

Regulation Summary for Agricultural Sources

Federal requirements are contained in the San Luis Obispo County portion of the California State Implementation Plan (SIP) and in the Federal Code of Regulations (CFR). Federal requirements are only enforced through a Title V permit. The full text of the federal rules summarized below can be found at <http://www.epa.gov/region9/air/sips/>.

The APCD's requirements are contained in the book of Rules and Regulations. APCD requirements are enforced through a Title V permit, if one is issued, or through an APCD permit. The full text of the APCD rules summarized below can be found at <http://www.arb.ca.gov/drdb/drdb.htm>. If an agricultural operation is exempt from both a Title V permit and an APCD permit, the following requirements still apply. If you have any questions regarding these requirements, contact David Dixon at 805-781-5912.

A. Federal Requirements

1. SIP-Rule 401, Visible Emissions: Section A - visible emissions shall not exceed 40% opacity or Ringlemann No. 2 for more than three (3) minutes in any hour.
2. SIP-Rule 113, Particulate Matter Emission Standards:
 - Section 1 - particulate matter emissions from non-mobile equipment shall not exceed 0.3 grains per standard cubic foot of gas.
 - Section 2 - excluding fugitive dust, particulate matter emissions from non-mobile equipment shall not exceed that amount in pounds per hour allowed in the below table based on process rate.
 - Section 4 - combustion contaminants from non-mobile equipment shall not exceed 0.3 grains per standard cubic foot of gas corrected to 3% oxygen on a wet basis.

Process Weight in pounds per hour	Maximum Emissions in pounds per hour	Process Weight in Pounds per hour	Maximum Emissions in pounds per hour	Process Weight in Pounds per hour	Maximum Emissions in pounds per hour
50	0.24	1700	3.79	9000	9.36
100	0.46	1800	3.91	9500	9.67
200	0.85	1900	4.03	10000	10.0
300	1.20	2000	4.14	11000	10.63
400	1.50	2500	4.64	12000	11.28
500	1.77	3000	5.10	13000	11.89
600	2.01	3500	5.52	14000	12.5
700	2.24	4000	5.93	15000	13.13
800	2.43	4500	6.30	16000	13.74
900	2.62	5000	6.67	17000	14.36
1000	2.80	5500	7.03	18000	14.97
1100	2.97	6000	7.37	19000	15.58
1200	3.12	6500	7.71	20000	16.19
1300	3.26	7000	8.05	30000	22.22
1400	3.40	7500	8.39	40000	28.3
1500	3.54	8000	8.71	50000	34.3
1600	3.66	8500	9.03	60000 or more	40.0

3. SIP-Rule 114, Gaseous Contaminants: Section 1.a - sulfur compound emissions shall not exceed 0.2% by volume, calculated as sulfur dioxide.

4. SIP-Rule 404, Sulfur Compound Emission Standards: Section E.1 - liquid fuel shall not contain more than 0.5% sulfur by weight and gaseous fuel shall not contain more than 50 grains of sulfur compounds per 100 cubic foot of gas, by weight and calculated as hydrogen sulfide.
5. SIP-Rule 407, Organic Material Emission Standards:
 - Section C.1.a - The transfer of gasoline into a storage tank shall utilize a permanently installed submerged fill pipe that discharges within six (6) inches of the tank's bottom.
 - Section H.2 - metal surface coatings shall not be thinned or reduced with photochemically reactive solvents, where:

"Photochemically reactive solvent" is any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of solvent:

- (1) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones, having an olefinic or cycloolefinic type of unsaturation: 5 percent;
 - (2) A combination of aromatic compounds with 8 or more carbon atoms to the molecule, except ethylbenzene: 8 percent;
 - (3) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent. Whenever any organic solvent or any constituent of any organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, i.e. that group having the least allowable percent of the total volume of solvents. The percentage composition of chemical compounds in photochemically reactive solvents may be determined using ASTM Method E-168-67, E-169-87, or E-260-85.
6. SIP-Rule 407, Organic Material Emission Standards: Section H.3 - architectural coatings, which are purchased in containers of one (1) quart capacity or larger, shall not contain photochemically reactive solvents nor shall they be thinned or reduced with photochemically reactive solvents.
 7. SIP-Rule 409, Orchard or Citrus Grove Heaters: Orchard heaters shall be CARB approved.
 8. SIP-Rule 502, Agricultural Burning:
 - A.1 - An Ag burn permit is required.
 - A.3 - The Ag Commissioner must authorize burning for the purposes of disease and pest prevention.
 - B.1, I, and 117.4.a - Burns may only be conducted on designated burn days.
 - B.2 - Burn material shall not include: shop wastes, construction or demolition debris, oil filters, tires, tar paper, plastic, buildings, wastes resulting from conversion of farm land to non-agricultural purposes, or anything not conforming to the definitions of agricultural waste, range improvement burning, forest management burning.
 - C.1 - Ag waste shall be reasonably free of dirt and soil, and shall be reasonably free of visible surface moisture.
 - C.2 - Ag waste shall be arranged so as to burn with a minimum of smoke, or shall be loosely piled or windrowed to allow maximum drying prior to burning.
 - D.1 - Any materials to be burned as agricultural waste must be dried prior to burning for the minimum periods listed below:
 - Six (6) weeks for trees and large branches;

- Three (3) weeks for prunings and small branches;
 - Ten (10) days for wastes from field crops.
 - These periods shall be the time between day of dying or cutting and the day of burning.
 - F - Ag burning may commence at any time after the ARB's burn-day announcement but not before sunrise. No additional waste added to any fire after two hours before sunset.
 - 117.h - The wind direction at the burning site shall be such that the smoke will not cause a nuisance in a populated area.
 - H.1 - Burn materials shall only be ignited by an APCO approved ignition devices. Tires, tarpaper, plastics, dirty oils, or similar materials shall not be used.
 - H.2 - Ag burns shall be ignited as rapidly as practicable within applicable fire control restrictions.
9. 40CFR82, Stratospheric Ozone: If you maintain your own refrigeration and air conditioning equipment, you must comply with the standards for Recycling and Emissions Reduction pursuant to 40CFR82, Subpart F. If you maintain your own motor vehicle air conditioners (MVAC), you must comply with the standards for Servicing of MVAC pursuant to all the applicable requirements in 40CFRPart 82, Subpart B.
10. 40CFR61, Subpart M, Asbestos NESHAP: Any owner or operator of a demolition or renovation activity, as defined in 40CFR61.141, must comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40CFR61.145 (Standard for Demolition and Renovation).

B. APCD Requirements

1. Rule 204, Requirements (also known as New Source Review):
- Section A.1 - New or modified sources must use Reasonable Available Control Technology (RACT) if the emission unit's potential to emit is less than 25 pounds per day and Best Available Control Technology if it's potential to emit is 25 pounds per day or more.
 - Section B.1 - New or modified sources must provide emission offsets (emission reductions) if the emission unit's potential to emit is 25 tons per year or more.
2. Rule 401, Visible Emissions: Section B.4 - exempts agricultural operations in the growing of crops or raising of animals from the 40% opacity requirement of this rule.
3. Rule 403, Particulate Matter Emission Standards:
- Section A - same as federal SIP-Rule 113.1 above.
 - Section B - same as federal SIP-Rule 113.2 above.
 - Section C.1 - combustion contaminants from non-mobile equipment shall not exceed 0.3 grains per standard cubic foot of gas corrected to 12% CO₂.
4. Rule 404, Sulfur Compound Emission Standards:
- Section A - same as federal SIP-Rule 114.1.a above.
 - Section E.1 - same as federal SIP-Rule 404.E.1 above.

5. Rule 424, Storage and Transfer of Gasoline: Section D.1 - same as federal SIP-Rule 407.C.1.a above.
6. Rule 433, Architectural Coatings: Emission limits are expressed in terms of an allowed volatile organic compound (VOC) content of listed coatings. These requirements are applied at the coating manufacture level, so compliance is determined at the point of distribution.
7. Rule 409, Orchard or Citrus Grove Heaters: Same as federal SIP-Rule 409 above.
8. Rule 502, Agricultural and Prescribed Burning:
 - C.1 - An Ag burn permit is required.
 - C.4.a - The permit application must include the material to be burned, the date of the burn, and contact information.
 - C.3.b & C.4.c - Burns may only be conducted on designated burn days.
 - C.4.d - Take corrective action if unacceptable smoke comes from a burn.
 - C.4.e - Any materials to be burned as agricultural waste must be dried prior to burning for the minimum periods listed below:
 - Six (6) weeks for trees and large branches;
 - Three (3) weeks for prunings and small branches;
 - Ten (10) days for wastes from field crops.
 - C.4.f&g - Ag burning may commence at any time after the ARB's burn-day announcement but not before sunrise. No additional waste added to any fire after two hours before sunset.
 - C.4.h - A burn must not be started, if wind is blowing toward a populated area within 2.5 miles of burn site.
 - C.4.i - Only clean burning materials may be used to start a fire.
 - C.4.k - Ag waste shall be piled.
 - C.4.l - Burn material shall not include: shop wastes, fencing material, metal parts and pieces, construction or demolition debris, oil filters, tires, tar paper, plastic except for paper sack liners, buildings, wastes resulting from conversion of farm land to non-agricultural purposes, or anything not conforming to the definitions of agricultural waste.

C. State Exceptions. Two exceptions are provided for agricultural operations in the California Health and Safety Code (H&SC). However, these exceptions are superseded by any federal requirement listed above for the same emission.

1. H&SC 41704 - The 40% opacity limitation in H&SC 41701 does not apply to:
 - Subsection b - agricultural burning performed under permit
 - Subsection d - aircraft used to distribute seeds, fertilizer, or insecticides
 - Subsection f - orchard heaters
 - Subsection g - agricultural operations in general
 - Subsection h - use of any other equipment used in agricultural operations
2. H&SC 41705 - The prohibition against creating a public nuisance in H&SC 41700 does not apply to an agricultural operation.