIPMENT DESCRIPTION
N-3696-1-1	ONE NOZZLE	3020-11 A	1	34.00	34.00	A	ONE 1,000 GALLON STEEL TANK INSTITUTE FIREGUARD ABOVEGROUND GASOLINE STORAGE TANK SERVED BY A TWO POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-162) AND 1 GASOLINE DISPENSING NOZZLE SERVED BY BALANCE PHASE II VAPOR RECOVERY SYSTEM (G-70-162)
N-3696-2-7	115 Acres	3020-12 U	115	99.00	2,749.00	A	MUNICIPAL SOLID WASTE LANDFILL (115 ACRES), INCLUDING LANDFILL GAS COLLECTION SYSTEM WITH GAS EXTRACTION BLOWER, COLLECTION PIPING NETWORK, GAS/LIQUID SEPARATOR, AND CONTROLLED BY A CARBON ADSORPTION UNIT
N-3696-3-1	115 hp	3020-10 B	1	117.00	117.00	A	COMPOST SCREENING, CONVEYING AND STORAGE OPERATION CONSISTING OF A RETECH, MODEL 727 MAGNUM, TROMMEL SCREEN POWERED BY A 115 HP JOHN DEERE, MODEL 4045T, TRANSPORTABLE DIESEL FIRED INTERNAL COMBUSTION ENGINE

Number of Facilities Reported: 1