

## **Rule 3.20 OZONE TRANSPORT MITIGATION**

**ADOPTED** December 8, 2004

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**100 GENERAL**

101 **PURPOSE:** The purpose of this Rule is to implement the California Ozone Transport Mitigation requirements codified under California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 1.5, Article 6, section 70600(b)(1)(C).

102 **APPLICABILITY:** This Rule shall apply to all applications for Authority to Construct (ATC) submitted pursuant to Rule 3.1, GENERAL PERMIT REQUIREMENTS, which are deemed complete after December 8, 2004, and which are subject to Rule 3.4, NEW SOURCE REVIEW.

103 **SEVERABILITY:** If a court of competent jurisdiction issues an order that any provision of this Rule is invalid, it is the intent of the Board of Directors of the District that other provisions of this Rule remain in full force and effect, to the extent allowed by law.

110 **EXEMPTIONS:** The following emissions units shall be exempt from this rule:

110.1 Emissions units located at a stationary source which has a post-project stationary source potential to emit (SSPE) of less than 20,000 pounds per calendar year for Volatile Organic Compounds (VOC) and less than 20,000 pounds per calendar year for Oxides of Nitrogen (NOx).

110.2 Emissions units which do not emit VOC or NOx.

110.3 Emission units which are exempt from sections 302 or 303 of Rule 3.4, NEW SOURCE REVIEW.

**200 DEFINITIONS:** Unless otherwise defined below, the terms in this Rule are as defined in Rule 1.1, GENERAL PROVISIONS AND DEFINITIONS.

201 **STATIONARY SOURCE POTENTIAL TO EMIT (SSPE):** The potential to emit for a stationary source calculated in accordance with section 403.

**300 STANDARDS**

301 **NO NET INCREASE REQUIREMENTS:** Requirements shall be triggered on a pollutant by pollutant basis.

301.1 Calculations to determine the quantity of mitigation to be provided, if any, shall be performed if the post-project Stationary Source Potential to Emit (SSPE) equals or exceeds the following:

<b>Pollutant</b>	<b>lbs/year</b>
Volatile organic compounds	20,000
Nitrogen oxides	20,000

301.2 If mitigation calculations are required pursuant to section 301.1, sufficient mitigation shall be provided as calculated according to the procedures specified in Section 401.

#### **400 ADMINISTRATIVE REQUIREMENTS:**

401 **CALCULATION OF MITIGATION REQUIRED:** Calculations shall be performed separately for each pollutant, expressed in terms of pounds per year. The quantity of “no net increase” mitigation that shall be required shall be one of the following, whichever is applicable.

- a. For pollutants with a pre-project SSPE greater than 20,000 pounds per year, subtract the pre-project SSPE and the quantity of emission offsets required by Rule 3.4, NEW SOURCE REVIEW, if any, from the post-project SSPE.
- b. For pollutants with a pre-project SSPE less than or equal to 20,000 pounds per year, subtract 20,000 pounds and the quantity of emission offsets required by Rule 3.4, NEW SOURCE REVIEW, if any, from the post project SSPE.

If the calculation yields a negative number, then no mitigation is required by this rule.

402 **LOCATION OF MITIGATION:** Mitigation provided shall meet the following criteria:

402.1. All mitigation credits shall come from within the Sacramento Valley Air Basin.

402.2. Mitigation credits which are obtained pursuant to banking actions in a district other than the Yolo-Solano Air Quality Management District may be used only if the APCO has reviewed the credit conditions issued by the other district in which the proposed emission credits were obtained and made a determination that the impact of using such emission credits meets the requirements of District Rules and Regulations and Health and Safety Code Section 40709.6.

403 CALCULATION OF STATIONARY SOURCE POTENTIAL TO EMIT (SSPE): The SSPE shall be equal to the sum of emissions from the following:

403.1 The potential to emit for all emissions units at the stationary source, except as provided in 403.1.a, 403.1.b,& 403.1.c, based on current Permits to Operate and valid ATC permits, including the current application(s) being reviewed.

- a. For an emissions unit with both a valid ATC and a valid PTO, or a unit with multiple valid ATCs, use the ATC or PTO with the highest potential to emit in this calculation.
- b. Any potential to emit represented by a PTO which has been cancelled or has expired and emission reduction credits have not been applied for pursuant to Rule 3.5, EMISSION REDUCTION CREDITS shall not be included in this calculation.
- c. Any potential to emit represented by an ATC or PTO for an emissions unit which is exempt from sections 302 or 303 of Rule 3.4, NEW SOURCE REVIEW shall not be included in this calculation.

403.2 Emission reduction credits obtained pursuant to Rule 3.5, EMISSION REDUCTION CREDITS, from emissions units installed at the stationary source after January 1, 1977.