

REGULATION III

TOXIC AIR

CONTAMINANT

CONTROL RULES

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TOXIC AIR CONTAMINANT CONTROL RULES
(Adopted May 19, 2005, Amended May 15, 2008)

Preface

The Tanner Toxics Act established the California toxic air contaminant control program (AB18078), California Health & Safety Code section 39666, et seq.), to identify and control toxics air contaminants. Under the Tanner Act (AB 1807) the California Air Resources Board (CARB) is required to identify a substance as a TAC based on the review of the scientific data and the recommendations by both the Office of Environmental and Health Hazard Assessment (OEHHA) and the Scientific Review Panel (SRP). After designation, CARB investigates appropriate measures to limit emissions of the TACs. These measures may include, but not necessarily be limited to, emission limitations, control technologies, operation and maintenance requirements, closed systems engineering, cost, or substitution of compounds. CARB then prepares a report on the appropriate degree of regulation and adopts Air Toxic Control Measures (ATCMs). These control measures are the minimum regulations that must be imposed by each of the California local air districts in the form of regulations. Each California local air district must adopt rules that are at least as stringent as those Administrative Regulations adopted by CARB. Toward this end, the following rules are adopted and are at least or more restrictive than the CARB Air Toxic Control Measures.

Rule 300
Airborne Toxic Control Measures
(Adopted May 15 2008)

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PART 1 GENERAL

1.1 Purpose

The Purpose of this rule is to incorporate California State Air Toxic Control Measures (ATCMs) as per Health and Safety Code Section 39666

1.2 Applicability

The provisions of this rule shall apply to the specific sources listed in each of the ATCMs operating within the District

1.3 Exemptions

1.3.1 Specific exemptions are noted within each ATCM

1.4 Effective dates

The requirements of this rule are effective on the effective dates of each ATCM

1.5 References

1.5.1 The requirements of this rule arise from the provisions of Health and Safety Code Sections 39656, 39659, and 39666

1.5.2 Other related rules include Rule 301 (Benzene from Retail Service Stations)

PART 2 DEFINITIONS

2.1 As defined in each ATCM or rule

PART 3 REQUIREMENTS and STANDARDS

3.1 Incorporation of State Standards

The provisions of Titles 13 and 17 of California Code of Regulations (CCR) as identified in Section 3.2 below, are incorporated herein as part of the rules and Regulations of the North Coast Unified Air Quality Management District.

3.2 List of Incorporated ATCM Provisions

Rule 300 Section 3.2.0
17CCR93100. Nonvehicular Airborne Toxic Control Measures.
(Adopted May 15, 2008)

**Rule 300 Section 3.2.1
Reserved (see rule 301)**

Rule 300 Section 3.2.2
17CCR93102. Through 93102.16 Airborne Toxic Control Measure for
Chromium Plating and Chromic Acid Anodizing Operations.
(Adopted May 15, 2008)

Rule 300 Section 3.2.3
17CCR93103. Regulation for Chromate Treated Cooling Towers.
(Adopted May 15, 2008)

17CCR93104. Rule 300 Section 3.2.4
Dioxins Airborne Toxic Control Measure For Medical Waste
Incinerators.
(Adopted May 15, 2008)

17CCR93105. Rule 300 Section 3.2.5
Asbestos Airborne Toxic Control Measure for Construction,
Grading, Quarrying, and Surface Mining Operations
(Adopted May 15, 2008)

Rule 300 Section 3.2.6
17CCR93106. Asbestos Airborne Toxic Control Measure for Surfacing Applications
(Adopted May 15, 2008)

Rule 300 Section 3.2.7
17CCR93107. Airborne Toxic Control Measure for Emissions of
Toxic Metals from Non-Ferrous Metal Melting
(Adopted May 15, 2008)

Rule 300 Section 3.2.8

**17CCR93108. Ethylene Oxide Airborne Toxic Control Measure, Part 1
Non-Commercial Sterilizers and Aerators and Commercial
Sterilizers and Aerators Using less than 2,000 Pounds of Ethylene
Oxide per Twelve (12) consecutive Months.**

**17CCR93108.5 Ethylene Oxide Airborne Toxic Control Measure,
Part 2 Non-Commercial Sterilizers and Aerators and Commercial
Sterilizers and Aerators Using 2,000 Pounds or more of Ethylene
Oxide per Twelve (12) consecutive Months**

(Adopted May 15, 2008)

Rule 300 Section 3.2.9

**17CCR93109. Airborne Toxic Control Measure for Emissions of
Perchloroethylene from Dry Cleaning and Water-Repelling Operations.**

17CCR93109.1 Requirements for Perc Manufacturers.

17CCR93109.2 Requirements for Perc Distributors.

(Adopted May 15, 2008)

Rule 300 Section 3.2.10
17CCR93110. Environmental Training Program for Perchloroethylene Dry
Cleaning Operations
(Adopted May 15, 2008)

Rule 300 Section 3.2.11
17CCR93111. Chlorinated Toxic Air Contaminates Airborne Toxic
Control Measure- Automotive Maintenance and Repair Activities.
(Adopted May 15, 2008)

Rule 300 Section 3.2.12
17CCR93112. Hexavalent Chromium and Cadmium Airborne Toxic
Control Measure- Motor Vehicle and Mobile Equipment Coatings.
(Adopted May 15, 2008)

Rule 300 Section 3.2.13
**17CCR93113. Airborne Toxic Control Measure- to Reduce Emissions of
Toxic Air Contaminants from Outdoor Residential Waste Burning**
(Adopted May 15, 2008)

Rule 300 Section 3.2.14
17CCR93114. Airborne Toxic Control Measure-to Reduce Particulate Emissions from Diesel-Fueled Engines – Standards for Nonvehicular Diesel Fuel.
(Adopted May 15, 2008)

Rule 300 Section 3.2.15
17CCR93115 through 93115.15 Airborne Toxic Control Measure for
Stationary Compression Ignition (CI) Engines
(Adopted May 15, 2008)

Rule 300 Section 3.2.16
17CCR93116.5 Airborne Toxic Control Measure for Diesel Particulate
Matter from Portable Engines Rated at 50 Horsepower and
Greater.

(Adopted May 15, 2008)

Rule 300 Section 3.2.17
17CCR93117. Airborne Toxic Control Measure to Reduce Particulate Emissions from Diesel-Fueled Engines - Standards for Nonvehicular Diesel Fuel Used in Intrastate Diesel-Electric Locomotives and Harborcraft.

(Adopted May 15, 2008)

Rule 300 Section 3.2.18
17CCR93118. Airborne Toxic Control Measure Emission Limits for
Auxiliary Diesel Engines and Diesel-Electric Engines Operated on
Ocean-Going Vessels within California Waters and 24 Nautical
Miles of the California Baseline.

(Adopted May 15, 2008)

Rule 300 Section 3.2.19
**17CCR93119. Airborne Toxic Control Measure Limiting Onboard
Incineration on Cruise Ships and Oceangoing Ships.**
(Adopted May 15, 2008)

**Rule 300 Section 3.2.20 through 300.29 Reserved and Intentionally left
Blank**

Rule 300 Section 3.2.30
**13CCR2480. Airborne Toxic Control Measure to Limit School Bus Idling
and Idling at Schools**

(Adopted May 15, 2008)

Rule 300 Section 3.2.31
**13CCR2485. Airborne Toxic Control Measure to Limit Diesel-Fueled
Commercial Motor Vehicle Idling.**
(Adopted May 15, 2008)

Rule 300 Section 3.2.32
13CCR2020. Purpose and Definition of Diesel Particulate Matter Control
Measures.
(Adopted May 15, 2008)

Rule 300 Section 3.2.33
**13CCR2477. Airborne Toxic Control Measure for In-Use Diesel-fueled
Transport Refrigeration Units (TRU) and (TRU) Generator Sets,
and Facilities Where TRUs Operate.**
(Adopted May 15, 2008)

Rule 300 Section 3.2.34
17CCR93101.5. Airborne Toxic Control Measure to Reduce Emissions of
Hexavalent Chromium and Nickel from Thermal Spraying.
(Adopted May 15, 2008)

PART 4 ADMINISTRATIVE REQUIREMENTS

4.1 Record keeping Requirements

As required in each ATCM or Rule

Rule 301 93101. Benzene Airborne Toxic Control Measure

(Adopted on January 19, 1988 as Rule 300, Revised June 29, 1992 as Rule 300, Revised September 26, 1997 as Rule 300, Revised May 19, 2005 as Rule 301)

(Reference: Section 93101, CARB Administrative Regulations,
Benzene Airborne Toxic Control Measure)

Rule 301 Benzene from Retail Service Stations

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RULE 301**BENZENE FROM RETAIL SERVICE STATIONS**

- 1.0 TITLE:** AIRBORNE TOXIC CONTROL MEASURE FOR BENZENE EMISSIONS FROM RETAIL SERVICE STATIONS

This regulation is adopted pursuant to the provisions of Sections 93100 and 93101, Titles 17 and 26, California Code of Regulations (CCR).

- 2.0 PURPOSE:** On January 25, 1985, pursuant to Section 39662 of the Health and Safety Code, the Air Resources Board (ARB) identified benzene as a toxic air contaminant for which there is not sufficient available scientific evidence to support the identification of a threshold exposure level below which no significant adverse health effects are anticipated (see Title 17, California Administrative Code, Section 93000). This airborne toxic control measure will reduce benzene emissions from retail service stations and resulting cancer risk and cancer incidence to the lowest level achievable through application of best available control technology at stations subject to this measure.
- 3.0 APPLICABILITY:** This regulation shall apply to any new or modified retail service station constructed or modified after January 16, 1989; or to any existing retail service station with a gasoline throughput in excess of 480,000 gallons per year in 1988, or any calendar year thereafter.

4.0 PERMITS:

- 4.1** Any owner or operator of an existing retail service station with a throughput in excess of 480,000 gallons per year in the calendar year 1988, or any year thereafter, shall file an application for an Authority to Construct Phase I and Phase II vapor recovery systems with the District. The application shall be filed with the District prior to April 1, 1990, and the applicant shall pay the fees as specified in Regulation 4, Rule 400 - Fees.
- 4.2** Any owner or operator of a new retail service station of any throughput constructed after January 16, 1989, or of a modified retail service station of any throughput for which modifications are made after January 16, 1989, shall file an application for an Authority to Construct Phase I and II vapor recovery systems with the District prior to the start of construction, and shall pay the Fees as specified in Regulation 4, Rule 400 - Fees.

5.0 BENZENE CONTROL FROM RETAIL SERVICE STATIONS:**5.1 Phase I Vapor Recovery System Requirements:**

- 5.1.1** No owner or operator shall transfer, allow the transfer, or provide equipment for the transfer of gasoline, and no other person shall transfer gasoline from a gasoline delivery tank equipped with a vapor recovery system into a stationary storage tank at a retail service station unless an ARB-certified Phase I vapor recovery system is installed on the stationary storage tank and used during the transfer. The ARB-certified Phase I vapor recovery system shall meet 90% vapor recovery efficiency as determined by ARB Test Method TP-201.1 or TP-201A.
- 5.1.2** The provisions of Rule 301 (5.1.1) shall not apply to:
- 5.1.2.1** An existing retail service station with a gasoline throughput of 480,000 or fewer gallons during the calendar year 1988. If during any calendar year thereafter the gasoline throughput at any existing retail service station exceeds 480,000 gallons, this exemption shall cease to apply commencing with the first day of the following calendar year.
- 5.1.2.2** A transfer to a stationary storage tank at an existing retail service station which receives gasoline exclusively from delivery tanks that are not required to be equipped with vapor recovery systems.
- 5.1.3** At the time of modifications at any existing retail service station of any throughput, ARB-certified Phase I vapor recovery systems shall be installed and used thereafter on all of the station facilities, except those stations which are exempt from the Phase I requirement by Rule 301 (5.1.2.2).

5.2 Phase II Vapor Recovery System Requirements:

- 5.2.1** No owner or operator shall transfer, allow the transfer or provide equipment for the transfer of gasoline from a stationary storage tank at a retail service station into a motor vehicle fuel tank unless an ARB-certified Phase II vapor recovery system is installed and used during the transfer. The ARB-certified Phase II vapor recovery system shall meet 90% vapor recovery efficiency as determined by ARB Test Method TP-201.2 or TP-201.2A.
- 5.2.2** The provisions of Rule 301 (5.2.1) shall not apply to an existing retail service station which qualifies under the throughput exemption for Phase I requirements of Rule 301(5.1.2.1).
- 5.2.3** At the time of modifications at any existing retail service station of any throughput, ARB-certified Phase II vapor recovery systems shall be installed and used thereafter on all of the station facilities. This provision shall not apply to any new,

existing or remotely located retail gasoline service station, open to the public, which has past and anticipated future annual throughput of 100,000 gallons or less. A remotely located service station is one which is located 8 miles travel or more from the nearest publicly available permitted or existing retail service station at the time of initial permitting or a retail gasoline station with an equivalent travel distance and throughput combination that provides an overall air quality benefit. During any calendar year thereafter, if annual throughput exceeds 100,000, this exemption shall cease to apply. The plumbing for Phase II shall be required to be installed to the extent practicable by issued permit to construct or modify.

- 5.2.4** The operator of each retail facility utilizing a Phase II system shall conspicuously post operating instructions for the system in the gasoline dispensing area. The instructions shall clearly describe how to fuel vehicles correctly with vapor recovery nozzles utilized at the station, and shall include a warning that topping off may result in spillage or re-circulation of gasoline and is prohibited. Additionally, the instructions shall include a prominent display of the District's or the ARB's toll free telephone number for complaints.

6.0 COMPLIANCE ENFORCEMENT:

- 6.1** No owner or operator of a retail service station, subject to the requirements of Rule 301(5.1), shall transfer or allow the transfer of gasoline from a gasoline delivery tank into a stationary storage tank unless the Phase I vapor recovery system is operating in accordance with the manufacturers specifications and is maintained to be leak free, vapor tight and in good working order.
- 6.2** Phase II gasoline vapor recovery equipment shall be maintained to be leak free, vapor tight and in good working order. Whenever the APCO determines that a Phase II vapor recovery system contains a defect the APCO shall mark such system or component "Out of Order." No owner or operator shall use or allow the use of any Phase II system or any component thereof containing a defect identified in Title 17, California Administrative Code, Section 94006 until it has been repaired, replaced, or adjusted, as necessary to remove the defect, and, if required under Health and Safety Code Section 41960.2, District personnel have re-inspected the system or have authorized its use pending re-inspection.

Phase II vapor recovery systems shall not be operated with defects including:

- (1) Torn or cut boots
- (2) Torn or cut face seals or face cones
- (3) Loose or broken retractors
- (4) Boots clamped or held in an open position
- (5) Leaking nozzles
- (6) Loose, missing or disconnected nozzle components
- (7) Crimped, cut or damaged vapor or fuel hoses
- (8) Vapor assist recovery systems damaged, turned-off or inoperative
- (9) Non-"ARB certified" equipment or components

7.0 COMPLIANCE SCHEDULE:

- 7.1** Effective January 16, 1989, the owner or operator of any new or modified retail service station subject to this regulation shall comply with all its provisions at the time gasoline is first sold from the new or modified station.
- 7.2** The owner or operator of an existing retail service station subject to this regulation shall, prior to April 1, 1990, secure an Authority to Construct from the District for installation of the equipment required by Regulation. The owner or operator shall comply with all the provisions of Rule 301(5) prior to January 1, 1991.
- 7.3** The owner or operator of an existing retail service station where the operation or annual throughput has changed such that the exemption from either the Phase I or II requirements or both are no longer applicable, shall comply with the provisions of Rule 301(5) within 12 months after loss of said exemptions.

Rule 302

**93102. Hexavalent Chromium Air borne Toxic Control Measure for Chrome Plating
Chromic Acid Anodizing Operations.**

(Adopted May 19, 2005, Repealed May 15, 2008)

Rule 303
93103 Regulation for Chromate Treated Cooling Towers
(Adopted May 19, 2005, Repealed May 15, 2008)

Rule 304

93104. Dioxins Airborne Toxic Control Measure For Medical Waste Incinerators
(Adopted May 19, 2005, Repealed May 15, 2008)

Rule 305
Reserved and Intentionally Left Blank.

Rule 306

**93106. Asbestos Airborne Toxic Control Measure for Surfacing Applications
Asbestos Containing Serpentine.**

(Adopted May 19, 2005, Repealed May 15, 2008)

Rule 307

**93107. Airborne Toxic Control Measure for Emissions of
Toxic Metals from Non-ferrous Metal Melting.**
(Adopted May 19, 2005, Repealed May 15, 2008)

Rule 308

**93108. Ethylene Oxide Toxic Control Measure,
Part 1 Non-Commercial Sterilizers and Aerators and Commercial Sterilizers and Aerators
Using less than 2,000 Pounds of Ethylene Oxide per Twelve (12) Consecutive Months.
*(Adopted May 19, 2005, Repealed May 15, 2008)***

Rule 309

**93109. Ethylene Oxide Toxic Control Measure,
Part 1 Non-Commercial Sterilizers and Aerators and Commercial Sterilizers and Aerators Using
2,000 Pounds or More of Ethylene Oxide per Twelve (12) Consecutive Months**
(Adopted May 19, 2005, Repealed May 15, 2008)

Rule 310

93110. Perchloroethylene Airborne Toxic Control Measure for Dry Cleaning Operations

(Adopted May 19, 2005, Repealed May 15, 2008)

ATCM APPENDICES
(Adopted May 19, 2005)

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