

RULE 202. EXEMPTIONS TO RULE 201. (Adopted 10/18/1971, revised 5/1/1972 and 6/27/1977, readopted 10/23/1978, revised 12/7/1987, 1/11/1988, 1/17/1989, 7/10/1990, 7/30/1991, 11/05/1991, 3/10/1992, 5/10/1994, 6/28/1994, 4/17/1997, 3/17/2005, 1/17/2008, 6/19/2008, 9/20/2010, 1/20/2011, ~~and~~ 3/17/2011, and [date of amended rule adoption])

[. . .]

C. Definitions

See Rule 102, [Definitions](#), for definitions.

D. General Provisions

[. . .]

5. Temporary Equipment

[. . .]

- b. the temporary equipment replaces equipment that has qualified for a breakdown pursuant to Rule 505, [Breakdown Conditions](#).

[. . .]

6. *De minimis* Exemption

Any physical change in an existing stationary source that meets each of the requirements below is exempt. Emission increases shall be based on the uncontrolled potential to emit, less emission reductions achieved through Rule 331, [Fugitive Emissions Inspection and Maintenance](#), and shall not be reduced (netted out) by emission reductions achieved through the removal or control of any component.

[. . .]

- 9. A permit shall not be required for equivalent routine replacement in whole or in part of any article, machine, equipment or other contrivance where a Permit to Operate had previously been granted under Rule 201, [Permits Required](#), providing emissions are not increased and there is no potential for violating any ambient air quality standard. An equivalent piece of equipment has a Potential to Emit, operating design capacity or actual demonstrated capacity less than or equal to that of the original piece of equipment, and is subject to the same limitations and permit conditions as the equipment being replaced. [. . .]

- 10. Notwithstanding any exemption defined in this rule, no new or modified stationary source that has the potential to emit air contaminants in excess of the amounts specified shall be exempt from permit requirements: [. . .]

- 1. In addition, notwithstanding any exemption defined in this rule, no stationary source that has the potential to emit any air contaminants in excess of the amounts specified shall be exempt from permit requirements: [. . .]

- 2. more than one gallon per year of tertiary-butyl acetate; C₆H₁₂O₂ ("acetic acid, 1,1-dimethylethyl ester"). Tertiary-butyl acetate (also known as t-butyl acetate or tBAC) shall be considered exempt as a reactive organic compound only for purposes of reactive organic compound emissions limitations or reactive organic compound content requirements and ~~will continue to shall~~ be [considered](#) a reactive organic compound for purposes of all recordkeeping, emissions

reporting, photochemical dispersion modeling, and inventory requirements which apply to reactive organic compounds. The one gallon per year per stationary source limit for tertiary-butyl acetate is an aggregate limit for the entire stationary source and includes any amounts of the compound used in mixed or diluted product.

[. . .]

16. Notwithstanding any exemption in these rules and regulations, if the combined emissions from all construction equipment used to construct a stationary source which requires an Authority to Construct have a projected actual in excess of 25 tons of any pollutant, except carbon monoxide, in a 12 month period, the owner of the stationary source shall provide offsets as required under the provisions of Rule 804, [Emission Offsets](#), and shall demonstrate that no ambient air quality standard would be violated.

17. No additional permit shall be required at a stationary source in the District for equipment permitted by the District for various location uses provided the following conditions are met:

[. . .]

d. The stationary source reports all uses (including the start and end dates) and associated emissions for each use under this exemption to the [APCD-District](#) in their next annual report (or semi-annual report for Part 70 sources).

[. . .]

I. Coatings Applications Equipment and Operations

[. . .]

3. Equipment used in surface coating operations provided that the total amount of coatings and solvents used does not exceed 55 gallons per year. Solvents meeting the criteria of Section U.2.b or Section U.2.c or that have a reactive organic compound content of 50 grams per liter or less, as determined by the [Environmental Protection Agency Reference Method 24 South Coast Air Quality Management District Method 313-91, "Determination of Volatile Organic Compounds by Gas Chromatography-Mass Spectrometry," June 1993, or any other test methods approved by the Environmental Protection Agency, the Air Resources Board, and the Control Officer](#), do not contribute to the 55 gallons per year per stationary source limitation. However, such sources need not obtain permits for air pollution control equipment (i.e., spray booths, carbon adsorbers, incinerators, thermal oxidizers, dust collectors, etc.) unless control equipment is required by District prohibitory rules. For equipment owned or operated by a stationary source owner or operator and used as part of the stationary source operations, the 55 gallon per year exemption shall be based on the total coatings and solvents usage of all such equipment at the stationary source.

[. . .]

U. Solvent Application Equipment and Operations

[. . .]

2. Single solvent cleaning machines, which use unheated solvent, and which:

[. . .]

- c. use solvents with a reactive organic compound content of two percent or less by weight as determined by [Environmental Protection Agency Method 24 the South Coast Air Quality Management District Method 313-91, "Determination of Volatile Organic Compounds by Gas Chromatography-Mass Spectrometry," June 1993, or any other test methods approved by the Environmental Protection Agency, the Air Resources Board, and the Control Officer.](#)
- d. The liquid surface area of any solvent cleaning machine using the following solvent shall not be counted towards the 0.929 square meter (10 square feet) aggregate limit in subsection a. above:
 - i. any solvent that has a reactive organic compound content of 50 grams per liter or less, as determined by the [Environmental Protection Agency Method 24 South Coast Air Quality Management District Method 313-91, "Determination of Volatile Organic Compounds by Gas Chromatography-Mass Spectrometry," June 1993, or any other test methods approved by the Environmental Protection Agency, the Air Resources Board, and the Control Officer;](#) or

[...]

3. Wipe cleaning operations, provided that the solvents used do not exceed 55 gallons per year per stationary source and that the solvent cleaning complies with the requirements in Rule 321, Solvent Cleaning Machines and Solvent Cleaning.

To qualify for this exemption, the owner or operator shall maintain records of the amount (gallons per year) of solvents used for wipe cleaning at the stationary source for each calendar year.

These records shall be maintained on site for at least 3 years and be made available to the District on request. Thereafter, the records shall be maintained either on site or readily available for expeditious inspection and review for an additional 2 years. Solvents meeting the criteria of 2.b. or c. above or that have a reactive organic compound content of 50 grams per liter or less, as determined by the [Environmental Protection Agency Reference Method 24 South Coast Air Quality Management District Method 313-91, "Determination of Volatile Organic Compounds by Gas Chromatography-Mass Spectrometry," June 1993, or any other test methods approved by the Environmental Protection Agency, the Air Resources Board, and the Control Officer,](#) do not contribute to the 55 gallons per year per stationary source limitation.

[...]

V. Storage and Transfer Equipment and Operations

[...]

2. Storage of refined fuel oils with an [American Petroleum Institute](#) gravity of 40° degrees API or lower as determined by ASTM D-4057-06, "Standard Practice for Manual Sampling of Petroleum and Petroleum Products," ASTM International.

[...]