FIRST AMENDED PETITION FOR VARIANCE
BEFORE THE HEARING BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

PETITIONER: ANHEUSER-BUSCH LLC., (LA BREWERY)_____ CASE NO:_____5960-2_____

_____ FACILITY ID:___16642_____

FACILITY ADDRESS:15800 ROSCOE BLVD. _____
[location of equipment/site of violation; specify business/corporate address, if different, under Item 2, below]

City, State, Zip: VAN NUYS, CA 91406

1. TYPE OF VARIANCE REQUESTED (more than one box may be checked; see Attachment A, Item 1, before selecting)

☒ INTERIM ☐ SHORT ☒ REGULAR ☐ EMERGENCY ☐ EX PARTE EMERGENCY

2. CONTACT: Name, title, company (if different than Petitioner), address, and phone number of persons authorized to receive notices regarding this Petition (no more than two authorized persons).

A. EDWARD KRISNADI - CONSULTANT
ONTERRIS USA, Inc.
1631 E. SAINT ANDREW PLACE
SANTA ANA, CA *Zip 92705*
☎ (909) 261-2927 *Ext.*
Fax ( )
E-mail ekrisnadi@onterris.com

WEN ZHANG – LA Brewery EHS Manager
ANHEUSER-BUSCH LLC., (LA BREWERY)
15800 ROSCOE BLVD.
VAN NUYS, CA *Zip 91406*
☎ (818) 908-5598 *Ext.*
Fax ( )
E-mail Wen.zhang@anheuser-busch.com

3. RECLAIM Permit ☒ Yes ☐ No Title V Permit ☒ Yes ☐ No

Persons with disabilities may request this document in an alternative format by contacting the Clerk of the Board at 909-396-2500 or by e-mail at clerkofboard@aqmd.gov.

If you require disability-related accommodations to facilitate participating in the hearing, contact the Clerk of the Board at least five (5) calendar days prior to the hearing.

[ALL DOCUMENTS FILED WITH CLERK'S OFFICE BECOME PUBLIC RECORD]

4. **GOOD CAUSE:** Explain why your petition was not filed in sufficient time to issue the required public notice. (Required only for Emergency and Interim Variances; see Attachment A, Item 4)

Good cause for an interim variance. Petitioner requests an interim variance, beginning November 9, 2026, to remain in effect until the Hearing Board decides the regular variance requested in this petition.

The violation. Without variance coverage, Petitioner will be in violation as of November 9, 2026. Petitioner cannot transmit daily NOx mass emissions and status codes for Boilers No. 5 and No. 6 to the District Central Station as required by Rule 2012(c)(3)(A) and Facility Permit Section G. Operating contrary to those permit conditions also violates Rule 203(b). Emergency Ex Parte Variance Case No. 5960-2, granted October 9, 2026, expires no later than November 8, 2026.

The need for relief beyond November 8, 2026 could not have been anticipated in time for public notice. The last successful transmission covered October 2, 2026 data. On October 5, 2026, the day the outage was discovered, Petitioner opened a repair ticket for the affected lines through its telecommunications provider, Granite, and AT&T, the underlying carrier, committed to complete the repair by October 18, 2026. From October 6 onward, Petitioner's facility and corporate telecommunications staff escalated the ticket repeatedly, including to Granite's repair leadership, to obtain an earlier dispatch. Granite reported that the carrier could not offer an earlier date because of heavy repair workload in the area. When October 18 passed without a repair, Petitioner escalated again. On October 20, 2026, Granite reported that AT&T had found a large section of feeder cable serving the area cut and stolen, and Petitioner asked Granite the same day to identify alternative service that could be deployed quickly. AT&T then set new repair dates of October 21, October 24, and November 5, 2026, each within the term of the emergency variance. On November 3, 2026, AT&T reclassified the outage as a cable failure involving about 400 feet of damaged cable serving at least 40 active lines, and advised for the first time that repair would not be complete until May 28, 2027. A regular variance requires 30 days' published notice and is typically heard about 45 days after filing. A noticed hearing therefore could not have been held before November 8 even if Petitioner had filed on October 20, the day it learned the cable had been stolen. Petitioner filed its regular variance petition on November 3, 2026, the day it learned of the May 28, 2027 date.

Petitioner acted diligently in seeking relief. Petitioner notified the District on October 5, 2026, the day it discovered the outage. It filed for an emergency variance on October 8, and that variance was granted on October 9. After AT&T gave the May 2027 date on November 3, Petitioner consulted District staff, who directed it to seek a regular variance. Petitioner filed this petition on November 3, the same day.

Denying interim relief would cause an unreasonable and unavoidable adverse impact. Without interim relief, every day from November 9 until a noticed hearing would be an uncovered violation of Rule 2012(c)(3)(A), Section G, and Rule 203(b). Petitioner cannot cure the violation. The cause is damage to third-party telecommunications infrastructure, and repair depends on AT&T. Shutting down the boilers would not cure it either, because a RECLAIM facility must report daily emissions whether or not a source operates. The outage causes no excess emissions. The CEMS continues to record, the data is stored at the facility, and all emission limits are being met. During the outage, Petitioner will continue to calculate emissions using the Rule 2012, Appendix A, Chapter 2 missing data procedures, as required by Condition 1 of Case No. 5960-2. For these reasons, good cause exists to hear the interim request without public notice.

5. Briefly describe the type of business and processes at your facility.

Anheuser-Busch Van Nuys facility is a brewing facility producing variety types of alcoholic beverages. The facility brews, packages, stores, and distributes alcoholic beverages. The facility operations include raw material handling, brewing, fermentation, packaging, warehousing, and product distributions.

6. List the equipment and/or activity(s) that are the subject of this petition (see Attachment A, Item 6, Example #1). **Attach copies of the Permit(s) to Construct and/or Permit(s) to Operate for the subject equipment. For RECLAIM or Title V facilities, attach *only* the relevant sections of the Facility Permit showing the equipment or process and conditions that are subject to this petition. You must bring the entire Facility Permit to the hearing.**

Equipment/Activity	Application/ Permit No.	RECLAIM Device No.	Date Application/Plan Denied (if relevant)*
Boiler No. 5, Digester and Natural Gas Boiler, Rated at 147 MMBtu/HR (NOX and SOX RECLAM Major Source)	A/N 616613	D5	
Boiler No. 6, Digester and Natural Gas Boiler, Rated at 147 MMBtu/HR (NOX and SOX RECLAM Major Source)	A/N 616615	D6	

7. Briefly describe the activity or equipment, and why it is necessary to the operation of your business. A schematic or diagram may be attached, in addition to the descriptive text.

The purpose of the Boilers No. 5 and No. 6 is to generate steam, which is essential in the brewing process. Steam from the boilers is also used in packaging operations.

8. Is there a regular maintenance and/or inspection schedule for this equipment? Yes ☒ No ☐

If yes, how often: Twice a year Date of last maintenance and/or inspection 5/15/2026 for Boiler No. 5 and 5/18/2026 for Boiler No. 6

Describe the maintenance and/or inspection that was performed.

Pursuant to permit condition E113.1, Rule 1146, and Rule 1303, the control system of the boilers that regulate combustion air, fuel, and recirculate flue gas are required to be adjusted and tuned at least twice a year. The boilers are also subject to emission monitoring programs (RATA, CGA, and source test) since Boiler No. 5 and 6 are RECLAIM Major Sources. The failure, however, within the telephone line infrastructure.

9. List all District rules, and/or permit conditions [indicating the specific section(s) and subsection(s)] from which you are seeking variance relief (if requesting variance from Rule 401 or permit condition, see Attachment A). Briefly explain how you are or will be in violation of each rule or condition (see Attachment A, Item 9, Example #2).

Rule	Explanation
Rule 2012(c)(3)(A), Permit Condition Section G(II)(A)(1)	**Rule Language Summary:** A facility with major NOX sources must report daily NOX emissions and a daily status code for each major NOx source to the District Central Station. The phone (modem) line that transmits the daily data is out of service, so the facility cannot report the required information, even though the data is recorded and stored at the facility.
Rule 2012(c)(3)(C), Permit Condition Section G(II)(A)(2)	**Rule Language Summary:** If a power, computer, or other system failure prevents reporting of daily NOx mass emissions and status codes by 5:00 p.m., the facility has 96 hours to submit the report, provided the raw data is stored at the facility. NOx emissions reported after the 96-hour extension must be calculated using the Appendix A, Chapter 2 missing data procedures. The phone line has been out of service for more than 96 hours. As required by Rule 2012(c)(3)(C) and Condition 1 of Case No. 5960-2, the facility is calculating emissions reported after the 96-hour extension using the missing data procedures. The June 5, 2026 amendment to Rule 2012, Appendix A, Chapter 7 allows a major source to use an alternative electronic reporting system approved by the Executive Officer in lieu of a modem. The District has not yet issued specifications for that system.

Rule 203(b)	**Rule Language Summary:** A permitted unit shall not be operated contrary to the conditions of its permit to operate. The facility has violated the permit condition Section G(1) and G(2) due to phone line outage. Operating Boilers No. 5 and No. 6 while the facility cannot meet the reporting conditions of Facility Permit Section G(II)(A)(1) and (2) is contrary to those conditions.
Rule 2004(f)(1)	RECLAIM Facility Permit. For the same reason, the facility cannot comply with the Section G(II)(A)(1) and (2) reporting conditions of its RECLAIM Facility Permit.
Rule 3002(c)(1)	Title V Permit. For the same reason, the facility cannot comply with the Section G(II)(A)(1) and (2) reporting conditions, which are also conditions of its Title V permit.

10. Are the equipment or activities subject to this request currently under variance coverage? Yes ☒ No ☐

11. Are any other equipment or activities at this location currently (or within the last six months) under variance coverage? Yes ☐ No ☒

12. Were you issued any Notice(s) of Violation or Notice(s) to Comply concerning this equipment or activity within the past year? Yes ☐ No ☒

    If yes, you must attach a copy of each notice.

13. Have you received any complaints from the public regarding the operation of the subject equipment or activity within the last six months? Yes ☐ No ☒

    If yes, you should be prepared to present details at the hearing.

14. Explain why it is beyond your reasonable control to comply with the rule(s) and/or permit condition(s). Provide specific event(s) and date(s) of occurrence(s), if applicable.

The phone (modem) line that transmits the facility's daily NOx data to the District Central Station is out of service because a section of AT&T's underground feeder cable serving the facility was cut and stolen. The outages is beyond the facility's control. The last successful transmission covered daily mass emissions for October 2, 2026. No data after October 2, 2026 has been transmitted. The CEMS continues to operate, and the data is stored at the facility.

On October 5, 2026, the facility opened a repair ticket through its telecommunications contractor, Granite, whose underlying carrier is AT&T. AT&T committed to repair by October 18, 2026. On October 20, 2026, AT&T technicians visited the facility and found that a large section of feeder cable had been cut and stolen. The cable is located outside the facility property. See photograph below.

AT&T then set repair dates of October 21, October 24, and November 5, 2026. On November 3, 2026, AT&T reclassified the outage as a cable failure involving about 400 feet of damaged cable serving at least 40 active lines, and estimated that repair and replacement would be complete by May 28, 2027. The line remains out of service and is expected to remain out of service until that work is complete.



15. When and how did you first become aware that you would not be in compliance with the rule(s) and/or permit condition(s)? Provide specific event(s) and date(s) of occurrence(s).

The facility first became aware that the phone line was down on Monday, 10/5/2026, at 4:00 a.m. when the EHS Manager received an error report on the data transfer. The EHS Manager notified the District at 12:53 p.m. the same day.

Variance coverage was needed once the 96-hour reporting extension under Rule 2012(c)(3)(C) passed. The facility filed a petition for an emergency ex parte variance on October 8, 2026. The variance was granted on October 9, 2026, in Case No. 5960-2, and expires no later than November 8, 2026.

On November 3, 2026, AT&T advised that the line will not be repaired until May 28, 2027. The facility therefore needs variance coverage beyond November 8, 2026.

16. List date(s) and action(s) you have taken since that time to achieve compliance. That the Petition Form HB-V, and any related instructions, include requirement that the Petitioner include a timeline in suitable, chronological format to address the events, dates, and actions called for by Questions 15 and 16, including the dates of communication with the South Coast AQMD to notify them of the occurrence(s) giving rise to the requested variance.

10/2/2026 -- La t successf l transmissi n f dai y N x ma s emissio s o t e Distri t Centr l Station.

10/5/2026 - At :00 a m., the EHS Man ger rece ve an e ror re or on the ata transfer The facility o e ed a r pair t cket with Gra ite and AT&T comm tt d to r pa r by Oc ober 1 . The fa ility no ifi d the Di tr ct at 12:5 p. . and con act d its environ ental consu tant, On erris USA.

10/6/2026 -- nterr s sp ke with Sup rvi ing Air Quality I spect r Shawn Ben age an Se ior Air Quality ngin er Ryan axw ll. Mr. Maxwell id nti ied the 96-hour e te sion in Rule 20 2(c (3) fo st red r w data. nterr s a ked how the acili y coul sub it data wit out t e mo em ine and how often.

10/9/2 26 -- Th faci i y filed pe it on for an em rgenc ex parte variance.

10/9 2026 -- The H aring B ard granted t e merge cy ex pa te vari nce in Case No. 596 -2 subject t conditio s i cl din use of the issing data pro edures.

10/6 to 10 19/2026 - T e acility a d AB corporate tel commu ications taff escala ed repe tedly. ran te engag d ts Dire tor f Repai . hen Oc ober 18 p ssed wi hou a repai , the fac lity escalated again.

1 /20/2 0 6 – A &T foun a large ectio of fee er cabl cu and sto en. T e facil ty sked Granit for alternat ve service.

10/20 to 10/ 4/2 26 -- T&T s t ew repa r ate of ctober 1 and then October 24.

0 27/ 026 – T&T et a new re air date of Novem er 5.

11/3/20 6 - AT&T re l ssifi d the o tage as a cable fai ure nv lving a out 40 fee o damaged able, ith n sti ate repair ate of M y 28, 202 . The fa ility con ulted Dis rict sta f a d fi ed the petition th same da .

11/4 2026 -- Th facili y filed this First Amended Petition.

17. What would be the harm to your business during **and/or after** the period of the variance if the variance were not granted?

Economic losses: Without variance coverage, the facility would be in violation of Rule 2012(c)(3)(A), Facility Permit Section G, and Rule 203(b) on each day the line remains out of service, with resulting exposure to penalties. The facility cannot cure these violations, because repair of the line depends on AT&T and shutting down the boilers would not satisfy the daily reporting requirement. The outage causes no excess emissions.

Number of employees laid off (if any):_____No laid off_____

If the missing data substitution procedure is implemented, the facility is likely to purchase RECLAIM NOX Credits to comply with RECLAIM program. The RECLAIM NOX Credit is currently priced at $10 per pound. Depending on the duration of the phone line being out of service, RECLAIM NOX Credit market price, and the usage of the boilers, the facility may have to purchase up to **$432,000 RECLAIM NOX Credits** in the absence of a variance and SCAQMD's ability to accept data in a manner other than the RTU.

18. Can you curtail or terminate operations in lieu of, or in addition to, obtaining a variance? Please explain.

No. The facility cannot curtail or terminate operation of Boilers No. 5 and No. 6. Both boilers supply steam that is essential to brewing and packaging, and shutting them down would halt brewing at the facility. The boilers also burn digester gas produced by the facility's wastewater treatment system. Shutting down the boilers also would not cure the violation, because nonoperation of an emission source does not excuse a RECLAIM facility from reporting daily emissions.

19. Estimate excess emissions, if any, on a daily basis, including, if applicable, excess opacity (the percentage of total opacity above 20% during the variance period). If the variance will result in no excess emissions, insert "N/A" here and skip to No. 20.

Pollutant	(A) Total Estimated Excess Emissions (lbs/day)	(B) Reduction Due to Mitigation (lbs/day)	(C)* Net Emissions After Mitigation (lbs/day)
N/A	N/A	N/A	N/A

* Column A minus Column B = Column C

Excess Opacity: 0 %

20. Show calculations used to estimate quantities in No. 19, **or** explain why there will be no excess emissions.

Not applicable. This variance does not result in excess emissions.

21. Explain how you plan to reduce (mitigate) excess emissions during the variance period to the maximum extent feasible, or why reductions are not feasible.

Not applicable. This variance does not result in excess emissions.

22. How do you plan to monitor or quantify emission levels from the equipment or activity(s) during the variance period, and to make such records available to the District? **Any proposed monitoring does not relieve RECLAIM facilities from applicable missing data requirements.**

During the variance period, the facility will use missing data substitution procedure in accordance with Rule 2012.

23. How do you intend to achieve compliance with the rule(s) and/or permit condition(s)? Include a detailed description of any equipment to be installed, modifications or process changes to be made, permit conditions to be amended, etc., dates by which the actions will be completed, and an estimate of total costs.

Final compliance will be achieved when AT&T repairs and replaces the damaged cable and the facility resumes daily transmission to the District Central Station. AT&T has committed to complete that work by May 28, 2027.

Until then, the facility will continue to calculate reported emissions using the Rule 2012, Appendix A, Chapter 2 missing data procedures. The facility will also seek an earlier way to restore transmission. The facility will request approval from the Executive Officer to use an alternative electronic reporting system under Rule 2012, Appendix A, Chapter 7, as amended June 5, 2026. The facility will also coordinate with AT&T on securing the cable route against further theft.

The facility will notify Inspector Aaron Neuhauser within 48 hours after the line is repaired, and will notify the Clerk of the Board and the District in writing when final compliance is achieved. The facility will provide monthly status reports on repair progress if the Hearing Board requests them.

24. State the date you are requesting the variance to begin: **October 8, 2026**; and the date by which you expect to achieve final compliance: **May 28, 2027**.

If the regular variance is to extend beyond one year, you **must** include a **Schedule of Increments of Progress**, specifying dates or time increments for steps needed to achieve compliance. See District Rule 102 for definition of Increments of Progress (see Attachment A, Item 24, Example #3).

Not Applicable.

25. List the names of any District personnel with whom facility representatives have had contact concerning this variance petition or any related Notice of Violation or Notice to Comply.

____Shawn Bennage_____Ext.__3151_____

____Ryan Maxwell_____Ext.__2439_____

____Karin Manwaring_____Ext.__2236_____

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26. If the petition was completed by someone other than the petitioner, please provide their name and title below.

A. Edward Krisnadi_____Onterris USA, Inc._____Operations Manager___
Name Company Title

The undersigned, under penalty of perjury, states that the above petition, including attachments and the items therein set forth, is true and correct.

Executed on ____11/04/2026_____, at ____Van Nuys_____, California

_____ Eric Gutierrez_____
Signature Print Name

Title: General Manager_____

ATTACHMENT 1

PERMIT OF AFFECTED EQUIPMENT

South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

Title Page
Facility ID: 016642
Revision #: 66
Date: January 20, 2026

FACILITY PERMIT TO OPERATE

ANHEUSER-BUSCH LLC., (LA BREWERY)
15800 ROSCOE BLVD
VAN NUYS, CA 91406

NOTICE

IN ACCORDANCE WITH RULE 206, THIS PERMIT TO OPERATE OR A COPY THEREOF MUST BE KEPT AT THE LOCATION FOR WHICH IT IS ISSUED.

THIS PERMIT DOES NOT AUTHORIZE THE EMISSION OF AIR CONTAMINANTS IN EXCESS OF THOSE ALLOWED BY DIVISION 26 OF THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA OR THE RULES OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT. THIS PERMIT SHALL NOT BE CONSTRUED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATIONS OR STATUTES OF ANY OTHER FEDERAL, STATE OR LOCAL GOVERNMENTAL AGENCIES.

Wayne Nastri
Executive Officer

By _____ for
Jason Aspell
Deputy Executive Officer
Engineering and Permitting

South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

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Facility ID: 016642
Revision #: 66
Date: January 20, 2026

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

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South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION A: FACILITY INFORMATION

LEGAL OWNER &/OR OPERATOR: ANHEUSER-BUSCH LLC., (LA BREWERY)

LEGAL OPERATOR (if different than owner):

EQUIPMENT LOCATION: 15800 ROSCOE BLVD
VAN NUYS, CA 91406-1379

MAILING ADDRESS: 15800 ROSCOE BLVD
VAN NUYS, CA 91406-1379

RESPONSIBLE OFFICIAL: ERIC GUTIERREZ

TITLE: GENERAL MANAGER

TELEPHONE NUMBER: (818) 908-4156

CONTACT PERSON: WEN ZHANG

TITLE: EHS MANAGER

TELEPHONE NUMBER: (818) 908-5598

TITLE V PERMIT ISSUED: January 20, 2026

TITLE V PERMIT EXPIRATION DATE: January 19, 2031

TITLE V	RECLAIM	
YES	NOx:	YES
	SOx:	YES
	CYCLE:	1
	ZONE:	COASTAL

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION B: RECLAIM ANNUAL EMISSION ALLOCATION

The annual allocation of NOx RECLAIM Trading Credits (RTCs) for this facility is calculated pursuant to Rule 2002. Total NOx emission shall not exceed such annual allocations unless the operator obtains RTCs corresponding to the facility's increased emissions in compliance with Rules 2005 and 2007.

The level of Starting Allocation plus Non-Tradable Credits used to determine compliance with Rule 2005(c)(4) and applicability of Rule 2005(e) - Trading Zone Restrictions is listed on the last page of this Section.

The following table lists the annual allocations that were issued to this facility and the amounts of RTCs held by this facility on the day of printing this Section.

RECLAIM POLLUTANT ANNUAL ALLOCATION (POUNDS)

Year Begin (month/year)	Year End	Zone	NOx RTC Initially Allocated	NOx RTC[1] Holding as of 01/20/2026 (pounds)	Non-Tradable[2] Non-Usable RTCs (pounds)
1/2024	12/2024	Coastal	55368	19283	0
1/2025	12/2025	Coastal	55368	22910	0
1/2026	12/2026	Coastal	55368	22910	0
1/2027	12/2027	Coastal	55368	22910	0
1/2028	12/2028	Coastal	55368	22910	0
1/2029	12/2029	Coastal	55368	22910	0
1/2030	12/2030	Coastal	55368	22910	0
1/2031	12/2031	Coastal	55368	22910	0
1/2032	12/2032	Coastal	55368	22910	0
1/2033	12/2033	Coastal	55368	22910	0
1/2034	12/2034	Coastal	55368	22910	0
1/2035	12/2035	Coastal	55368	22910	0
1/2036	12/2036	Coastal	55368	22910	0
1/2037	12/2037	Coastal	55368	22910	0
1/2038	12/2038	Coastal	55368	22910	0
1/2039	12/2039	Coastal	55368	22910	0
1/2040	12/2040	Coastal	55368	22910	0

Footnotes:

1. This number may change due to pending trades, emissions reported under Quarterly Certification of Emissions Report (QCER) and Annual Permit Emission Program (APEP) Report required pursuant to Rule 2004, or deductions made pursuant to Rule 2010(b). The most recent total RTC information can be obtained from the District's RTC Listing.

2. The use of such credits is subject to restrictions set forth in paragraph (f)(1) of Rule 2002.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION B: RECLAIM ANNUAL EMISSION ALLOCATION

The annual allocation of NOx RECLAIM Trading Credits (RTCs) for this facility is calculated pursuant to Rule 2002. Total NOx emission shall not exceed such annual allocations unless the operator obtains RTCs corresponding to the facility's increased emissions in compliance with Rules 2005 and 2007.

The level of Starting Allocation plus Non-Tradable Credits used to determine compliance with Rule 2005(c)(4) and applicability of Rule 2005(e) - Trading Zone Restrictions is listed on the last page of this Section.

The following table lists the annual allocations that were issued to this facility and the amounts of RTCs held by this facility on the day of printing this Section.

RECLAIM POLLUTANT ANNUAL ALLOCATION (POUNDS)

Year Begin (month/year)	Year End	Zone	NOx RTC Initially Allocated	NOx RTC[1] Holding as of 01/20/2026 (pounds)	Non-Tradable[2] Non-Usable RTCs (pounds)
1/2041	12/2041	Coastal	55368	22910	0

Footnotes:

1. This number may change due to pending trades, emissions reported under Quarterly Certification of Emissions Report (QCER) and Annual Permit Emission Program (APEP) Report required pursuant to Rule 2004, or deductions made pursuant to Rule 2010(b). The most recent total RTC information can be obtained from the District's RTC Listing.

2. The use of such credits is subject to restrictions set forth in paragraph (f)(1) of Rule 2002.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION B: RECLAIM ANNUAL EMISSION ALLOCATION

The annual allocation of SOx RECLAIM Trading Credits (RTCs) for this facility is calculated pursuant to Rule 2002. Total SOx emission shall not exceed such annual allocations unless the operator obtains RTCs corresponding to the facility's increased emissions in compliance with Rules 2005 and 2007.

The level of Starting Allocation plus Non-Tradable Credits used to determine compliance with Rule 2005(c)(4) and applicability of Rule 2005(e) - Trading Zone Restrictions is listed on the last page of this Section.

The following table lists the annual allocations that were issued to this facility and the amounts of RTCs held by this facility on the day of printing this Section.

RECLAIM POLLUTANT ANNUAL ALLOCATION (POUNDS)

Year Begin (month/year)	Year End	Zone	SOx RTC Initially Allocated	SOx RTC[1] Holding as of 01/20/2026 (pounds)	Non-Tradable[2] Non-Usable RTCs (pounds)
1/2024	12/2024	Coastal	13700	10359	
1/2025	12/2025	Coastal	13700	13700	
1/2026	12/2026	Coastal	13700	13700	
1/2027	12/2027	Coastal	13700	13700	
1/2028	12/2028	Coastal	13700	13700	
1/2029	12/2029	Coastal	13700	13700	
1/2030	12/2030	Coastal	13700	13700	
1/2031	12/2031	Coastal	13700	13700	
1/2032	12/2032	Coastal	13700	13700	
1/2033	12/2033	Coastal	13700	13700	
1/2034	12/2034	Coastal	13700	13700	
1/2035	12/2035	Coastal	13700	13700	
1/2036	12/2036	Coastal	13700	13700	
1/2037	12/2037	Coastal	13700	13700	
1/2038	12/2038	Coastal	13700	13700	
1/2039	12/2039	Coastal	13700	13700	
1/2040	12/2040	Coastal	13700	13700	

Footnotes:

1. This number may change due to pending trades, emissions reported under Quarterly Certification of Emissions Report (QCER) and Annual Permit Emission Program (APEP) Report required pursuant to Rule 2004, or deductions made pursuant to Rule 2010(b). The most recent total RTC information can be obtained from the District's RTC Listing.

2. The use of such credits is subject to restrictions set forth in paragraph (f)(1) of Rule 2002.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION B: RECLAIM ANNUAL EMISSION ALLOCATION

The annual allocation of SOx RECLAIM Trading Credits (RTCs) for this facility is calculated pursuant to Rule 2002. Total SOx emission shall not exceed such annual allocations unless the operator obtains RTCs corresponding to the facility's increased emissions in compliance with Rules 2005 and 2007.

The level of Starting Allocation plus Non-Tradable Credits used to determine compliance with Rule 2005(c)(4) and applicability of Rule 2005(e) - Trading Zone Restrictions is listed on the last page of this Section.

The following table lists the annual allocations that were issued to this facility and the amounts of RTCs held by this facility on the day of printing this Section.

RECLAIM POLLUTANT ANNUAL ALLOCATION (POUNDS)

Year Begin (month/year)	Year End	Zone	SOx RTC Initially Allocated	SOx RTC[1] Holding as of 01/20/2026 (pounds)	Non-Tradable[2] Non-Usable RTCs (pounds)
1/2041	12/2041	Coastal	13700	13700	

Footnotes:

1. This number may change due to pending trades, emissions reported under Quarterly Certification of Emissions Report (QCER) and Annual Permit Emission Program (APEP) Report required pursuant to Rule 2004, or deductions made pursuant to Rule 2010(b). The most recent total RTC information can be obtained from the District's RTC Listing.

2. The use of such credits is subject to restrictions set forth in paragraph (f)(1) of Rule 2002.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION B: RECLAIM ANNUAL EMISSION ALLOCATION

The annual allocation of RECLAIM Trading Credits (RTCs) for this facility is calculated pursuant to Rule 2002. If the facility submits a permit application to increase in an annual allocation to a level greater than the facility's starting Allocation plus Non-Tradable credits as listed below, the application will be evaluated for compliance with Rule 2005 (c)(4). Rule 2005 (e) - Trading Zone Restrictions applies if an annual allocation is increased to a level greater than the facility's Starting Allocation plus Non-Tradable Credits:

Year Begin (month/year)	Year End (month/year)	Zone	NOx RTC Starting Allocation (pounds)	Non-Tradable Credits(NTC) (pounds)
1/1994	12/1994	Coastal	76618	0

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION B: RECLAIM ANNUAL EMISSION ALLOCATION

The annual allocation of RECLAIM Trading Credits (RTCs) for this facility is calculated pursuant to Rule 2002. If the facility submits a permit application to increase in an annual allocation to a level greater than the facility's starting Allocation plus Non-Tradable credits as listed below, the application will be evaluated for compliance with Rule 2005 (c)(4). Rule 2005 (e) - Trading Zone Restrictions applies if an annual allocation is increased to a level greater than the facility's Starting Allocation plus Non-Tradable Credits:

Year Begin (month/year)	Year End (month/year)	Zone	SOx RTC Starting Allocation (pounds)	Non-Tradable Credits(NTC) (pounds)
1/1994	12/1994	Coastal	13700	28586

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION C: FACILITY PLOT PLAN

(TO BE DEVELOPED)

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 1: EXTERNAL COMBUSTION					
System 1: Boilers					
BOILER, NO. 5, WATER TUBE, DIGESTER GAS, NATURAL GAS, BABCOCK & WILCOX, MODEL FM-1766, 147 MMBTU/HR, WITH FLUE GAS RECIRCULATION WITH A/N: 616613 BURNER, 147 MMBTU/HR, DIGESTER GAS, NATURAL GAS, TODD VARIFLAME, WITH 150 HP COMBUSTION AIR BLOWER, WITH LOW NOX BURNER	D5	C982	NOX: MAJOR SOURCE**; SOX: MAJOR SOURCE - SUPER COMPLIANT **	**CO**: 400 PPMV AT 15 MINS. (5) [**RULE 1146, 11-1-2013;** *RULE 1146, 12-4-2020*]; **NOX**: 5 PPMV AT 15 MINS. (1) [RULE 1146, 12-4-2020; **RULE 2005, 12-4-2015;** *RULE 2005, 11-5-2021;* **RULE 2012, 2-5-2016;** *RULE 2012, 11-3-2023*]; **PM**: 0.01 GRAINS/SCF (5) [**RULE 409, 8-7-1981; RULE 476, 10-8-1976**]; **PM**: 0.1 GRAINS/SCF (5A) [**RULE 409, 8-7-1981; RULE 476, 10-8-1976**]; **SOX**: 0.6 LBS/MMSCF NATURAL GAS (1) [**RULE 2005, 12-4-2015;** *RULE 2005, 11-5-2021;* **RULE 2011(c)(4) - Super Compliance, 5-6-2005**]; **SOX**: 32.1 LBS/MMSCF DIGESTER GAS (1) [RULE 2005, 11-5-2021; **RULE 2011(c)(4) - Super Compliance, 5-6-2005**]	A433.2, B59.3, D12.9, D28.1, D82.1, D90.2, E73.3, E113.1, H23.7, H418.1
SELECTIVE CATALYTIC REDUCTION, NO. 5, TWO LAYER MODULE, EACH LAYER, UMICORE, MODEL DNX-939, 286 CU FT TOTAL VOLUME, WITH 5600 LB CATALYST, WIDTH: 6 FT 3 IN; HEIGHT: 6 FT 2 IN; LENGTH: 3 FT 9 IN A/N: 616614	C982	D5 D986 D987		**NH3**: 5 PPMV (4) [**RULE 1146, 11-1-2013;** *RULE 1146, 12-4-2020;* **RULE 1303(a)(1) -BACT, 5-10-1996;** *RULE 1303(a)(1)-BACT, 12-6-2002*]	A433.4, D12.7, D12.8, D28.2

* (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
(3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
(5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
(7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
(9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

Equipment	ID No.	Connected To	RECLAIM Source Type/ Monitoring Unit	Emissions* And Requirements	Conditions
Process 1: EXTERNAL COMBUSTION					
BOILER, NO. 6, WATER TUBE, DIGESTER GAS, NATURAL GAS, BABCOCK & WILCOX, MODEL FM-1766, 147 MMBTU/HR, WITH FLUE GAS RECIRCULATION WITH A/N: 616615 BURNER, 147 MMBTU/HR, DIGESTER GAS, NATURAL GAS, TODD VARIFLAME, WITH 150 HP COMBUSTION AIR BLOWER, WITH LOW NOX BURNER	D6	C983	NOX: MAJOR SOURCE**; SOX: MAJOR SOURCE - SUPER COMPLIANT **	**CO**: 400 PPMV AT 15 MINS. NATURAL GAS (5) [RULE 1146, 12-4-2020]; **NOX**: 5 PPMV AT 15 MINS. (1) [RULE 1146, 12-4-2020; **RULE 2005, 12-4-2015;** *RULE 2005, 11-5-2021;* **RULE 2012, 2-5-2016;** *RULE 2012, 11-3-2023*]; **PM**: 0.01 GRAINS/SCF (5) [**RULE 476, 10-8-1976**]; **PM**: 0.1 GRAINS/SCF (5A) [**RULE 409, 8-7-1981**]; **SOX**: 0.6 LBS/MMSCF NATURAL GAS (1) [**RULE 2005, 12-4-2015;** *RULE 2005, 11-5-2021;* **RULE 2011(c)(4) - Super Compliance, 5-6-2005**]; **SOX**: 32.1 LBS/MMSCF DIGESTER GAS (1) [**RULE 2011(c)(4) - Super Compliance, 5-6-2005**]	A433.2, B59.3, D12.9, D28.1, D82.1, D90.2, E73.3, E113.1, H23.7, H418.1
SELECTIVE CATALYTIC REDUCTION, NO. 6, TWO LAYER MODULE, EACH LAYER, UMICORE, MODEL DNX-939, 286 CU FT TOTAL VOLUME, WITH 5600 LB CATALYST, WIDTH: 6 FT 3 IN; HEIGHT: 6 FT 2 IN; LENGTH: 3 FT 9 IN A/N: 616616	C983	D6 D986 D987		**NH3**: 5 PPMV (4) [**RULE 1146, 11-1-2013;** *RULE 1146, 12-4-2020;* **RULE 1303(a)(1) -BACT, 5-10-1996;** *RULE 1303(a)(1)-BACT, 12-6-2002*]	A433.4, D12.7, D12.8, D28.2

* (1) (1A) (1B) Denotes RECLAIM emission factor (2) (2A) (2B) Denotes RECLAIM emission rate
(3) Denotes RECLAIM concentration limit (4) Denotes BACT emission limit
(5) (5A) (5B) Denotes command and control emission limit (6) Denotes air toxic control rule limit
(7) Denotes NSR applicability limit (8) (8A) (8B) Denotes 40 CFR limit (e.g. NSPS, NESHAPS, etc.)
(9) See App B for Emission Limits (10) See section J for NESHAP/MACT requirements

** Refer to section F and G of this permit to determine the monitoring, recordkeeping and reporting requirements for this device.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: DEVICE ID INDEX

Device Index For Section D			
Device ID	**Section D Page No.**	**Process**	**System**
D5	1	1	1
D6	2	1	1
D7	6	2	1
D16	7	5	2
D24	8	5	4
C25	8	5	4
D39	8	5	7
C40	9	5	7
D41	9	5	7
D42	9	5	7
D43	9	5	7
D44	9	5	7
D45	9	5	7
D46	9	5	7
D47	10	5	7
D48	10	5	7
D49	10	5	7
D50	10	5	7
D51	10	5	7
D52	10	5	7
D53	10	5	7
D54	10	5	7
C55	11	5	7
D56	12	5	9
D58	12	5	9
D59	12	5	9
D60	12	5	9
D61	12	5	9
D62	12	5	9
D63	12	5	9
D64	12	5	9
D65	12	5	9
D67	13	5	9
D68	13	5	9
D69	13	5	9

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

[**RULE 1303(b)(2)-Offset, 5-10-1996;** RULE 1303(b)(2)-Offset, 12-6-2002]

[Systems subject to this condition : Process 5, System 10]

S1.4 The operator shall limit the material processed to no more than 162.5 ton(s) in any one month.

For the purpose of this condition, material processed shall be defined as perlite.

The operator shall maintain records in a manner approved by the District to demonstrate compliance with this condition.

[**RULE 1303(b)(2)-Offset, 5-10-1996;** RULE 1303(b)(2)-Offset, 12-6-2002]

[Systems subject to this condition : Process 5, System 2]

DEVICE CONDITIONS

A. Emission Limits

A433.2 The operator shall limit the emissions from the boiler as follow:

Contaminant	Concentration limit	Location
NOx	5 ppmv or less @3% O2, Dry	Exhaust stack
CO	400 ppmv or less @3%O2, Dry	Exhaust stack
PM	0.01 or less grain per SCF	Exhaust stack

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

The emission concentration limits above shall be averaged over a period of 15 consecutive minutes.

Emission concentration limits above are not applicable during start-up, shutdown, or under breakdown conditions.

[RULE 1146, 12-4-2020; **RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1) -BACT, 12-6-2002; **RULE 2005, 12-4-2015;** RULE 2005, 11-5-2021; **RULE 476, 10-8-1976**]

[Devices subject to this condition : D5, D6, D944, D945, D946]

A433.3 The operator shall limit the sulfur emissions as follows:

Contaminant	Measured as	Concentration limit
Total reduced sulfur	H2S	1.5 ppmv

For the purpose of this condition, the concentration limit shall be based on the H2S concentration measured above the wastewater level, at or below the rim of the aeration tank.

[RULE 1401, 9-10-2010; RULE 402, 5-7-1976]

[Devices subject to this condition : D942]

A433.4 The operator shall limit the emissions from the boiler as follows:

Contaminant	Concentration limit	Location
NH3	5 ppmv or less @3% O2	Exhaust stack

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

The emission concentration limits above are averaged over a period of 60 consecutive minutes.

Emission concentration limits above are not applicable during start-up, shutdown, or under breakdown conditions.

[**RULE 1146, 11-1-2013;** RULE 1146, 12-4-2020; **RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1)-BACT, 12-6-2002; **RULE 2005, 12-4-2015;** RULE 2005, 11-5-2021]

[Devices subject to this condition : C982, C983]

A433.5 The operator shall limit the emissions from the boiler as follows:

Contaminant	Concentration Limit	Sampling Location
NOx	9 ppmv @ 3% O2, Dry	Exhaust stack
CO	100 ppmv @ 3% O2, Dry	Exhaust stack
PM	0.01 grain per SCF	Exhaust stack

[RULE 1146, 12-4-2020; **RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1)-BACT, 12-6-2002; **RULE 2005, 12-4-2015;** RULE 2005, 11-5-2021; **RULE 409, 8-7-1981**]

[Devices subject to this condition : D988, D990, D991, D992, D993, D994]

B. Material/Fuel Type Limits

B27.1 The operator shall not use materials containing any compounds identified in the SCAQMD Rule 1401, as amended 03/07/2008.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

[**RULE 1303(b)(2)-Offset, 5-10-1996;** RULE 1303(b)(2)-Offset, 12-6-2002]

[Devices subject to this condition : D24]

B59.3 The operator shall only use the following material(s) in this device :

Natural Gas and Digester Gas

The operator shall install and maintain a non-resettable totalizing fuel meter and recording device to accurately indicate and record the natural gas usage in this equipment.

The operator shall install and maintain a non-resettable totalizing fuel meter and recording device to accurately indicate and record the digester gas usage in this equipment.

[**RULE 1303(b)(2)-Offset, 5-10-1996;** RULE 1303(b)(2)-Offset, 12-6-2002; **RULE 2011, 5-6-2005;** RULE 2011, 11-3-2023; **RULE 2012, 2-5-2016;** RULE 2012, 11-3-2023; **40CFR 60 Subpart Db, 2-27-2014**]

[Devices subject to this condition : D5, D6]

B59.4 The operator shall only use the following material(s) in this device :

Natural Gas only

The operator shall install and maintain a non-resettable totalizing fuel meter and recording device to accurately indicate and record the natural gas usage in this equipment.

[**RULE 2012, 2-5-2016;** RULE 2012, 11-3-2023; **40CFR 60 Subpart Db, 2-27-2014**]

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

The operator shall install and maintain a DO meter to accurately measure and record the:

1. DO

of the wastewater in the aeration tank. In addition, the operator shall keep records, in a manner approved by the District, for this parameter.

To comply with this condition the DO levels shall be continuously measured and recorded (at least one data point per hour). The electronic data recorded shall be maintained for minimum of 30 consecutive days of operation.

The DO monitoring system shall be equipped with an automatic alarms system for low DO levels with set points to be determined prior to issuance of the final Permit to Operate for the equipment.

The operator shall calibrate the DO meters when the monitoring system alarms the operator that calibration is required. The calibration shall be performed per manufacturer specifications.

[**RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1)-BACT, 12-6-2002]

[Devices subject to this condition : D942]

D. Monitoring/Testing Requirements

D12.3 The operator shall install and maintain a(n) temperature gauge to accurately indicate the temperature of the flare.

The operator shall record the parameter being monitored once every 24 hours.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

[**RULE 3004(a)(4)-Periodic Monitoring, 12-12-1997;** RULE 3004(a)(4)-Periodic Monitoring, 1-10-2025]

[Devices subject to this condition : C239]

D12.4 The operator shall install and maintain a(n) pH meter to accurately indicate the pH of the scrubbing solution.

The operator shall record the parameter being monitored once every 24 hours.

[**RULE 3004(a)(4)-Periodic Monitoring, 12-12-1997;** RULE 3004(a)(4)-Periodic Monitoring, 1-10-2025]

[Devices subject to this condition : C25]

D12.5 The operator shall install and maintain a(n) differential pressure gauge to accurately indicate the differential pressure across the filter.

[**RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1)-BACT, 12-6-2002]

[Devices subject to this condition : C283, C294]

D12.6 The operator shall install and maintain a(n) non-resettable totalizing fuel meter to accurately indicate the fuel usage of the fuel supply line.

[**RULE 1303(b)(2)-Offset, 5-10-1996;** RULE 1303(b)(2)-Offset, 12-6-2002; **40CFR 60 Subpart Dc, 2-16-2012**]

[Devices subject to this condition : D926]

D12.7 The operator shall install and maintain a(n) measuring device to accurately indicate the ammonia injection rate being supplied to the selective catalytic reduction system.

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

The operator shall also install and maintain a device to continuously record the parameter being measured.

The measuring device or gauge shall be accurate to within plus or minus 5 percent. It shall be calibrated once every 12 months in accordance to manufacturer specifications.

The ammonia injection system shall be placed in full operation as soon as the minimum temperature is reached. The minimum temperature is listed as 390 degrees F at the inlet to the SCR reactor.

The operator shall also install and maintain a device to continuously record the parameter being measured.

The records shall be kept on site and made available to AQMD personnel upon request.

[**RULE 1146, 11-1-2013;** RULE 1146, 12-4-2020; **RULE 3004(a)(4)-Periodic Monitoring, 12-12-1997;** RULE 3004(a)(4)-Periodic Monitoring, 1-10-2025]

[Devices subject to this condition : C982, C983]

D12.8 The operator shall install and maintain a(n) temperature gauge to accurately indicate the temperature at the inlet to the selective catalytic reduction system.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

The operator shall also install and maintain a device to continuously record the parameter being measured.

The measuring device or gauge shall be accurate to within plus or minus 5 percent. It shall be calibrated once every 12 months in accordance to manufacturer specifications.

The catalyst temperature shall remain above 390 degrees F when the equipment it serves is operating.

The temperature requirements of this condition shall not apply during start-up and shutdown of the boiler.

[**RULE 104, 1-9-1976; RULE 1146, 11-1-2013;** RULE 1146, 12-4-2020; **RULE 3004(a)(4)-Periodic Monitoring, 12-12-1997;** RULE 3004(a)(4)-Periodic Monitoring, 1-10-2025]

[Devices subject to this condition : C982, C983]

D12.9 The operator shall install and maintain a(n) gauge to accurately indicate the flue gas flow from the exhaust gas to the burner(s) or the boiler.

[Devices subject to this condition : D5, D6]

D28.1 The operator shall conduct source test(s) in accordance with the following specifications:

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

The test shall be conducted to determine the NOx emissions using District Method 100.1 measured at the exhaust stack location.

The test shall be conducted to determine the CO emissions using District Method 100.1 measured over a 15-minute averaging time period at the exhaust stack location. The tests for CO shall be conducted with accordance to the testing frequency of Rule 1146.

The test shall be conducted when the equipment is operating at low, average and high firing rates.

The test shall be conducted with accordance to conditions above with the first test conducted within 180 days of the equipment initial startup date.

The test shall be conducted within 90 days after the source test protocol approved by the South Coast AQMD. The source test protocol shall be submitted to the South Coast AQMD no later than 60 days after the equipment initial startup date.

[RULE 1146, 12-4-2020; **RULE 2012, 2-5-2016;** RULE 2012, 11-3-2023; **RULE 3004(a)(4)-Periodic Monitoring, 12-12-1997;** RULE 3004(a)(4)-Periodic Monitoring, 1-10-2025]

[Devices subject to this condition : D5, D6, D988, D990, D991, D992, D993, D994]

D28.2 The operator shall conduct source test(s) in accordance with the following specifications:

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

The test shall be conducted to determine the NH3 emissions using District methods 207.1 and 5.3 or EPA method 17 over a 60-minute averaging period. The NOx concentration, as determined by reading the CEMS, shall be simultaneously recorded during the test. If CEMS is inoperable, a test shall be conducted to determine the NOx emissions using District Method 100.1 measured over a 60-minute averaging time period.

The test shall be conducted to demonstrate compliance with ammonia emission concentration when the boilers is firing at low, medium and high firing rates.

The test shall be conducted quarterly during the first 12 months of operation and at least annually thereafter, and whenever the SCR is replaced with new catalyst.

The test shall be conducted within 180 days of the initial startup date, but no later than 90 days after the source test protocol approved by the South Coast AQMD. The source test protocol shall be submitted to the South Coast AQMD no later than 60 days after the initial startup date.

The test shall be conducted only after prior notification to the South Coast AQMD. The notification shall be at least 10 days prior to test dates.

[**RULE 1146, 11-1-2013;** RULE 1146, 12-4-2020; **RULE 3004(a)(4)-Periodic Monitoring, 12-12-1997;** RULE 3004(a)(4)-Periodic Monitoring, 1-10-2025]

[Devices subject to this condition : C982, C983]

D82.1 The operator shall install and maintain a CEMS to measure the following parameters:

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

NOX concentration in ppmv

Concentrations shall be corrected to 3 percent oxygen on a dry basis.

The CEMS will convert the actual NOX concentrations to mass emission rates (lbs/hr) and record the hourly emission rates on a continuous basis.

The CEMS shall be installed and operating no later than 12 months after the initial start-up of the boiler. During the interim period between the initial start-up and the provisional certification date of the CEMS, the operator shall comply with the monitoring requirements of Rule 2012(h)(3). The operator shall provide written notification of the initial start-up of the boiler.

The CEMS shall be installed and operated in accordance with an approved South Coast AQMD Rule 218 CEMS plan application. The operator shall not install the CEMS prior to receiving initial approval from South Coast AQMD.

[**RULE 2012, 2-5-2016;** RULE 2012, 11-3-2023]

[Devices subject to this condition : D5, D6]

D90.1 The operator shall periodically monitor the H2S concentration at the outlet of the biofilter according to the following specifications:

The operator shall monitor once every day.

The operator shall use Draeger Tube (or equivalent) at the biofilter screen port to monitor the parameter.

The monitoring instrument shall have a minimum detection limit of 1.0 ppmv.

[**RULE 3004(a)(4)-Periodic Monitoring, 12-12-1997;** RULE 3004(a)(4)-Periodic Monitoring, 1-10-2025]

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

[Devices subject to this condition : C235]

D90.2 The operator shall periodically monitor the H2S concentration of the digester gas supplied to the boiler according to the following specifications:

The operator shall use a handheld instrument and/or draeger tubes to monitor the parameter.

The operator shall monitor once every day.

The operator shall record the H2S concentration of the digester gas to determine total SOx emission for the boiler .

[**RULE 2011, 5-6-2005;** RULE 2011, 11-3-2023]

[Devices subject to this condition : D5, D6]

D322.2 The operator shall perform annual inspection of the equipment and filter media for leaks, broken or torn filter media, and improperly installed filter media.

[**RULE 3004(a)(4)-Periodic Monitoring, 12-12-1997;** RULE 3004(a)(4)-Periodic Monitoring, 1-10-2025]

[Devices subject to this condition : C40, C55, C70, C72, C83, C85, C88, C93, C96, C109, C283, C294]

D322.3 The operator shall perform a weekly inspection for visible emissions for this equipment. The owner/operator of the equipment shall have a trained person conduct a continuous five-minute visible emissions observation using EPA Method 22 once a week and shall maintain records for each observation and any necessary subsequent action(s) taken to eliminate visible emissions pursuant to SCAQMD Rule 1155.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

[**RULE 1303(a)-BACT, 5-10-1996;** RULE 1303(a)-BACT, 12-6-2002]

[Devices subject to this condition : D7, D926]

E71.4 The operator shall not operate this equipment unless the water spray system (C931) is operating.

[**RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1)-BACT, 12-6-2002]

[Devices subject to this condition : D929]

E71.5 The operator shall only load this equipment when the vapor equalization system is in full operation and in good operating condition.

[**RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1)-BACT, 12-6-2002]

[Devices subject to this condition : D986, D987]

E73.3 Notwithstanding the requirements of Section E conditions, the operator may, at his discretion, choose not to use FGR if any of the following requirement(s) are met:

Boiler load is less than 30 percent of maximum load.

If demonstrated that the boiler comply with the CO and NOX emission limits without utilization of FGR.

[**RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1)-BACT, 12-6-2002]

[Devices subject to this condition : D5, D6]

E102.1 The operator shall discharge dust collected in this equipment only into closed containers.

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

[RULE 1303(a)(1)-BACT, 12-6-2002; **RULE 1303(b)(2)-Offset, 5-10-1996**]

[Devices subject to this condition : C55, C70, C83, C109, E270, C283, C805, C807, C811, C817, C825, C827, C829, C831, C841, C843, C845, C847, C918, C961, C967, C976, C1005]

E113.1 The operator shall have the burner equipped with a control system to automatically regulate the combustion air, fuel and, if applicable, recirculated flue gas as the boiler load varies. This control system shall be adjusted and tuned at least twice a year according to the manufacturer's specifications to maintain its ability to repeat the same performance at the same firing rate.

[**RULE 1146, 11-1-2013;** RULE 1146, 12-4-2020; **RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1)-BACT, 12-6-2002]

[Devices subject to this condition : D5, D6, D988, D990, D991, D992, D993, D994]

E140.1 The operator shall remove all the dust which has been discharged into the filter bags in accordance to the bags manufacturer specifications.

[**RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1)-BACT, 12-6-2002]

[Devices subject to this condition : C961, C967, C1005]

E149.1 The operator shall replace the exhaust filters or wash the exhaust filters at least once every three months or according the manufacturer recommended frequency.

[**RULE 1303(a)(1)-BACT, 5-10-1996;** RULE 1303(a)(1)-BACT, 12-6-2002]

[Devices subject to this condition : C805, C807, C811, C817, C825, C827, C829, C831, C833, C841, C843, C845, C847, C918, C976]

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

[Devices subject to this condition : E271]

H23.5 This equipment is subject to the applicable requirements of the following rules or regulations:

Contaminant	Rule	Rule/Subpart
ROG	District Rule	109

[**RULE 109, 5-2-2003**]

[Devices subject to this condition : E273, E279]

H23.6 This equipment is subject to the applicable requirements of the following rules or regulations:

Contaminant	Rule	Rule/Subpart
Visible Emissions	District Rule	1155

[Devices subject to this condition : C25, C40, C55, D56, C70, C72, C83, C85, C88, C93, C96, C109, C283, C294, C807, C811, C817, C825, C827, C829, C831, C833, C841, C843, C845, C847, C886, C918, C960, C961, C967, C976, C1004, C1005]

H23.7 This equipment is subject to the applicable requirements of the following rules or regulations:

Contaminant	Rule	Rule/Subpart
CO	District Rule	1146
NOX	District Rule	1146
NOX	District Rule	1100

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION D: FACILITY DESCRIPTION AND EQUIPMENT SPECIFIC CONDITIONS

The operator shall comply with the terms and conditions set forth below:

[**RULE 1146, 11-1-2013;** RULE 1146, 12-4-2020]

[Devices subject to this condition : D5, D6, D988, D990, D991, D992, D993, D994]

H23.8 This equipment is subject to the applicable requirements of the following rules or regulations:

Contaminant	Rule	Rule/Subpart
VOC	District Rule	1171

[**RULE 1171, 2-1-2008;** RULE 1171, 6-6-2025]

[Devices subject to this condition : D1006]

H418.1 This equipment is subject to the Super Compliance provisions of Rule 2011. In order to maintain designation as a Super Compliant facility, the operator shall conduct annual source tests of this equipment to determine the SOx emissions at the outlet. The test shall be conducted to demonstrate compliance with Rule 2011(c)(4)(C) and 2011(c)(4)(D), as amended September 8, 1995. The operator shall also provide source tests reports to the District no more than sixty days after the date of the source tests.

[**RULE 2011(c)(4) - Super Compliance, 5-6-2005**]

[Devices subject to this condition : D5, D6]

I. Administrative

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION G: RECORDKEEPING AND REPORTING REQUIREMENTS FOR RECLAIM SOURCES

The Facility shall comply with all applicable reporting and recordkeeping requirements in Regulation XX. These requirements may include but are not limited to the following:

I. Recordkeeping Requirements for all RECLAIM Sources

1. The operator shall maintain all monitoring data required to be measured or reported pursuant to Rule 2011 and Rule 2012, whichever is applicable. All records shall be made available to SCAQMD staff upon request and be maintained for at least:
    a. Three years after each APEP report is submitted to SCAQMD for a facility not subject to Title V, unless a different time period is required in Rule 2011 or Rule 2012 [2011 & 2012]; or
    b. Five years after each APEP report is submitted to SCAQMD for a facility subject to Title V. [3004(a)(4)(E)]
    c. Notwithstanding the above, all data gathered or computed for intervals of less than 15 minutes shall only be maintained a minimum of 48 hours. [2011 & 2012]
2. The operator shall store on site and make available to the Executive Officer upon request: records used to determine emissions, maintenance records, sources test reports, relative accuracy test audit reports, relative accuracy audit reports and fuel meter calibration records. [2011 & 2012]

II. Reporting Requirements for all RECLAIM Sources

1. The opearator shall submit a quarterly certification of emissions including the total facility NOx or SOx emissions, whichever is applicable, for the quarter within 30 days after the end of the first three quarters and 60 days after the end of the fourth quarter of a compliance year. [2004]

NOx Reporting Requirements

A. The Operator of a NOx Major Source, as defined in Rule 2012, shall, as applicable:

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION G: RECORDKEEPING AND REPORTING REQUIREMENTS FOR RECLAIM SOURCES

1. No later than 12 months after entry into the RECLAIM program or after the initial operation of a new major source, whichever is later, install, maintain, and operate a reporting device to electronically report everyday to the SCAQMD central station for each major NOx source, the total daily mass emissions of NOx and daily status codes. Such data shall be transmitted by 5:00 p.m. of the following day. If the facility experiences a power, computer, or other system failure that prevents the submittal of the daily report, the Facility Permit holder shall be granted 24 hours extension to submit the report. [2012]

2. Calculate NOx emissions pursuant to missing data procedures set forth in Appendix A, Chapter 2 of Rule 2012 if the Facility Permit holder fails to meet the deadline for submitting the daily report. Notwithstanding the preceding condition, in no more than three non-consecutive occurrences per compliance year the reporting deadline extension following a system failure that precludes the Facility Permit holder from timely reporting shall be 96 rather than 24 hours provided that the raw data as obtained by the direct monitoring device is stored at the facility. [2012]

3. Submit an electronic report within 15 days following the end of each month totaling NOX emissions from all major NOx sources during the month. [2012]

4. For those facilities with existing CEMS and fuel meters as of October 15, 1993, continue to follow recording and reporting procedures required by SCAQMD Rules and Regulations in effect until the CEMS is certified pursuant to Rule 2011 and/or Rule 2012, as applicable. [2012]

B. The Operator of a NOx Large Source, as defined in Rule 2012, shall:

FACILITY PERMIT TO OPERATE
ANHEUSER-BUSCH LLC., (LA BREWERY)

SECTION G: RECORDKEEPING AND REPORTING REQUIREMENTS FOR RECLAIM SOURCES

1. Install, maintain and operate a modem or any reporting device approved by the Executive Officer to report, to the SCAQMD, the total monthly NOx mass emissions from each large NOx source. The Operator shall comply with this requirement within 12 months of the date of entry to the RECLAIM Program. Such data shall be reported within 15 days after the end of each calendar month. [2012]

C. The Operator of a NOx Process Unit, as defined in Rule 2012, shall:

1. Electronically report the calculated quarterly NOx emissions for each NOx process unit. The Operator shall comply with this requirement within 12 months of the date of entry to the RECLAIM Program. [2012]

SOx Reporting Requirements

D. The Operator of a SOx Major Source, as defined in Rule 2011, shall, as applicable:

Not Applicable

E. The Operator of a SOx Process Unit, as defined in Rule 2011, shall:

1. Electronically report the calculated quarterly SOx emissions for each SOx process unit. [2011]

ATTACHMENT 2

APPLICABLE SCAQMD RULES

(Adopted January 9, 1976)(Amended January 5, 1990)(Amended December 3, 2004)

RULE 203. PERMIT TO OPERATE

(a) A person shall not operate or use any equipment or agricultural permit unit, the use of which may cause the issuance of air contaminants, or the use of which may reduce or control the issuance of air contaminants, without first obtaining a written permit to operate from the Executive Officer or except as provided in Rule 202.

(b) The equipment or agricultural permit unit shall not be operated contrary to the conditions specified in the permit to operate.

(Adopted October 15, 1993)(Amended December 7, 1995)(Amended July 12, 1996)
(Amended May 11, 2001)(Amended April 6, 2007)

RULE 2004. REQUIREMENTS

(a) Purpose

The purpose of this rule is to establish the requirements for operating under the RECLAIM program. The rule includes provisions pertaining to permits, Allocations, reporting, variances, and breakdowns.

(b) Compliance Period and Certification of Emissions

(1) The compliance year shall be divided into four quarters for emission reporting and certification purposes. The 30 calendar days after the conclusion of each of the first three quarters shall be a reconciliation period. During the reconciliation period, the Facility Permit holder shall calculate the facility's total emissions for the quarter, acquire and have credited to the facility, pursuant to Rule 2007 - Trading Requirements and Rule 2020 – RECLAIM Reserve, any RTCs necessary to reconcile the Allocation to the emissions, and except as provided under paragraph (b)(6), submit to the Executive Officer a Quarterly Certification of Emissions. In addition, to reconcile the Allocation to the emissions, power producing facilities may utilize the Mitigation Fee Program specified in subdivision (o) of this rule.

(2) The Quarterly Certification of Emissions shall be made in the manner and form specified by the Executive Officer and shall be certified for accuracy by the highest ranking management official with responsibility for operation of equipment subject to the Facility Permit, except as provided under paragraph (b)(6). The Quarterly Certification of Emissions shall be calculated as required by Rules 2011 - Requirements for Monitoring, Reporting and Recordkeeping for Oxides of Sulfur (SO_X) Emissions, and 2012 - Requirements for Monitoring, Reporting and Recordkeeping for Oxides of Nitrogen (NO_X) Emissions, and Facility Permit conditions applicable to the facility.

(3) Upon receipt of the certified Quarterly Report, the Executive Officer will debit the RTC Listing for the submitting facility by the amount certified in the report.

(4) The 60 calendar days following the last day of each compliance year shall be the reconciliation period for the last quarter. On or before the last day of such reconciliation period, the Facility Permit holder shall calculate the facility's total emissions for the last quarter, acquire and have credited to the facility, pursuant to Rule 2007 and Rule 2020, any RTCs necessary to reconcile the Allocations to the emissions, and except as provided under paragraph (b)(6), submit an Annual Permit Emissions Program (APEP) report, as prescribed by the Executive Officer, for the purpose of compliance reporting, permit review, and determination of fees. As part of the APEP report, the Facility Permit holder shall accurately report the information specified in Rule 2015 subparagraph (b)(1)(C), (b)(1)(D), and (b)(1)(H) for the District's annual audit.

(5) Except as provided in subdivision (c), the reconciliation period following the end of a quarter shall be used to reconcile the Allocation only with emissions from that quarter.

(6) The Facility Permit holder of a facility that does not have any NOx or SOx emitting sources located at the facility (including, but not limited to, permitted equipment, non-permitted equipment pursuant to Rule 219, rental or leased equipment, or equipment operated by contractors) shall not be required to submit Quarterly Certification of Emissions pursuant to paragraphs (b)(1) and (b)(2) and APEP reports pursuant to paragraph (b)(4) provided that the Facility Permit holder:

(A) submits an application for permit amendment;

(B) demonstrates to the satisfaction of the Executive Officer that there are no NOx or SOx sources located at the facility; and

(C) receives an amended Facility Permit containing permit conditions to ensure that there are no NOx or SOx emissions from the facility at all times.

(7) A Facility Permit holder which has submitted an application for permit amendment pursuant to paragraph (b)(6) for exemption from the reporting requirements of paragraphs (b)(1), (b)(2), and (b)(4) shall not locate or operate NOx or SOx sources at the facility unless such application has been cancelled or denied or the permit has been amended to allow construction and operation of NOx or SOx sources. Once the Executive Officer has issued a permit amendment allowing construction and operation of a NOx or SOx source, the facility shall no longer be exempt

under this paragraph. If the Facility Permit holder is found in violation of any permit condition issued pursuant to paragraph (b)(6), the facility shall be assessed a single separate violation of this rule for each source and each day the source was on the premises. For purposes of determining emissions from each violating source, on each and every day that the source was on the premises, emissions shall be calculated assuming the source was uncontrolled and operated at maximum capacity for 24 hours a day.

(c) Correction of Quarterly Certification of Emissions

(1) The Facility Permit holder may, at any time prior to the end of the reconciliation period for the last quarter of the compliance year, make corrections to any quarterly certification of emissions, provided that the Facility Permit holder demonstrates that:

(A) emissions were inaccurately certified due to an error caused by conditions beyond the reasonable control of the Facility Permit holder; and

(B) the corrected information is accurate; and

(C) the Facility Permit holder has made the correction within thirty days of discovering the error necessitating the correction or within thirty days of when the error reasonably could have been discovered, whichever is earlier.

(2) If a correction is made to a Quarterly Certification of Emissions:

(A) the certification requirements set forth in paragraph (b)(2) shall apply to the correction; and

(B) the RTC Listing will be amended to show the corrected amount.

(C) the Facility Permit holder shall, within 30 days of the correction of the Quarterly Certification of Emission, but no later than the end of the reconciliation period for the last quarter, acquire any RTCs as necessary pursuant to Rule 2007 and Rule 2020 to reconcile the Allocation to the revised certification, and for a Facility Permit holder of a Power Producing Facility, comply with subdivision (o) of this rule.

(d) Prohibition of Emissions in Excess of Annual Allocation

(1) Emissions from a RECLAIM facility from the beginning of a compliance year through the end of any quarter shall not exceed the annual emissions Allocation in effect at the end of the applicable reconciliation period for such quarter. Except as provided in paragraph (d)(2), or subdivision (o), any such emissions in excess of the Allocation shall constitute a single, separate violation of this rule for each day of the compliance year (365 days).

(2) In the event of a violation of paragraph (d)(1), the Facility Permit holder may, pursuant to this paragraph, establish a number of violations less than that set forth in paragraph (d)(1) above. The number of violations under this paragraph shall be the number of days or portion thereof, during which any source of the subject RECLAIM pollutant operated after the Allocation was exceeded, plus one violation for each 1,000 pounds, or portion thereof, emitted in excess of the Allocation. In order to establish the number of violations under this paragraph, the Facility Permit holder shall have the burden of establishing the number of days, or such lesser period as can be established, that the cumulative facility emissions were less than the annual emission Allocation. If the Facility Permit holder is not able to establish the number of days or period during which the cumulative facility emissions were less than the annual emission Allocation, the facility shall be in violation pursuant to paragraph (d)(1) of this rule.

(3) If the average annual price of RTCs exceeds $8,000 dollars per ton then for purposes of paragraph (d)(2) of this rule, one violation per 500 pounds or portion thereof, of excess emissions shall be used in lieu of one violation per 1,000 pounds or a portion thereof, of excess emissions. The average annual price of RTCs will be the price most recently determined pursuant to Rule 2015 (b)(1)(E).

(4) For purposes of this rule, emissions from the facility shall be determined solely pursuant to methods and procedures specified in Regulation XX - Regional Clean Air Incentives Market (RECLAIM) and the Facility Permit, if applicable.

(e) Prohibition of Submission of an Inaccurate Quarterly Certification of Emissions

(1) Any Quarterly Certification of Emissions determined by the Executive Officer to be inaccurate, shall constitute a violation of this rule, unless the report was corrected by the Facility Permit holder in accordance with the requirements of paragraph (c)(1).

(2) A violation of this subdivision shall constitute a single, separate violation of this rule for each day in the quarter.

(f) Permit Requirements

(1) The Facility Permit holder shall, at all times, comply with all rules and permit conditions applicable to the facility, as specified in the Facility Permit.

(2) A person shall not build, erect or install a new source or a modification as defined in Rule 2000 - General, without first complying with Rule 201 - Permit to Construct.

(g) Emissions in Excess of a Concentration Limit

(1) In the event emissions exceed a concentration limit, as established by a source test, the days of violation shall be presumed to include the date of the source test and each and every day thereafter until the Facility Permit holder establishes that continuous compliance has been achieved, except to the extent the Facility Permit holder can prove that there were intervening days during which no violation occurred or that the violation was not continuing in nature.

(2) In the event emissions exceed a concentration limit, as established by a source test, the emissions from the source to which the concentration limit applies shall be calculated using the higher concentration for purposes of determining compliance with the facility's Allocation until the Facility Permit holder demonstrates that it is in compliance with the concentration limit set forth in the Facility Permit.

(h) Federal Requirements for the Use of Clean Fuels or Advanced Control Technology

Effective November 15, 1998, each new, modified, and existing electric utility and industrial and commercial boiler which emits more than 25 tons per year of Oxides of Nitrogen shall:

(1) burn as its primary fuel natural gas, methanol, or ethanol (or a comparably low polluting fuel); or

(2) use advanced control technology, such as catalytic control technology or other comparably effective control methods, for reduction of emissions of Oxides of Nitrogen.

For purposes of paragraph (h)(1), the term "primary fuel" means the fuel which is used 90 percent or more of the operating time. This subdivision shall not apply during any natural gas supply emergency as defined in Title III of the Natural Gas Policy Act of 1978.

(i) Breakdown Provisions

(1) Reporting Requirements

(A) The Facility Permit holder shall report any breakdown which results in:

(i) a violation of any rule or permit condition not specified in subparagraph (i)(2)(B); or

(ii) a request of excess emissions not be counted in determining compliance with the RECLAIM facility's annual allocations.

Such breakdown shall be reported by telephone, or other District-approved method to the Executive Officer within one hour of such breakdown or within one hour of the time the Facility Permit holder knew or reasonably should have known of its occurrence. Such report shall identify the time, specific location, equipment involved, responsible party to contact for further information, and to the extent known, the causes of the breakdown and the estimated time for repairs. In the case of emergencies that prevent a person from reporting all required information within the one-hour limit, the Executive Officer may extend the time for the reporting of required information provided such person has

notified the Executive Officer of the breakdown within the one-hour limit.

(B) Within seven (7) calendar days after the breakdown has been corrected, but no later than thirty (30) calendar days from the initial date of the breakdown, unless an extension has been approved in writing by the Executive Officer, the Facility Permit holder shall submit a Breakdown Emissions Report to the Executive Officer which contains all of the following:

(i) an identification of the equipment involved in causing or suspected in having caused or having been affected by the breakdown;

(ii) the duration of the breakdown;

(iii) the date of correction and information demonstrating that compliance is achieved;

(iv) an identification of the types of emissions, if any, resulting from the breakdown;

(v) a quantification of the emissions in excess of those occurring under normal operating conditions ("excess emissions"), if any, resulting from the breakdown using a District-approved method consistent with the requirements of Rules 2011 and 2012 and Appendix A for each rule;

(vi) information substantiating that the breakdown did not result from operator error, neglect or improper operation or maintenance procedures;

(vii) information substantiating that steps were immediately taken to correct the condition causing the breakdown and to minimize the emissions, if any, resulting from the breakdown;

(viii) a description of the corrective measures undertaken and/or to be undertaken to avoid such a breakdown in the future; and

(ix) pictures of the equipment which failed, if available.

(2) Compliance During Breakdown

(A) Any rule or permit condition not specified in subparagraph (i)(2)(B) shall be inapplicable to a violation directly caused by a breakdown, provided that all of the following criteria are met:

(i) the Facility Permit holder meets the reporting requirements specified in paragraph (i)(1);

(ii) the breakdown did not result from operator error, neglect, or improper operation or maintenance procedures;

(iii) steps are immediately taken to correct conditions leading to the breakdown, and emissions caused by the breakdown are mitigated to the maximum extent feasible; and

(iv) the equipment in violation is shut down by the end of an operating cycle, or within twenty-four hours from the time the Facility Permit holder knew or reasonably should have known of the breakdown, whichever is sooner.

For the purpose of this rule, an operating cycle means a period of time within which a round of regularly recurring events is completed, and cannot be stopped without the risk of endangering public safety or health, causing material damage to the equipment or product, or cannot be stopped due to technical constraints. Economic reasons alone will not be sufficient to extend this time period. The operating cycle includes batch processes that may start and finish several times within a twenty-four hour period, in which case each start to finish interval is considered a complete cycle.

(B) Subparagraph (i)(2)(A) shall not apply to the following District Regulations, Rules and permit conditions:

(i) Regulations I, IX, X, XIV, XVII, XXX, and XXXI;

(ii) Rules 402, 2004 (b), (d), (e), (j), and (l), 2011, and 2012;

(iii) any permit condition which implements any Rule or Regulation specified in clause (i) or (ii).

(C) If a violation of any rule or permit condition not specified in subparagraph (i)(2)(B) is likely or suspected as a result of a reported breakdown, the Executive Officer will promptly

investigate and determine whether the occurrence constitutes a breakdown in accordance with the criteria set forth in subparagraph (i)(2)(A). If the Executive Officer determines that the occurrence did not constitute a breakdown, no relief shall be granted under subparagraph (i)(2)(A).

(D) Equipment may be operated beyond the time limit in clause (i)(2)(A)(iv), provided that a petition for an emergency variance has been filed with the Clerk of the Hearing Board in accordance with Regulation V. In the event that the breakdown occurs or the time limit in clause (i)(2)(A)(iv) ends outside of the normal District working hours, the intent to file for an emergency variance shall be transmitted to the District in the manner and form prescribed by the Executive Officer.

(3) Excess Emissions and Annual Allocations

(A) The Facility Permit holder meeting the reporting requirements specified in paragraph (i)(1) may request that excess emissions not be counted in determining compliance with the RECLAIM facility's annual Allocation pursuant to the requirements specified in subparagraphs (i)(3)(B) or (i)(3)(C).

(B) Excess emissions occurring within the first 24 hours after the breakdown shall not be counted in determining compliance with the RECLAIM facility's annual Allocation if the Breakdown Emissions Report specified in subparagraph (i)(1)(B) contains the following additional information, and the Executive Officer approves the Breakdown Emissions Report:

(i) the names of operators of the identified equipment, their immediate supervisors, and the managers responsible for the operation and/or maintenance of the identified equipment; and

(ii) the names of any other witnesses to the breakdown, if any.

(C) Excess emissions occurring beyond the first 24 hours and up to thirty (30) calendar days after the breakdown shall not be counted in determining compliance with the RECLAIM facility's annual Allocation if the Breakdown Emissions Report specified in subparagraph (i)(1)(B) contains the additional information specified in subparagraph (i)(3)(B) and the following additional

information, and the Executive Officer approves the Breakdown Emissions Report:

(i) information substantiating that it was beyond the RECLAIM Facility Permit holder's reasonable control to correct the breakdown condition within 24 hours; and

(ii) information substantiating that the RECLAIM Facility Permit holder was unable to provide on-site offsets for the excess emissions resulting from the breakdown.

(D) The Executive Officer will notify the RECLAIM Facility Permit holder, in writing, within thirty calendar days of submission of a Breakdown Emissions Report, regarding whether the report is approved or disapproved. If approved, the notification shall specify the duration during which the excess emissions resulting from the breakdown shall not be counted in determining the RECLAIM facility's annual Allocation, and the type and amount of emissions so exempt. If the Executive Officer does not respond within thirty days, the Facility Permit holder may deem the report denied for appeal purposes.

(j) Tampering

A person shall not tamper or interfere with, alter or adjust any monitoring or other equipment used to detect the amount, concentration, rate or other characteristic of emissions emanating from any source in a RECLAIM facility in any way which conceals or disguises the type and quantity of any such emissions.

(k) Compliance Dates

The failure to comply with any requirement in this regulation within the time specified shall constitute a separate violation for each day until such requirement is satisfied.

(l) Variances

No variance may be granted from the following provisions of this regulation:

(A) any provisions which require Permits to Construct or which set forth requirements for Permits to Construct;

(B) subdivision (n) of this rule or the missing data provisions of Appendices A to Rules 2011 and 2012; and

(C) subdivisions (b) and (d) of Rule 2004, and any permit conditions which state annual Allocations.

(m) Emergencies

In the event that responses to national, regional, or local emergencies require increased emissions in excess of Department of Defense (DoD) facility Allocations, such emissions shall not be counted for purposes of determining compliance with Rule 2004 (d)(1). The DoD facility will notify the Executive Officer, in writing, within one week after the start of increased emissions caused by emergency operations as listed above.

(n) Missing Data Provisions for Recordkeeping and Reporting

(1) In the event the Executive Officer determines that the emissions data developed or reported by the Facility Permit holder are inaccurate or incomplete or not derived in the manner required by this regulation or the Facility Permit, the missing data provisions set forth in Rules 2011 and 2012, Appendices A shall be used for the purpose of calculating emissions for recordkeeping, reporting, certification, and compliance with Allocations.

(2) In the event a facility does not meet the monitoring requirements, emissions shall be determined pursuant to the missing data provisions of the applicable Rule 2011 or 2012 Appendices A for purposes of determining compliance with Rule 2004 (d)(1).

(o) Emission Mitigation Fee Program for Power Producing Facilities

(1) The mitigation fee program specified in Rule 2020 may be used through the 2004 compliance year by power producing facilities that emit greater than their annual allocations provided the facility or any facility under common ownership has not transferred or sold RTCs to any other entity (other than facilities under common ownership) or the District since January 11, 2001 for any compliance year during which the mitigation fee program is used.

(2) The Executive Officer will:

(A) deduct RTCs in accordance with paragraphs (b)(3) and (b)(4) of Rule 2010; and

(B) replace the amount of deducted RTCs on a prorated basis according to the amount of RTCs generated, but not to exceed the

original amount of RTCs deducted, no later than the compliance year during which RTCs are deducted.

(3) Notwithstanding the provisions of paragraphs (b)(3) and (b)(4) of Rule 2010, if the RTCs required to reconcile emissions pursuant to Rule 2004 (b)(1) is:

(A) less than the amount requested from the Mitigation Fee Program, then the difference between RTCs deducted from the future year allocation and RTCs required to reconcile emissions shall be refunded to the facility; or

(B) greater than the amount requested from the Mitigation Fee Program, then the facility shall be subject to the provisions of subdivision (d) of this rule, and paragraph (b)(1) and subdivisions (c) and (d) of Rule 2010, for the emissions in excess of the amount requested from the Mitigation Fee Program.

(p) RECLAIM Air Quality Investment Program (AQIP)

Emission reductions from the RECLAIM AQIP may be used through the 2004 compliance year by RECLAIM facilities that meet the definition of Structural Buyer, as defined in Rule 2000 (c)(74).

(q) Modeling Requirements

(1) If actual NOx or SOx emissions for any compliance year from a RECLAIM facility exceed its initial allocation provided by the District for that facility by forty (40) tons per year or more, the Facility Permit holder shall conduct modeling to analyze the potential impact of the increased emissions.

(2) The modeling analysis shall be submitted within 90 days of the end of the compliance year.

(3) Analysis shall be conducted for all equipment identified as a major source, as defined by Rule 2011 and Rule 2012 for the RECLAIM pollutants subject to the requirement in paragraph (q)(1), pursuant to the methodology in Rule 2005, Appendix A, consistent with applicable portions of 40 CFR Part 51, Appendix W, or other method approved by AQMD, CARB, and EPA.

(Adopted October 15, 1993) (Amended March 10, 1995)(Amended September 8, 1995)
(Amended December 7, 1995)(Amended July 12, 1996)(Amended February 14, 1997)
(Amended April 11, 1997)(Amended April 9, 1999)(Amended March 16, 2001)
(Amended May 11, 2001)(Amended December 5, 2003)(Amended January 7, 2005)
(Amended May 6, 2005) (Amended November 3, 2023)

RULE 2012 REQUIREMENTS FOR MONITORING, REPORTING, AND RECORDKEEPING FOR OXIDES OF NITROGEN (NOx) EMISSIONS

(a) Purpose

The purpose of this rule is to establish the monitoring, reporting and recordkeeping requirements for NO_X emissions under the RECLAIM program.

(b) Applicability

The provisions of this rule shall apply to any RECLAIM NO_X source or NO_X process unit. The NO_X sources and process units regulated by this rule include, but are not limited to:

Boilers	Fluid Catalytic Cracking Units
Internal Combustion Engines	Dryers
Heaters	Fume Incinerators/Afterburners
Gas Turbines	Test Cells
Furnaces	Tail Gas Units
Kilns and Calciners	Sulfuric Acid Production
Ovens	Waste Incinerators

(c) Major NO_X Source

(1) Major NO_X Source means any of the following NO_X sources, except for such NO_X sources reclassified as large NOx sources at approved Super Compliant Facilities as specified in paragraph (c)(4):

(A) any boiler, furnace, oven, dryer, heater, incinerator, test cell and any solid, liquid or gaseous fueled equipment with a maximum rated capacity:

(i) greater than or equal to 40 but less than 500 million Btu per hour and an annual heat input greater than 90 billion Btu per year; or

(ii) 500 million Btu per hour or more irrespective of annual heat input;

(B) any internal combustion engine with rated brake horsepower (bhp) greater than or equal to 1,000 bhp and operating more than 2,190 hours per year;

(c) (1) (C) any gas turbine rated greater than or equal to 2.9 megawatts excluding any emergency standby equipment or peaking unit;

(D) any petroleum refinery fluid catalytic cracking unit;

(E) any petroleum refinery tail gas unit;

(F) any kiln or calciner with a rated process weight greater than or equal to 10 tons per hour and processing more than 21,900 tons per year, except brick kilns;

(G) any equipment burning or incinerating solid fuels or materials;

(H) any existing equipment using NO_X CEMS or that is required to install CEMS under District rules to be implemented as of October 15, 1993;

(I) any NO_X source or process unit elected by the Facility Permit holder or required by the Executive Officer or designee to be monitored and to report emissions with a CEMS meeting the requirements of paragraphs (c)(2) and (c)(3);

(J) any NO_X source or process unit for which NO_X emissions reported pursuant to Rule 301 - Permit Fees, were equal to or greater than 10 tons per year for any calendar year between 1987 to 1991, inclusive, excluding NO_X sources or process units listed under subparagraphs (d)(1)(A) through (d)(1)(E), and (e)(1)(A) through (e)(1)(D) and excluding any NO_X source or process unit which has reduced NO_X emissions to below 10 tons per year prior to January 1, 1994.

(2) The Facility Permit holder of a major NO_X source shall:

(A) install, maintain and operate a direct monitoring device for each major NO_X source to continuously measure the concentration of NO_X emissions and all other applicable variables specified in Table 2012-1 and Appendix A, Chapter 2, Table 2-A; or

(B) install, maintain, and operate an alternative monitoring device which has been determined by the Executive Officer or designee to be equivalent to CEMS in relative accuracy, reliability, reproducibility and timeliness according to the requirements set forth in Appendix A, Chapter 2.

(C) The operating requirements specified in subparagraph (c)(2)(A) or (c)(2)(B) shall not apply during any time period not to exceed 96 hours provided that all of the following are met:

(i) the Facility Permit holder reports emissions as specified in Appendix A;

(c) (2) (C) (ii) the direct monitoring device has been either:

(I) shut down for maintenance performed pursuant to the facility's Quality Assurance and Quality Control Program or

(II) damaged in a fire or mechanical or electrical failure caused by circumstances beyond the Facility Permit holder's control; and

(iii) Whenever the monitoring device is non-operational for more than 24 hours, the Facility Permit holder shall submit a report to the Executive Officer within 96 hours after the device becomes non-operational. Such report shall include information as prescribed by the Executive Officer including at a minimum the cause of the shutdown, the time the monitoring device became non-operational, the time or estimated time the monitoring device returned to normal operation, and the maintenance performed or corrective and preventative actions taken to prevent future non-operational conditions.

If the source for which the CEMS is certified to monitor is not operating when the CEMS is in maintenance or being repaired, and either the flow or concentration monitor is properly operating, and clauses (c)(2)(C)(i) and (c)(2)(C)(ii) are met, then the above time period shall be extended for an additional 96 hours.

(D) If a NO_X source does not operate for a minimum of 168 consecutive hours, as demonstrated pursuant to subparagraph (c)(2)(E), the Facility Permit holder of the CEMS is not subject to the requirements of subparagraphs (c)(2)(A) and (c)(2)(B), and the emission hours are considered valid and consisting of zero value data points after zero emissions have been recorded for a minimum of 4 hours after the NO_X source shutdown, provided that the Facility Permit holder of the CEMS:

(i) Maintains the CEMS operation pursuant to subparagraphs (c)(2)(A) and (c)(2)(B) to record zero value data points for a minimum of 4 hours after the NO_X source shutdown;

(ii) Submits the report in accordance with clause (c)(2)(C)(iii);

(c) (2) (D) (iii) Resumes CEMS operation and meets the requirements of subparagraphs (c)(2)(A) and (c)(2)(B) for a minimum of 4 hours before the NO_X source resumes operation or at which time any emissions are generated; and

(iv) Passes a calibration error test for each CEMS analyzer before any emissions are detected.

(E) Demonstrating a NO_X source is not operating and no emissions are generated

(i) For a NO_X source in which fuel combustion is the only source for the CEMS monitored emissions, the Facility Permit holder of the CEMS shall meet one or more of the following provisions for the entire duration:

(I) Disconnect the fuel line to the NO_X source and place blind flange(s) to prevent fuel flow;

(II) Demonstrate there is no fuel flow to the NO_X source based on a dedicated fuel flow meter that is quality assured according to manufacturer's recommendation;

(III) Provide one or more gas bills indicating zero fuel consumption for the NO_X source or the fuel line associated with the NO_X source that is not operating; or

(IV) Demonstrate the NO_X source is not operational based on a stack flow monitoring system certified according to Appendix A, or any other monitoring system approved by the Executive Officer which shows the exhaust flow is less than the lowest quantifiable rate measurable by South Coast AQMD Methods 1-4.

(ii) For a NO_X source in which fuel combustion is not the only source for the CEMS monitored emissions, the Facility Permit holder of the CEMS shall:

(I) Request the Executive Officer's written approval of the method(s) to demonstrate that the NO_X source is not operating and no emissions are generated; and

(II) Include the above approved method(s) in the QA/QC plan.

(c) (3) The Facility Permit holder of a major NO_X source shall:

(A) install, maintain and operate a reporting device to electronically report total daily mass emissions of NO_X and daily status codes to the District Central NO_X Station for each major NO_X source. Such data shall be reported by 5:00 p.m., of the following day. If the facility experiences a power, computer, or other system failure that prohibits the reporting of total daily mass emissions of NO_X and daily status codes, the Facility Permit holder shall be granted 24 hours to submit the required report. Between July 1, 1995 and December 31, 1995, NO_X emissions after the 24-hour extension, shall be calculated using interim reporting procedures set forth in Appendix A, Chapter 2. Starting January 1, 1996 and thereafter, NO_X emissions after the 24-hour extension shall be calculated pursuant to the missing data requirements set forth in Appendix A, Chapter 2. For each major NO_X source opting to comply with subparagraph (c)(9), reports of NO_X mass emissions shall be electronically filed on a monthly instead of daily basis; and

(B) submit Monthly Emissions Reports aggregating NO_X emissions from all major sources within 15 days following the end of each calendar month. In its Monthly Emissions Report the Facility Permit holder may correct daily transmitted data for that month provided such corrections are clearly identified and justified.

(C) Notwithstanding subparagraph (c)(3)(A), starting May 11, 2001 if a power, computer, or other system failure precludes the Facility Permit holder from reporting total daily mass emissions of NO_X and daily status codes by 5:00 p.m., the Facility Permit holder shall be granted 96 hours to submit the required report provided that the raw data as obtained by the direct monitoring device is stored at the facility. NO_X emissions reported after the 96-hour extension shall be calculated pursuant to the missing data requirements set forth in Appendix A, Chapter 2. The provisions of this subparagraph shall be limited to no more than three non-consecutive occurrences per compliance year.

(D) The requirement of calculating emissions using Missing Data Procedures under subparagraph (c)(3)(A) shall not apply if the failure to report the total daily mass emissions of NO_X and daily status codes is due to a demonstrated failure at the District's Central

(c) (3) (D) Station preventing it from receiving the data. The Facility Permit holder shall submit the report within 48 hours of the demonstrated failure being corrected, provided that the raw data as obtained by the direct monitoring device is stored at the facility. NO_X emissions reported after the 48-hour extension shall be calculated pursuant to the missing data requirements set forth in Appendix A, Chapter 2.

(E) The requirement of calculating emissions using Missing Data Procedures under subparagraph (c)(3)(A) shall not apply if the NOx source is offline pursuant to subparagraph (c)(2)(D) and a Facility Permit holder is unable to report total daily mass emissions of NO_X and daily status codes by 5:00 p.m. The Facility Permit holder shall be granted 48 hours from the time the CEMS passes the calibration error test specified in clause (c)(2)(D)(iv) to submit all electronic reports required by subparagraph (c)(3)(A), subparagraph (c)(3)(B), and Appendix A, Chapter 7. NO_X emissions reported after the 48-hour extension shall be calculated pursuant to the missing data requirements set forth in Appendix A, Chapter 2.

(4) Super Compliant Facilities

(A) Facilities operating at or below their adjusted 2003 Allocation as of their 1994 compliance year.

(i) The Facility Permit holder of major NO_X sources may reclassify its major NO_X sources to large NO_X sources provided that (1) the facility's annual NO_X emissions as properly reported in its 1994 compliance year APEP report are already at or below the level of its adjusted compliance year 2003 NO_X Allocation. The adjusted compliance year 2003 NO_X Allocation shall be the compliance year 2003 NO_X Allocation as calculated pursuant to Rule 2002 subdivision (e) plus any compliance year 2003 NO_X RTCs resulting from conversion of ERCs which the Facility Permit holder had applied to own by July 1, 1994 and has continuously owned, unless such RTCs have already been accounted for in the compliance year 2003 Allocation as established pursuant to Rule 2002 subdivision (e) and (2) it submits a complete application for NO_X Super Compliant

(c) (4) (A) (i) status on or before December 2, 1996. The Executive Officer will provisionally approve for purposes of paragraph (c)(5) such application if the Facility Permit holder has retired all NO_X RTCs in excess of the facility's adjusted compliance year 2003 Allocation for each of the compliance years from the year of application submittal through the 2010 compliance year. The Facility Permit holder need not retire any RTCs (excluding converted ERCs) which are held by transfer pursuant to Rule 2007 paragraph (e)(2); however, such non-retired RTCs must be converted into RTC certificates pursuant to Rule 2007 subdivision (g), transferred to a different holder, or retired. For the purposes of this rule, converted ERCs shall mean NO_X RTCs resulting from conversion of ERCs which the Facility Permit holder had applied to own by July 1, 1994 and has continuously owned.

(ii) Final approval of NO_X Super Compliant status shall be granted if the Executive Officer or designee approves the initial source test required by subparagraph (c)(4)(C) and the facility's total annual NO_X emissions has not exceeded its adjusted compliance year 2003 Allocation.

(B) Facilities not operating at or below their adjusted 2003 Allocation as of their 1994 compliance year.

(i) On or before December 2, 1996 the facility Permit holder of major NO_X sources may submit a complete application for NO_X Super Compliant status. Such application must also include a complete application for permit modifications to install NO_X emission reduction equipment or to make any other physical modifications to substantially reduce emissions from each major NO_X source to be reclassified as a large NOx source. The Executive Officer shall deny the application for Super Compliant status unless the applicant demonstrates the proposed modifications would comply with all applicable District rules and would permanently reduce the facility's total annual NO_X emissions to a level not to exceed its adjusted compliance year 2003 NO_X Allocation as defined in clause

(c) (4) (B) (i) (c)(4)(A)(i), would not result in any increases in the mass emissions of any other air contaminant or in emissions to any other media, and would not result in any increases in receptor concentrations of any air contaminant in excess of the values identified in Table A-2 of Rule 1303;

(ii) Upon issuance of the permit to construct for the modification specified in clause (c)(4)(B)(i), the Executive Officer shall also issue a provisional approval of the facility's application for NO_X Super Compliant status for purposes of paragraph (c)(5).

(iii) Final approval of NO_X Super Compliant status shall be granted if the following provisions are met:

(I) An approved permit to operate has been issued for the modification specified in clause (c)(4)(B)(i);

(II) The facility's total annual NO_X emissions as reported in its APEP report are at a level at or below the facility's adjusted compliance year 2003 NO_X Allocation on a permanent basis no later than the facility's 1998 compliance year;

(III) The Facility Permit holder has retired all NO_X RTCs in excess of the facility's adjusted compliance year 2003 Allocation for each of the compliance years from the earlier of the facility's 1998 compliance year or the facility's first full compliance year with NO_X Super Compliant Facility status through the facility's 2010 compliance year. The Facility Permit holder need not retire any RTCs (excluding converted ERCs as defined in clause (c)(4)(A)(i) which are held by transfer pursuant to Rule 2007 paragraph (e)(2); however, such non-retired RTCs must be converted into RTC certificates pursuant to Rule 2007 subdivision (g), transferred to a different holder, or retired; and

(IV) The facility Permit holder has an approved initial source test as required under subparagraph (c)(4)(C).

(c) (4) (C) The Facility Permit holder shall have initial NO_X source tests conducted for each major NO_X source to be reclassified as a large NO_X source. The initial source tests shall be conducted pursuant to Appendix A, Chapter 5, Subdivisions A and D and shall be completed prior to January 1, 1998 for Cycle 1 facilities and prior to July 1, 1998 for Cycle 2 facilities. Additionally, the Facility Permit holder shall select an equipment-specific concentration limit for each major source which will be reclassified as a large NO_X source. For each major source which will be reclassified as a large NO_X source that operates at two or more separate and significantly distinct operating loads, the Facility Permit holder may select no more than two equipment specific concentration limits, and assign one for each different operating load. The concentration limits selected shall be consistent with the source test results and at a level adequate to allow continuous compliance and shall be enforceable through permit conditions.

(D) Requirements to maintain Super Compliant status

Super Compliant status is contingent upon the Facility Permit holder meeting at all times the following provisions:

(i) Every major NO_X source at a Super Compliant NO_X facility which is reclassified as a large NO_X source shall be source tested a minimum of once every six months in order to verify compliance with the equipment-specific concentration limit. The source test shall be conducted pursuant to Appendix A, Chapter 5, Subdivisions A, B, and D and shall constitute the basis for assigning concentration limits. These source tests shall be conducted every two calendar quarters after the initial source test. If a source test is not conducted within three months after the required date, the facility shall no longer be considered Super Compliant, unless upon good cause the Executive Officer has granted a written extension of time. If the results of a source test indicate non-compliance with the concentration limit then the Facility Permit holder shall select a new concentration limit which is consistent with the source test results unless the Facility Permit holder demonstrates to the satisfaction of the Executive Officer or designee that no

(c) (4) (D) (i) change is warranted. If all tests conducted pursuant to this paragraph over a two-year period comply with the equipment-specific concentration limit then the facility shall have the option of reducing the source test frequency to once every four quarters. If any test conducted on a four quarter cycle exceeds the concentration limit then the facility shall return to conducting source tests every two quarters.

(ii) The facility's total annual NO_X emissions, as reported in its APEP report, shall not exceed the facility's adjusted compliance year 2003 NO_X Allocation. If there are such exceedances for two consecutive years or any three years, the facility shall no longer be considered Super Compliant. NOx emissions from portable equipment used in the manufacturing of asphalt rubber binder, which is owned and operated by a person other than the Facility Permit holder and used at a Super Compliant facility for not more than 1,500 hours in any one compliance year, need not be included in the APEP report.

(5) The Facility Permit holder of a facility which is provisionally approved for NO_X Super Compliant status shall have the option for each major NOx source to be reclassified as a large NOx source, in lieu of following the procedures specified in clauses E(1)(d)(i), E(1)(d)(ii), and E(1)(d)(iii) of Appendix A Chapter 2, to monitor and report emissions pursuant to paragraph (d)(2). This option shall be available to the Facility Permit holder retroactively from July 1, 1995 if the complete application for NO_X Super Compliant status is submitted on or before January 2, 1996, or retroactively from the date of application submittal if the complete application is submitted after January 2 and before December 3, 1996. If the facility is unsuccessful at obtaining designation as a NO_X Super Compliant Facility then the procedures specified in clauses E(1)(d)(i), E(1)(d)(ii), and E(1)(d)(iii) of Appendix A Chapter 2 shall apply retroactively to each major NOx source reclassified as a large NOx source for which NO_X emissions had been calculated pursuant to paragraph (d)(2) from the date the facility began monitoring and reporting major NO_X source emissions as large NO_X source emissions to the date a CEMS is installed and certified.

(c) (6) After final approval of Super Compliant status, a Facility Permit holder may elect to discontinue its Super Compliant status and increase its annual Allocations above the level of its adjusted compliance year 2003 Allocation provided it first meets all of the following requirements:

(A) The Facility Permit holder submits an application to discontinue NO_X Super Compliant status and to have all sources at the facility that were reclassified from major NO_X sources to large NO_X sources pursuant to paragraph (c)(4) permanently revert back to major NO_X sources;

(B) The Facility Permit holder installs, operates, and certifies in compliance with Rule 2012 paragraphs (c)(2) and (c)(3) monitoring and reporting systems on each source at the facility that was reclassified from a major NO_X source to a large NO_X source pursuant to paragraph (c)(4); and

(C) The Facility Permit holder acquires, pursuant to Rule 2007, sufficient RTCs to ensure that the facility continuously operates in compliance with Rule 2004 subdivision (d).

(7) If a facility designated as a NO_X Super Compliant Facility pursuant to paragraph (c)(4) exceeds its adjusted compliance year 2003 NO_X Allocation, then the facility shall acquire, pursuant to Rule 2007, sufficient RTCs to cover such exceedance and shall be considered in violation of Rule 2004(d)(1).

(8) If the Executive Officer determines that a facility designated as a NO_X Super Compliant Facility exceeds its adjusted compliance year 2003 NO_X Allocation for two consecutive years or any three years, then that facility shall no longer be considered Super Compliant. If a facility loses its Super Compliant status pursuant to this paragraph or subparagraph (c)(4)(D), all sources at the facility that were reclassified from major NO_X sources to large NO_X sources pursuant to paragraph (c)(4) shall permanently revert back to major NO_X sources and shall become subject to the monitoring and reporting requirements of paragraphs (c)(2) and (c)(3) according to the following schedule:

(A) Within one month from the end of the compliance year, submit a monitoring, reporting, and recordkeeping plan specifying the use of CEMS;

(c) (8) (B) During the shorter of the first twelve months from the end of the compliance year or until the facility complies with paragraphs (c)(2) and (c)(3), the Facility Permit holder shall comply with the monitoring requirements of paragraph (h)(3) of this rule; and

(C) Within one year from the end of the compliance year, comply with paragraphs (c)(2) and (c)(3) and have appropriate direct monitoring equipment installed and certified pursuant to Appendix A.

(9) Non-Operated Major NOx Source

Subparagraphs (c)(2)(A) and (c)(2)(B) shall not apply to a major NOx source if the Facility Permit holder complies with the following requirements.

(A) The Facility Permit holder submits an application for each major NOx source to classify such source to be a non-operated major NOx source, demonstrating to the satisfaction of the Executive Officer that such source will not be operated in the current or next compliance year, and receives written approval from the Executive Officer. The Executive Officer shall further not approve an application to classify a major source to be a non-operated major NOx source if such source had previously been classified as a non-operated source for any time during the 18 calendar months prior to the filing date of the application.

(B) The Facility Permit holder accepts and complies with all permit conditions imposed to ensure compliance with subparagraph (c)(9)(C) and (c)(9)(D).

(C) The Facility Permit holder shall comply with the requirements under either subclause (i) or (ii):

(i) The Facility Permit holder shall:

(I) disconnect fuel feed lines and place flanges at both ends of the disconnected lines, and

(II) render the source non-operational by either disconnecting the process feed lines and place flanges at both ends of the disconnected lines or

(II) removing a major component of the source necessary for its operation.

(ii) The Facility Permit holder shall monitor the source with an operating CEMS that was certified to monitor emissions from that source in accordance with District Rule 218 -

(c) (9) (C) (ii) Stack Monitoring, Rule 1135 - Emissions of Oxides of Nitrogen from Electric Power Generating Systems, or Rule 2012 and Appendix A and maintain records demonstrating the source's non-operational status as required by the applicable rule.

(D) A source, which has been approved as a non-operated source pursuant to paragraph (c)(9), shall not be operated until the following requirements are met:

(i) The Facility Permit holder shall provide written notification to the Executive Officer that the source will be operated. The notification shall be made no less than 30 days prior to starting operation of the source.

(ii) The source meets the requirements of subparagraph (c)(2)(A) or (c)(2)(B) no later than 30 days after the start of operation except as provided under paragraph (c)(10). Until the source meets the requirements of subparagraph (c)(2)(A) or (c)(2)(B), emissions shall be determined pursuant to the Missing Data Procedures as specified under Rule 2012, Appendix A, Chapter 2, Subdivision E.

(10) A non-operated major NOx source qualifies for a one-time only CEMS certification period if:

(A) the source has never been monitored by a RECLAIM certified CEMS since October 15, 1993, and

(B) the source has been in compliance with paragraph (c)(9) during the 12 months prior to the date the source was operated.

This one-time only CEMS certification period shall commence on the first day of any operation in any compliance year and ends on the date the CEMS is certified or 12 calendar months from the first day of operation, whichever date is earlier. By the end of this CEMS certification period, the Facility Permit holder shall install, operate, and maintain all required monitoring, reporting, and recordkeeping systems. During this CEMS certification period, the Facility Permit holder shall comply with the monitoring, reporting, and recordkeeping requirements of paragraphs (h)(2) and (h)(3).

(11) If an approved non-operated major NOx source fails to meets the requirements of the paragraph (c)(9) that source shall no longer be considered a non-operated major NOx source, and the facility permit

(c) (11) holder of the source shall be considered in violation for each day from the start of the compliance year and emissions shall be determined as if the source had been operating from the start of the compliance year according to Missing Data Procedures as specified under Rule 2012, Appendix A, Chapter 2, clause (E)(1)(d)(iii), except for those days in which the Facility Permit holder can conclusively prove that the source has not been operated.

(d) Large NO_X Source

(1) Large NO_X Source is any one of the following NO_X emitting equipment:

(A) any boiler, furnace, oven, dryer, heater, incinerator, test cell and any liquid or gaseous fueled equipment with a maximum rated capacity:

(i) greater than or equal to 40 but less than 500 million Btu per hour and an annual heat input of 90 billion Btu per year or less; or

(ii) greater than or equal to 10 but less than 40 million Btu per hour and an annual heat input greater than 23 billion Btu per year.

(B) any internal combustion engine with rated brake horsepower:

(i) greater than or equal to 1,000 bhp and operating 2,190 hours per year or less; or

(ii) greater than or equal to 200 but less than 1,000 bhp and operating more than 2,190 hours per year;

(C) any gas turbine rated greater than or equal to 0.2 but less than 2.9 megawatts, excluding any emergency standby equipment or peaking unit;

(D) any kiln or calciner with rated process weight less than 10 tons per hour or processing less than 21,900 tons per year;

(E) any sulfuric acid production unit;

(F) any source at a Super Compliant Facility subject to, and meeting, the requirements of paragraph (c)(4) and which would otherwise be a major NO_X source.;

(G) any NO_X source or process unit elected by the Facility Permit holder or required by the Executive Officer to be monitored with a CPMS;

(H) any NO_X source or process unit for which NO_X emissions reported pursuant to Rule 301 - Permit Fees, were equal to or greater than 4 tons per year but less than 10 tons per year for any calendar year

(d) (1) (H) from 1987 to 1991, inclusive, excluding NO_X sources or process units listed under subparagraphs (c)(1)(A) through (c)(1)(H), and (e)(1)(A) through (e)(1)(D).

(2) The Facility Permit holder of a large NO_X source shall comply with either paragraphs (c)(2) and (c)(3); or (c)(2), (d)(2)(B) and Appendix A, Chapter 3, Subdivision K for any large source; or elect to comply with the following:

(A) install, maintain and operate a totalizing fuel meter and any other device specified by the Executive Officer or designee as necessary to determine monthly fuel usage, and all other applicable variables specified in Appendix A, Chapter 3, Table 3-A; and

(B) install, maintain and operate a modem or any reporting device approved by the Executive Officer or designee to be equivalent in accuracy, reliability, and timeliness, or use the District Internet Web Site to report total monthly mass emissions of NO_X to the District Central NO_X Station for each large NO_X source. Such data shall be reported within 15 days following the end of each calendar month; and

(C) accept the emission factor, equipment-specific emission rate or concentration limit, as specified pursuant to subdivision (f) in the Facility Permit, as the sole method for determining mass emissions for all purposes, including, but not limited to, determining:

(i) compliance with the annual Allocations;

(ii) excess emissions;

(iii) the amount of penalties; and

(iv) fees; and

(D) monitor one or more measured variables as specified in Appendix A in order to ensure the applicability and accuracy of any equipment-specific emission rate specified in the Facility Permit; and

(E) comply with all applicable provisions of subdivision (f).

(e) NO_X Process Unit

(1) NO_X Process Unit means any piece of the following NO_X emitting equipment:

(A) any boiler, furnace, oven, dryer, heater, incinerator, test cell and any liquid- or gaseous-fueled equipment with maximum rated capacity:

(e) (1) (A) (i) greater than or equal to 10 but less than 40 million Btu per hour and an annual heat input of 23 billion Btu per year or less;

(ii) greater than 2 but less than 10 million Btu per hour; or

(iii) less than or equal to 2 million BTU per hour if the equipment is subject to permit requirements.

(B) any internal combustion engine with rated brake horsepower:

(i) greater than or equal to 200 but less than 1,000 bhp and operating 2,190 hours per year or less;

(ii) greater than 50 but less than 200 bhp; or

(iii) less than or equal to 50 bhp if the equipment is subject to permit requirements.

(C) any portable combustion equipment which is not a major or large source;

(D) any emergency standby equipment or peaking unit ;

(E) any other NO_X source that is not a large or major NO_X source or equipment designated in Rule 219 - Equipment Not Requiring a Written Permit Pursuant to Regulation II.

(2) The Facility Permit holder of a NO_X process unit shall comply with paragraph (c)(2), and (c)(3), or paragraph (d)(2), for any process unit, or elect to comply with the following:

(A) install, maintain and operate a totalizing fuel meter and/or timer or any device approved by the Executive Officer or designee to be equivalent in accuracy, reliability, reproducibility, and timeliness for the NO_X process unit, to measure quarterly fuel usage or other applicable variables specified in Table 2012-1, and Appendix A, Chapter 4, Table 4-A; and

(B) report quarterly mass emissions of NO_X to the District Central Station 30 days after the end of each of the first three quarters and 60 days after the last quarter of a compliance year for each process unit using a modem, the District Internet Web Site or any reporting device approved by the Executive Officer to be equivalent in accuracy, reliability, and timeliness; and

(C) accept the emission factor, concentration limit, or equipment-specific or category-specific emission rate, as specified pursuant to subdivision (f) of this Rule and in the Facility Permit, as the sole

(e) (2) (C) method for determining mass emissions for all purposes, including, but not limited to, determining:

(i) compliance with the annual Allocations;

(ii) excess emissions;

(iii) the amount of penalties; and

(iv) fees; and

(D) comply with all applicable provisions of subdivision (f).

(E) Facility Permit holders that opt for a concentration limit in Subparagraph (e)(2)(C) for a process unit shall comply at all times with that NO_X concentration limit in ppm measured over any continuous 60 minutes as specified in the Facility Permit for that source.

(f) Permit Conditions for Large Sources and Process Units

(1) Starting January 1, 1994 for Cycle 1 facilities and starting July 1, 1994 for Cycle 2 facilities, calculations of mass emissions from each large source or process unit shall be based upon the emission factor specified in Rule 2002 - Allocations for Oxides of Nitrogen (NO_X) and Oxides of Sulfur (SO_X). The emission factor for each large source or process unit will be specified in the Facility Permit, and will remain valid unless amended by the Executive Officer pursuant to paragraphs (f)(2), (f)(3) or (f)(4).

(2) On and after January 1, 1995 for Cycle 1 facilities and July 1, 1995 for Cycle 2 facilities, the Facility Permit holder of a large source shall:

(A) comply at all times with an equipment-specific NO_X concentration limit in ppm measured over any continuous 60 minutes as specified in the Facility Permit for that source; according to the requirements specified in Appendix A, Chapter 3 (large sources); or

(B) establish an equipment-specific emission rate that is reliable, accurate and representative of that source's emissions, according to the requirements specified in Appendix A, Chapter 5.

(3) A Facility Permit holder may apply to the Executive Officer or designee to amend the concentration limit or equipment-specific emission rate for a large source, or to amend the emission factor to a concentration limit, equipment-specific emission rate, or category-specific emission rate for a process unit, in the Facility Permit, at any time. If the applicant demonstrates to the Executive Officer or designee that the equipment-specific or category-specific emission rate is reliable, accurate and representative for the purpose of calculating NO_X emissions, the Executive

(f) (3) Officer or designee will amend the Facility Permit to incorporate the equipment-specific or category-specific emission rate. No demonstration will be required to amend the Facility Permit to incorporate the alternative concentration limit, provided the large source or process unit complies with that limit in ppm over any continuous 60 minutes. The alternative concentration limit or equipment-specific emission rate for a large source, and the concentration limit, equipment-specific emission rate, or category-specific emission rate for a process unit, shall take effect prospectively from the date the Facility Permit is amended.

(4) The Executive Officer or designee may amend the Facility Permit at any time to specify a concentration limit or an equipment-specific emission rate for a large source, or a concentration limit, equipment-specific emission rate, or category-specific emission rate for a process unit, if the concentration limit, equipment-specific emission rate, or category-specific emission rate is determined to be more reliable, accurate, or representative of that source's or unit's emissions than the previous emission factor, or concentration limit or emission rate specified in the Facility Permit. The alternative concentration limit or equipment-specific emission rate for a large source, or concentration limit, equipment-specific emission rate or category-specific emission rate for a process unit shall take effect prospectively from the date the Facility Permit is amended.

(g) General Requirements

(1) A Facility Permit holder shall at all times comply with all requirements specified in subdivisions (c), (d), (e), (f), (g), (h), and (i) for monitoring, reporting and recordkeeping, including but not limited to, measuring, reporting, time-sharing, determining mass emissions, and installing, maintaining or operating monitoring, measuring and reporting devices, in accordance with the applicable requirements set forth in Appendix A.

(2) The monitoring system and the applicable method for determination of mass emissions for each NO_X source or process unit will be specified in the Facility Permit, in accordance with the applicable requirements set forth in Appendix A.

(3) The time-sharing of CEMS among NO_X sources may be allowed by the Executive Officer or designee in accordance with the requirements for time-sharing specified in Appendix A. In such cases, the Executive Officer or designee will specify conditions in the Facility Permit upon which time-sharing may occur.

(g) (4) Any monitoring system certified prior to October 15, 1993 requiring a change to its full scale span range in order to meet the certification requirements set forth in Appendix A, shall be recertified by the Executive Officer or designee in accordance with the recertification requirements specified in Chapter 2, Section B.16, in Appendix A.

(5) The Executive Officer or designee may at any time require a Facility Permit holder to use a specific monitoring and reporting system if it is determined that the elected system is inadequate to accurately determine mass emissions.

(6) The sharing of totalizing fuel meters may be allowed by the Executive Officer or designee if the fuel meter serves large sources or process units which have the same emission factor or concentration limit or emission rate. The sharing of totalizing fuel meters shall not be allowed:

(A) if the fuel meters measure annual heat input as specified in clauses (d)(1)(A)(i) and (e)(1)(A)(i); or

(B) between large sources and process units.

(7) A Facility Permit holder of any NO_X source, process unit, or piece of equipment which is exempt from permit requirements pursuant to Rule 219 - Equipment Not Requiring A Written Permit Pursuant to Regulation II, shall determine NO_X emissions according to the methodology specified in Appendix A. Process units or equipment exempt from permit requirements pursuant to Rule 219 shall report such NO_X emissions in the Quarterly Certification of Emissions required by Rule 2004 - Requirements. Emissions from equipment exempt from permit requirements pursuant to Rule 219 shall also be reported quarterly to the District Central Station by the end of the quarterly reconciliation period as specified under Rule 2004(b) – Compliance Period and Certification of emissions. Alternatively, these emissions may be reported using the District Internet Web Site.

(8) A Facility Permit holder shall at all times comply with all applicable requirements specified in this rule and Appendix A for monitoring, reporting and recordkeeping of operations of RECLAIM NOx sources that are not included in the Facility Permit so as to determine and report to the District Central Station the quarterly emissions from these sources by the end of the quarterly reconciliation period as specified under Rule 2004(b). These sources may include, but are not limited to, rental equipment, equipment operated by contractors, and equipment operated under a

(g) (8) temporary permit or without a District permit. In addition, the Facility Permit holder shall include emissions from these sources in the Quarterly Certification of Emissions required by Rule 2004.

(h) Compliance Schedule

(1) Facilities with existing CEMS and fuel meters as of October 15, 1993 shall continue to follow recording and reporting procedures required by District rules and regulations in effect immediately prior to October 15, 1993, until December 31, 1994 for Cycle 1 facilities and June 30, 1995 for Cycle 2 facilities.

(2) Between January 1, 1994 and December 31, 1994 for Cycle 1 facilities and between July 1, 1994 and June 30, 1995 for Cycle 2 facilities, interim emission reports shall be submitted to the District by the Facility Permit holder. The interim reports shall comply with all of the requirements of this rule and Appendix A, except that the reporting frequency shall be monthly for major and large sources and quarterly for process units. Such reports shall be submitted by the fifteenth (15^{th}) day of each month for major and large sources and as specified in paragraph (b)(2) of Rule 2004 - Requirements, for process units.

(3) A Facility Permit holder shall install, maintain and operate a totalizing fuel meter for each major source and a totalizing fuel meter and/or timer or any device approved by the Executive Officer or designee to be equivalent in accuracy, reliability, reproducibility, and timeliness for each large source or process unit by January 1, 1994 for Cycle 1 facilities and July 1, 1994 for Cycle 2 facilities, except that sharing of such devices may be allowed pursuant to paragraph (g)(6).

(4) All required or elected monitoring and reporting systems specified in subdivisions (c), (d), (e), (f), and (g) shall be installed no later than December 31, 1994 for Cycle 1 facilities and June 30, 1995 for Cycle 2 facilities. Monitoring, Reporting, and Recordkeeping (MRR) Forms will be provided by the Executive Officer or designee by November 15, 1993

(4) for Cycle 1 facilities and April 15, 1994 for Cycle 2 facilities. The information required on such MRR forms shall be submitted no later than December 31, 1993 for Cycle 1 facilities and June 30, 1994 for Cycle 2 facilities.

(5) The Facility Permit holder of an existing or new facility which elects to enter RECLAIM or a facility which is required to enter RECLAIM shall install all required or elected monitoring, reporting and recordkeeping

(h) (5) systems no later than 12 months after entry into RECLAIM. During the 12 months prior to the installation of the required or elected monitoring, reporting and recordkeeping systems the Facility Permit holder shall comply with the monitoring reporting, and recordkeeping requirements of paragraphs (h)(2) and (h)(3) of this rule.

(6) The Facility Permit holder which installs a new major NOx source at an existing facility shall install, operate, and maintain all required or elected monitoring, reporting and recordkeeping systems no later than 12 months after the initial start up of the major NOx source. During the interim period between the initial start up of the major NOx source and the provisional certification date of the CEMS, the Facility Permit holder shall comply with the monitoring requirements of paragraph (h)(2) and (h)(3) of this rule.

(i) Recordkeeping

The Facility Permit holder of a major or large NO_X source or NO_X process unit shall maintain all data required to be gathered, computed or reported pursuant to this rule and Appendix A for three years after each APEP report is submitted to the District except that all data gathered or computed for intervals of less than 15 minutes shall be maintained for a minimum of 48 hours. The Facility Permit holder of a major NOx source which is required to comply with 40 CFR Part 75 may instead opt to comply with the applicable recordkeeping requirements under 40 CFR Part 75. All records shall be made available to the District staff upon request.

(j) Source Testing

(1) All required source testing shall comply with applicable District Source Test Methods 1.1, 1.2, 2.1, 2.2, 2.3, 3.1, 4.1, 7.1, 100.1, and EPA Method 19.

(2) Every large NO_X source shall be source tested no later than December 31, 1996 for Cycle 1 facilities and June 30, 1997 for Cycle 2 facilities, and subsequently tested within every three-year period thereafter. Any source test conducted to satisfy this requirement must be conducted at least 12 months following the tests submitted to satisfy the previous three-year period. Such source test results shall be submitted to the District within 60 days of the date the source test was conducted. In lieu of submitting the first source test report, the Facility Permit holder may submit the results of a source test not more than three years old which meets applicable

(j) (2) requirements of this rule when conducted. If a large source has not been operated within the same quarter of the date a source test is required, the source test may be conducted by the end of seven consecutive days or 15 cumulative days of resumed operation. The Facility Permit holder shall keep daily records to demonstrate that the large source had not been operated for the three month period and upon resumption of operation the Facility Permit holder shall keep records of each day operated until the required test. The source testing requirement does not apply to large sources which comply with paragraphs (c)(2) and (c)(3), or paragraphs (c)(2), (d)(2)(B), and Appendix A, Chapter 3, Subdivision K.

(3) An equipment-specific emission rate or category-specific emission rate for process units shall comply with source testing guidelines to be established by the Executive Officer or designee by March 31, 1994.

(4) Every process unit that is approved by the Executive Officer to use a concentration limit for emission reporting shall be source tested every five-year period, with the first five-year period ending on December 31, 2004 for Cycle 1 facilities and June 30, 2005 for Cycle 2 facilities. The compliance date for the first source test shall be within 12 months of the approval of the concentration limit by the Executive Officer but, no later than the last day of the five-year period in which the use of a concentration limit is approved by the Executive Officer. Any source test conducted to satisfy this requirement must be conducted at least 12 months following the tests submitted to satisfy the previous five-year period. Such source test results shall be submitted to the District within 60 days of the date the source test was conducted. If a process unit has not been operated within the prior quarter of the date a source test is required, the source test may be conducted by the end of either seven consecutive days or 15 cumulative days of resumed operation. The Facility Permit holder shall keep daily records to demonstrate that the process unit had not been operated for the three month period and upon resumption of operation the Facility Permit holder shall keep records of each day operated until the required test. Test firings of emergency standby equipment, which are less than 60 minutes in duration, are not considered operation for the purposes of these source test requirements so long as such test firings are done to verify availability of the unit for their intended use and once such test firings are completed the units are shutdown. Records of the date and duration when the unit is

(j) (4) test fired shall be maintained for a period of three years, and shall be made accessible to the Executive Officer upon request.

(k) Exemption

The provisions of this rule shall not apply to gas flares.

(l) Appeals

The Facility Permit holder of a facility which has established Super Compliant status shall have a maximum of ten calendar days from the receipt of notification that the facility is no longer Super Compliant in which to file an appeal of such finding to the District Hearing Board in accordance with the requirements of Rule 216.

(m) Appendix A

All provisions of Appendix A are incorporated herein by reference.

Attachment: Appendix A - "Protocol for Monitoring, Reporting and Recordkeeping for Oxides of Nitrogen (NO_X) Emissions."

Table 2012-1

MEASURED VARIABLES AND REPORTED DATA FOR NO_X SOURCES

NO_X SOURCES	MEASURED VARIABLES	RECORDING FREQUENCY	REPORTED DATA	TRANSMITTING/ REPORTING FREQUENCY
All sources subject to Paragraphs (c)(2) and (c)(3)	Stack NO_X concentration, Exhaust flow rate, and Status codes OR Stack NO_X concentration, Stack O_2 concentration, Fuel flow rate, and Status codes	Once every 15 minutes	Total daily mass emissions from each source Daily status codes	Once a day for transmitting/ once a month for reporting
Large sources subject to Paragraph (d)(2)	Fuel usage OR Exhaust flow rate (for systems with stack flow monitors)	Monthly	Total Monthly mass emissions from each source	Once a month for reporting

NO_X Process units subject to Paragraph (e)(2)	Fuel usage OR Exhaust flow rate (for sources with stack flow monitors) OR Operating time and Production/ Processing/Feed rate (for sources permitted with emission rates corresponding to the measured variable)	Quarterly	Total quarterly mass emissions	Once a quarter for reporting

(Adopted October 8, 1993)(Amended August 11, 1995)
(Amended November 14, 1997)(Amended November 5, 2010)
(Amended January 10, 2025)

RULE 3002. REQUIREMENTS

(a) Requirement for Title V Permit

(1) A person shall not construct, modify, relocate, or operate a Title V facility, or equipment located at a Title V facility, without first obtaining a Title V permit or permit revision that allows such construction, modification, relocation or operation, except for:

(A) Equipment exempted from permitting requirements pursuant to Rule 219 - Equipment Not Requiring a Written Permit Pursuant to Regulation II;

(B) Operation of equipment or a facility pursuant to the application shield provisions of subdivision (b) of this rule; and,

(C) Construction, modification, relocation and operation of equipment or a facility authorized by a non-Title V permit issued by the Executive Officer. The Executive Officer may issue a non-Title V permit to existing Phase One or Phase Two facilities that apply for a non-Title V permit prior to the issuance of their initial Title V permit.

(2) On and after January 2, 2011, applicable requirements for greenhouse gases shall be included in Title V permits for any facility that is otherwise required, after that date, to obtain a new, renewed, or revised Title V permit pursuant to paragraph (a)(1) of this rule.

(b) Application Shield

Notwithstanding subdivision (a) of this rule, it is not a violation of this rule to operate a Title V facility or equipment located at a Title V facility without a Title V permit, provided that:

(1) A timely and complete application for initial Title V permit issuance or Title V permit renewal for such facility or equipment has been filed with the Executive Officer; and

(2) The Executive Officer has not taken final action on the application.

For the purpose of an application shield, a timely and complete application is one that has been submitted in accordance with subdivisions (a) and (c) of Rule 3003. The application shield shall not apply if the permit applicant has failed to submit information required pursuant to subdivision (d) of this rule.

(c) Duty to Comply

(1) A person shall construct and operate a Title V facility and all equipment located at a Title V facility in compliance with all terms, requirements, and conditions specified in the Title V permit at all times.

(2) Any non-compliance with a Title V facility permit term, requirement, or condition is a violation of Regulation XXX and is a violation of the federal Clean Air Act if the permit term, requirement or condition is federally enforceable. Each day during any portion of which a violation occurs is a separate offense. Any non-compliance shall be grounds for:

(A) enforcement action (under the California Health & Safety Code and the federal Clean Air Act);

(B) permit termination;

(C) permit revocation and reissuance;

(D) permit revision; and

(E) denial of a permit renewal or revision application.

(3) It shall not be a defense for a person in any of the actions listed in paragraph (c)(2) of this rule that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

(4) A permit may be revised, revoked, reopened and reissued, or terminated for cause as provided in Rule 3004 - Permit Types and Content, and Rule 3005 - Permit Revisions. The filing of a request by the holder of a Title V permit, for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated non-compliance does not stay any permit condition.

(d) Duty to Provide Timely Information

An applicant for, or holder of, a Title V permit shall furnish to the Executive Officer within a reasonable time, as specified by the Executive Officer in writing, any information that the Executive Officer requests in writing to process a permit application or to determine whether cause exists for revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit.

(e) Duty to Provide Records

A holder of a Title V permit shall furnish to the Executive Officer within a reasonable time, as specified by the Executive Officer in writing, copies of records that are required, by the permit, to be kept. Copies of information claimed to be confidential shall be submitted in

a form segregated from other information, conspicuously marked "confidential" on each page, with a concise identification of the basis for the claim.

(f) Duty to Pay Fees

(1) The applicant for, or holder of, a Title V permit shall pay all required fees as specified in Regulation III - Permit Fees.

(2) Failure to pay fees in compliance with paragraph (f)(1) of this rule shall be grounds for permit expiration or revocation of the subject permit(s).