

(Adopted September 11, 1998)(Amended May 19, 2000)(Amended March 5, 2004)  
(Amended December 5, 2008)(Amended May 3, 2013)(Amended May 5, 2017)  
(Draft Revised October 20, 2021)

**PROPOSED AMENDED RULE 222 FILING REQUIREMENTS FOR  
SPECIFIC EMISSION SOURCES  
NOT REQUIRING A WRITTEN PERMIT  
PURSUANT TO REGULATION II**

(a) Purpose

The purpose of this rule is to provide an alternative to written permits. This rule requires owners/operators of specified emission sources to submit information regarding the source, including, but not limited to:

- (1) a description of the source;
- (2) data necessary to estimate emissions from the source; and
- (3) information to determine whether the equipment is operating in compliance with applicable District, state and federal rules and regulations.

(b) Applicability

This rule applies to owners/operators of the emission sources listed in Table 1, which are exempt from written permits pursuant to Rule 219, unless the Executive Officer determines that the source cannot operate in compliance with applicable rules and regulations. This rule also applies to agricultural diesel-fueled engines subject to the California Air Resources Board Airborne Toxic Control Measure (CARB ATCM) for Stationary Compression Ignition Engines. Owners/operators authorized to operate emission sources pursuant to this rule shall operate those emissions sources in compliance with any and all operating conditions imposed by the District.

TABLE I

SOURCE/EQUIPMENT	EFFECTIVE DATE
Boilers or Steam Generators & Process Heaters with a rated heat input capacity from 1,000,000 up to and including 2,000,000 Btu/hr and produce less than one pound of NOx emissions per day, excluding equipment subject to Regulation XX – Regional Clean Air Incentives Market (RECLAIM).	1/1/2001
Commercial Charbroilers and associated air pollution control equipment.	1/1/1999
Negative Air Machines (Asbestos).	1/1/1999
Natural gas and crude oil production equipment, including: well heads and well pumps; natural gas pipeline transfer pumps; and natural gas repressurizing equipment.	5/5/2017
Printing and related coating and/or laminating equipment and associated dryers and curing equipment exempt from a written permit pursuant to Rule 219 (h)(1)(E), unless a low-VOC verification is submitted to the Executive Officer in accordance with Rule 219 (h)(1)(E)(ii).	5/5/2017
Roller to roller coating systems that create 3-dimensional images exempt from a written permit pursuant to Rule 219 (j)(13)(C).	12/5/2008
Coating or adhesive application, or laminating equipment exempt from a written permit pursuant to Rule 219 (l)(6)(F), unless a low-VOC verification is submitted to the Executive Officer in accordance with Rule 219 (l)(6)(F)(ii).	5/5/2017
Drying equipment such as flash-off ovens, drying ovens, or curing ovens associated with coating or adhesive application, or laminating equipment exempt from a written permit pursuant to Rule 219 (l)(11)(F), unless a low-VOC verification is submitted to the Executive Officer in accordance with Rule 219 (l)(11)(F)(ii).	5/5/2017
Agricultural Diesel-Fueled Engines rated greater than 50 brake horse power used in Agricultural Operations exempt from a written permit pursuant to Rule 219 (q)(1) and (q)(2), and subject to CARB ATCM.	12/5/2008
Equipment, processes or operations located at a facility holding no written permit and emitting four tons or more of VOCs per year as specified in Rule 219(s)(3).	12/5/2008
Gasoline storage tanks and dispensing equipment with capacity greater than or equal to 251 gallons, and installed on or before July 7, 2006 at agricultural operations.	12/5/2008

**Proposed Amended Rule 222 (Cont.)** (~~Amended May 5, 2017~~ Draft Revised October 20, 2021)

Asphalt Day Tankers, with a maximum holding capacity equal to or greater than 600 liters (159 gallons) but no more than 18,925 liters (5,000 gallons) and are equipped with a demister and burner(s) designed to fire exclusively on liquefied petroleum gases.	5/3/2013
Asphalt Pavement Heaters used for road maintenance and new road construction.	5/3/2013
Diesel Fueled Boilers that have a rated maximum heat input capacity of 2,000,000 Btu per hour or less, are fueled exclusively with diesel #2 fuel, and are located more than 4,000 feet above sea level or more than 15 miles offshore from the mainland and have been in operation prior to May 3, 2013.	5/3/2013
Food Ovens with a rated maximum heat input capacity of 2,000,000 Btu per hour or less, are fired exclusively on natural gas and where the process VOC emissions are less than one pound per day, exempt from a written permit pursuant to Rule 219(b)(2).	5/5/2017
Fuel Cells, which produce electricity in an electro-chemical reaction and use phosphoric acid, molten carbonate, proton exchange membrane, or solid oxide technologies; and associated heating equipment provided the heating equipment is fueled exclusively with natural gas, methanol, liquefied petroleum gas, or any combination thereof, including heaters that have a rated maximum heat input capacity of greater than 2,000,000 Btu per hour, provided that the supplemental heat used is 90,000 therms per year or less.	5/5/2017
Internal combustion engines used exclusively for electrical generation at remote two-way radio transmission towers where no utility, electricity or natural gas is available within a ½ mile radius, has a manufacturer's rating of 100 brake horsepower or less, and are fired exclusively on diesel #2 fuel, compressed natural gas (CNG) or liquefied petroleum gas (LPG).	5/5/2017
Micro-Turbines, with a rated maximum heat input capacity of 3,500,000 Btu per hour or less, provided that the cumulative power output of all such engines at a facility is less than two megawatts, and that the engines are certified at the time of manufacture with the state of California or were in operation prior to May 3, 2013.	5/3/2013
Portable Diesel Fueled Heaters, with a rated maximum heat input capacity of 250,000 Btu per hour or less and are equipped with burner(s) designed to fire exclusively on diesel #2 fuel.	5/3/2013

**Proposed Amended Rule 222 (Cont.)** (~~Amended May 5, 2017~~ Draft Revised October 20, 2021)

Power Pressure Washers and Hot Water or Steam Washers and Cleaners, that are equipped with a heater or burner that is designed to be fired on diesel fuel, has a rated maximum heat input capacity of 550,000 Btu per hour or less, is equipped with a non-resettable chronometer, and the maximum NOx emission output of the equipment is less than one pound per day and uses no more than 50 gallons of fuel per day.	5/3/2013
Storage of odorants for natural gas, propane, or oil with a holding capacity of less than 950 liters (251 gallons) and associated transfer and control equipment.	5/3/2013
Tar Pots or Tar Kettles, with a maximum holding capacity equal to or greater than 600 liters (159 gallons) but no more than 3,785 liters (1,000 gallons) and are equipped with burner(s) designed to fire exclusively on liquefied petroleum gases.	5/3/2013
Industrial water cooling towers not used for evaporative cooling of process water or not used for evaporative cooling of water from barometric jets or from barometric condensers and in which no chromium compounds are contained, located in a chemical plant, refinery or other industrial facility.	5/5/2017
Storage of aqueous urea solutions.	5/5/2017
Engines registered under the statewide Portable Equipment Registration Program (PERP) used in the Outer Continental Shelf (OCS).	5/5/2017
<u>Dispensing location where a retail mobile fueler dispenses gasoline provided that the dispensing location is not located at a Title V facility.</u>	<u>07/01/2022</u>

If a determination is made that the source cannot operate in compliance with applicable rules and regulations, a permit shall be required pursuant to Rule 203.

(c) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) AGRICULTURAL OPERATIONS means the growing and harvesting of crops or the raising of fowl or animals for the primary purpose of making a profit, providing a livelihood, or conducting agricultural research or instruction by an educational institution. Agricultural operations do not include activities involving the processing or distribution of crops or fowl or animals.
- (2) AGRICULTURAL DIESEL-FUELED ENGINE is a stationary or portable engine used for agricultural operations. For the purpose of this rule, a

portable engine owned by the agricultural source owner is considered to be part of the agricultural stationary source. An engine used in the processing or distribution of crops or fowl or animals is not an agricultural engine.

- (3) APPROVED OPERATING PARAMETERS mean a set of operating requirements the equipment must operate under to comply with the requirements of any applicable federal, state, or District rules.
- (4) ASPHALT DAY TANKER is a storage tank mounted on a motor vehicle and is used exclusively for the storage, holding, melting, and transfer of asphalt or coal tar pitch with a maximum holding capacity equal to or greater than 600 liters (159 gallons) but no more than 18,925 liters (5,000 gallons), is equipped with a demister and burner(s) designed to fire exclusively on liquefied petroleum gases.
- (5) ASPHALT PAVEMENT HEATER is any mobile equipment used to heat asphalt or coal tar pitch for purposes of road maintenance or new road construction.
- (6) BOILER OR STEAM GENERATOR means any combustion equipment that is fired with or is designed to be fired with natural gas, used to produce steam or to heat water, and that is not used exclusively to produce electricity for sale. Boiler or Steam Generator does not include any waste heat recovery boiler that is used to recover sensible heat from the exhaust of a combustion turbine or any unfired waste heat recovery boiler that is used to recover sensible heat from the exhaust of any combustion equipment.
- (7) BTU means British thermal unit or units.
- (8) CHARBROILER means a cooking device composed of a grated grill or skewer and a heat source. The heat source is located beneath the food being cooked or may be located above and below the food. Fuels for the heat source include, but are not limited to, electricity, natural gas, liquefied petroleum gas, charcoal, or wood.
- (9) DIESEL FUELED BOILER is any boiler that has a rated maximum heat input capacity of 2,000,000 Btu per hour or less, is fired exclusively with diesel #2 fuel, and is located more than 4,000 feet above sea level or more than 15 miles offshore from the mainland and has been in operation prior to May 3, 2013.
- (10) DISPENSING LOCATION means one or more contiguous properties, in actual physical contact or separated solely by a public roadway or other public right-of-way, owned or operated by the same person (or by persons

under common control), in which gasoline is dispensed from a mobile fueler.

~~(10)~~(11) EMISSION SOURCE (SOURCE) means any equipment or process, which emits air pollutants for which ambient air quality standards have been adopted, or which emits their precursor pollutants.

~~(11)~~(12) FACILITY is any equipment or group of equipment or other VOC-emitting activities, which are located on one or more contiguous properties within the District, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or by persons under common control), or an outer continental shelf (OCS) source as determined in 40 CFR Section 55.2. Such above-described groups, if noncontiguous, but connected only by land carrying a pipeline, shall not be considered one facility.

~~(12)~~(13) FOOD OVEN is any equipment used exclusively for food preparation, has a rated maximum heat input capacity of 2,000,000 Btu per hour or less, and is exclusively fired on natural gas and where the process VOC emissions are less than one pound per day, exempt from a written permit pursuant to Rule 219 (b)(2).

~~(13)~~(14) FUEL CELL is any equipment which produces electricity in an electrochemical reaction, uses phosphoric acid, molten carbonate, proton exchange membrane, or solid oxide technologies; and associated heating equipment, including heaters that have a rated maximum heat input capacity of greater than 2,000,000 Btu per hour provided that the supplemental heat used is 90,000 therms per year or less.

~~(14)~~(15) HEAT INPUT means the higher heating value of the fuel to the unit measured as Btu/hr.

~~(15)~~(16) HEPA means High Efficiency Particulate Air filter which is capable of trapping and retaining at least 99.97 percent of all monodispersed particles of 0.3 micrometer in diameter or larger.

~~(16)~~(17) INTERNAL COMBUSTION ENGINE is any spark or compression ignited reciprocating internal combustion engine used exclusively for electrical generation at remote two-way radio transmission towers where no utility, electricity or natural gas is available within a ½ mile radius, has a manufacturer's rating of 100 brake horsepower or less, and is fired exclusively on diesel #2 fuel.

- ~~(17)~~(18) \_\_\_\_\_ **INDUSTRIAL COOLING TOWER** means a cooling tower located at a chemical plant, refinery or other industrial facility that is not used for comfort cooling.
- ~~(18)~~(19) \_\_\_\_\_ **ISOLATED WORK AREA** means the immediate enclosed containment area in which the asbestos abatement activity takes place.
- ~~(19)~~(20) \_\_\_\_\_ **MICRO-TURBINE** is a stationary gas turbine engine, with a rated maximum heat input capacity of 3,500,000 Btu per hour or less, provided that the cumulative power output of all such engines at a facility is less than two megawatts, and that the engines are certified at the time of manufacture with the state of California or were in operation prior to May 3, 2013.
- ~~(20)~~(21) \_\_\_\_\_ **NEGATIVE AIR MACHINE** means a machine or contrivance whose primary use is to remove asbestos emissions from residential or commercial abatement projects by passing asbestos containing air from an isolated work area by means of negative air pressure to a HEPA filtration system.
- ~~(21)~~(22) \_\_\_\_\_ **OIL PRODUCTION WELL GROUP** is no more than four well pumps located at a facility subject to Rule 1148.1 – Oil and Gas Production Wells at which crude petroleum production and handling are conducted, as defined in the Standard Industrial Classification Manual as Industry No. 1311, Crude Petroleum and Natural Gas.
- ~~(22)~~(23) \_\_\_\_\_ **PORTABLE DIESEL FUELED HEATER** is any combustion equipment which transfers heat from the combustion process for space heating and is designed to be fired exclusively with diesel #2 fuel and has a rated maximum heat input capacity of 250,000 Btu per hour or less.
- ~~(23)~~(24) \_\_\_\_\_ **POWER PRESSURE WASHER AND HOT WATER OR STEAM WASHER AND CLEANER** is any equipment equipped with a heater or burner that is designed to be fired on diesel fuel, has a rated maximum heat input capacity of 550,000 Btu per hour or less, is equipped with a non-resettable chronometer, has a maximum NO<sub>x</sub> emission output of less than one pound per day and uses no more than 50 gallons of fuel per day.
- ~~(24)~~(25) \_\_\_\_\_ **PROCESS HEATER** means any combustion equipment fired with or designed to be fired with natural gas and which transfers heat from combustion gases to water or process streams. Process Heater does not include any kiln or oven used for annealing, drying, curing, baking, cooking, calcining, or vitrifying; or any unfired waste heat recovery heater that is used to recover sensible heat from the exhaust of any combustion equipment.

~~(25)~~(26)        RATED HEAT INPUT CAPACITY means the gross rated heat input specified on the nameplate of the combustion device.

~~(26)~~(27)        REPRESSURIZING EQUIPMENT means combustion-based equipment used for processing natural gas for reinjection for reservoir repressurization, or used during enhanced recovery methods such as water flooding, steam flooding, or CO<sub>2</sub> flooding to increase reservoir pressure.

(28) RETAIL MOBILE FUELER means a mobile fueler with a cumulative capacity greater than 10 gallons and the owner or operator of the mobile fueler is compensated for the transfer or dispensing of gasoline.

~~(27)~~(29)        STORAGE OF ODORANTS FOR NATURAL GAS, PROPANE, OR OIL is equipment used exclusively for the storage of odorants for natural gas, propane, or oil odorant storage, with a holding capacity of less than 950 liters (251 gallons) and associated transfer and control equipment.

~~(28)~~(30)        STORAGE OF AQUEOUS UREA SOLUTIONS is equipment used exclusively to store aqueous solutions of urea [CO(NH<sub>2</sub>)<sub>2</sub>] with a holding capacity of 6500 gallons or less.

~~(29)~~(31)        TAR POT (also known as a tar kettle) is any mobile equipment used exclusively for the storage, holding, melting, and transfer of asphalt or coal tar pitch and has a maximum holding capacity greater than 600 liters (159 gallons) but no more than 3,785 liters (1,000 gallons) and is equipped with burner(s) that fire exclusively on liquefied petroleum gases.

~~(30)~~(32)        WELL CELLAR is a lined or unlined containment surrounding one or more oil wells, allowing access to the wellhead components for servicing and/or installation of blowout prevention equipment.

~~(31)~~(33)        WELLHEAD is an assembly of valves mounted to the casing head of an oil well through which a well is produced. The wellhead is connected to an oil production line and in some cases to a gas casing.

~~(32)~~(34)        WELL PUMP is a pump used to bring crude oil from the subsurface to surface. A well pump is connected to a well head and can be located in or above a well cellar.

(d) Requirements

(1) Owners/operators of sources subject to this rule shall:

(A) comply with all applicable District, state, and federal rules and regulations;

(B) comply with all operating conditions as specified by the District on a new emission source or equipment filing;

- (C) submit applicable information for each emission source described in this rule to the District, in a format determined by the Executive Officer, which shall provide a description of the source and shall include all associated air pollution control equipment, any and all pertinent data as necessary to estimate emissions from the source, and a determination that the emission source or equipment meets all compliance requirements with applicable rules and regulations. For change of location or change of owner/operator, a new emission source or equipment filing shall be required prior to operation of the emission source or equipment. This information shall include, if applicable, but not be limited to:
  - (i) hours of operation;
  - (ii) materials used or processed;
  - (iii) fuel usage; (iv) throughput; and
  - (v) operating parameters.
- (D) On May 3, 2013, and each subsequent January 1 thereafter, records shall be kept and made available to the District upon request to provide operation data and any updated information on the emission sources or equipment, applicable to this rule, including, but not limited to:
  - (i) hours of operation;
  - (ii) materials used or processed;
  - (iii) fuel usage;
  - (iv) throughput; and
  - (v) operating parameters.Owners or operators of facilities filing for registration under Rule 219 paragraphs (h)(1)(E), (l)(6)(F) or (l)(11)(F) shall comply with the recordkeeping provisions of this subparagraph unless a low-VOC verification is submitted to the Executive Officer in accordance with PAR 219 (h)(1)(E)(ii), (l)(6)(F)(ii) or (l)(11)(F)(ii).
- (E) pay all required fees pursuant to Rule 301;
- (F) maintain a copy on-site of the filing receipt for all emission sources and equipment applicable to this rule for the life of the emission sources or equipment and make available to the Executive Officer upon request;

- (G) maintain records sufficient to verify the description of the emission sources or equipment, subject to this rule, all data necessary to estimate output of emissions sources, and records used to demonstrate compliance with operating conditions and with all other applicable rules and regulations. The records shall be maintained for five (5) years and made available to the Executive Officer upon request;
  - (H) not remove any air pollution control equipment associated with applicable equipment described in this rule unless it can be demonstrated that the replacement air pollution control equipment will reduce emissions at equal to or greater efficiency than the prior unit and such replacement air pollution control equipment is first approved in writing by the Executive Officer.
- (2) Owners and/or operators of agricultural sources subject to this rule shall comply with the registration requirements in the CARB ATCM for stationary diesel-fueled agricultural engines rated at greater than 50 brake horsepower pursuant to California Code of Regulations, Title 17, Sections 93115.3(a) and 93115.8(c).
  - (3) Failure to comply with the provisions set forth in paragraph (d)(1) shall constitute a violation of this rule.
- (e) Compliance Dates
- (1) A person shall not install, alter, replace, operate, or use any equipment subject to this rule, initially installed on or after the effective date in Table I, without first complying with the requirements in subparagraphs (d)(1)(A), (B), (C), (E) and (H).
  - (2) The owner/operator of an emission source installed prior to the effective date in Table I and not currently possessing a valid Permit to Operate or open application for a Permit to Operate shall comply with the requirements of subdivision (d) within six (6) months of the effective date in Table I.
  - (3) The owner/operator of an emission source installed prior to the effective date in Table I and possessing a valid Permit to Operate or open application for a Permit to Operate will be notified by the Executive Officer of the transfer of the Permit to Operate or open application to the filing system and shall comply with the requirements of subdivision (d) within sixty (60) days of notification.

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- (4) Failure to comply with the provision set forth in paragraphs (b)(1), (b)(2), (e)(1) through (e)(3) shall constitute a violation of this rule.