



May 06, 2020

Mr. Taj Bahadori
Foothill Sanitary Landfill
PO Box 1819
Stockton, CA 95201

Re: Notice of Preliminary Decision – Title V Permit Renewal
Facility Number: N-4070
Project Number: N-1183822

Dear Mr. Bahadori:

Enclosed for your review and comment is the District's analysis of the application to renew the Federally Mandated Operating Permit for Foothill Sanitary Landfill at 6484 N. Waverly Road in Linden, California.

The notice of preliminary decision for this project has been posted on the District's website (www.valleyair.org). After addressing all comments made during the 30-day public notice and the 45-day EPA comment periods, the District intends to issue the renewed Federally Mandated Operating Permit. Please submit your written comments on this project within the 30-day public comment period, as specified in the enclosed public notice.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Nick Peirce, Permit Services Manager, at (209) 557-6400.

Sincerely,

Arnaud Marjollet
Director of Permit Services

Enclosures

cc: Courtney Graham, CARB (w/enclosure) via email
cc: Gerardo C. Rios, EPA (w/enclosure) via EPS

Samir Sheikh
Executive Director/Air Pollution Control Officer

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SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Proposed Title V Permit Renewal Evaluation Foothill Sanitary Landfill N-4070

TABLE OF CONTENTS

I.	PROPOSAL.....	2
II.	FACILITY LOCATION	2
III.	EQUIPMENT LISTING	3
IV.	GENERAL PERMIT TEMPLATE USAGE	3
V.	SCOPE OF EPA AND PUBLIC REVIEW	3
VI.	FEDERALLY ENFORCEABLE REQUIREMENTS	3
VII.	REQUIREMENTS NOT FEDERALLY ENFORCEABLE	6
VIII.	PERMIT REQUIREMENTS	7
IX.	PERMIT SHIELD	12
X.	CALIFORNIA ENVIRONMENTAL QUALITY ACT	12
XI.	PERMIT CONDITIONS	13
XII.	ATTACHMENTS	13
A.	DRAFT RENEWED TITLE V OPERATING PERMIT	
B.	PREVIOUS TITLE V OPERATING PERMIT	
C.	DETAILED FACILITY LIST	

TITLE V PERMIT RENEWAL EVALUATION

Municipal Sanitary Landfill

Engineer: Kai Chan
Date: April 23, 2020

Facility Number: N-4070
Facility Name: Foothill Sanitary Landfill
Mailing Address: PO Box 1810
Stockton, CA 95201

Contact Name: Taj Bahadori
Phone: (209) 953-7316
Email: tbahadori@sjgov.org

Responsible Official: Taj Bahadori
Title: Senior Engineer

Project # : N-1183822
Deemed Complete: January 3, 2019

I. PROPOSAL

[San Joaquin County Department of Public Works – Solid Waste Division \(dba Foothill Sanitary Landfill\)](#) was issued a Title V permit renewal on [May 12, 2016](#). As required by District Rule 2520, the applicant is requesting a permit renewal. The existing Title V permit shall be reviewed and modified to reflect all applicable District and federal rules updated, removed, or added since the issuance of the previous Title V permit.

The purpose of this evaluation is to provide the legal and factual basis for all updated applicable requirements and to determine if the facility will comply with these updated requirements. It also specifically identifies all additions, deletions, and/or changes made to permit conditions or equipment descriptions.

II. FACILITY LOCATION

[Foothill Sanitary Landfill](#) is located at 6484 N. Waverly Road in Linden, CA.

III. EQUIPMENT LISTING

A detailed facility printout listing all permitted equipment at the facility is included as Attachment C.

IV. GENERAL PERMIT TEMPLATE USAGE

The applicant does not propose to use any model general permit templates.

V. SCOPE OF EPA AND PUBLIC REVIEW

The applicant is not requesting any model general permit templates. Therefore, all federally enforceable conditions in this current Title V permit will be subject to EPA and public review.

VI. FEDERALLY ENFORCEABLE REQUIREMENTS

A. Rules Updated

The following rules are updated since the previous Title renewal in May 5, 2016.

- District Rule 2020, [Exemptions](#)
(amended August 18, 2011 ⇒ amended December 18, 2014)
- District Rule 2201, [New and Modified Stationary Source Review Rule](#)
(amended February 18, 2016 ⇒ amended August 15, 2019)
- District Rule 4601, [Architectural Coatings](#)
(amended October 31, 2001 ⇒ amended April 16, 2020)
- 40 CFR Part 60, Subpart WWW, [Standards of Performance for Municipal Solid Waste Landfills](#) (amended March 26, 2020)
- 40 CFR Part 63, Subpart AAAA, [National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills](#)
(amended March 26, 2020)
- 40 CFR Part 82, Subpart B, [Servicing of Motor Vehicle Air Conditioners](#)
(amended June 25, 2013)
- 40 CFR Part 82, Subpart F, [Recycling and Emissions Reduction](#)
(amended April 10, 2015)

- 40 CFR Part 64, [Compliance Assurance Monitoring](#)

B. Rules Removed

There are no applicable rules that were removed since the previous Title V renewal.

C. Rules Added

- District Rule 2410, [Prevention of Significant Deterioration](#) (adopted June 16, 2011, effective November 26, 2012)
- 40 CFR Part 60 Subpart Cf, [Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills](#) (adopted August 29, 2016 ⇒ amended March 26, 2020)
- 40 CFR Part 60 Subpart XXX, [Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014](#) (adopted August 29, 2016 ⇒ amended March 26, 2020)

D. Rules Not Updated

- District Rule 1080, [Stack Monitoring](#) (amended December 17, 1992)
- District Rule 1081, [Source Sampling](#) (amended December 17, 1992)
- District Rule 2010, [Permits Required](#) (amended December 17, 1992)
- District Rule 2031, [Transfer of Permits](#) (amended December 17, 1992)
- District Rule 2070, [Standards for Granting Applications](#) (amended December 17, 1992)
- District Rule 2080, [Conditional Approval](#) (amended December 17, 1992)
- District Rule 2092, [Standards for Permits to Operate](#) (amended December 17, 1992)
- District Rule 2520, [Federally Mandated Operating Permits](#) (amended June 21, 2001)
- District Rule 4101, [Visible Emissions](#) (amended February 17, 2005)

- District Rule 4201, Particulate Matter Concentration (amended December 17, 1992)
- District Rule 4202, Particulate Matter - Emission Rate (amended December 17, 1992)
- District Rule 4301, Fuel Burning Equipment (amended December 17, 1992)
- District Rule 4642, Solid Waste Disposal Sites (amended April 16, 1998)
- District Rule 4651, Soil Decontamination Operations (amended September 20, 2007)
- District Rule 4801, Sulfur Compounds⁽¹⁾ (amended December 17, 1992)
- District Rule 8011, General Requirements (amended August 19, 2004)
- District Rule 8021, Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities (amended August 19, 2004)
- District Rule 8031, Bulk Materials (amended August 19, 2004)
- District Rule 8041, Carryout and Trackout (amended August 19, 2004)
- District Rule 8051, Open Areas (amended August 19, 2004)
- District Rule 8061, Paved and Unpaved Roads (amended August 19, 2004)
- District Rule 8071, Unpaved Vehicle/Equipment Traffic Areas (amended September 16, 2004)
- 40 CFR Part 60, Subpart Cc, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (amended February 24, 1999)
- 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos (amended July 20, 2004)

¹ This rule is federally enforceable since it is based on the San Joaquin County Rule 407, which was approved in their SIP on 12/05/1984.

- [40 CFR Part 62, Subpart GGG, Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction Prior to May 30, 1991 and Have not Been Modified or Reconstructed Since May 20, 1991 \(amended November 8, 1999\)](#)

VII. REQUIREMENTS NOT FEDERALLY ENFORCEABLE

For each Title V source, the District issues a single permit that contains the Federally Enforceable requirements, as well as the District-only requirements. The District-only requirements are not a part of the Title V Operating Permits. The terms and conditions that are part of the facility's Title V permit are designated as "Federally Enforceable Through Title V Permit".

For this facility, the following are not federally enforceable and will not be discussed in further detail:

A. Rules Updated

There are no applicable rules that have been updated since the previous Title V renewal.

B. Rules Added

There are no applicable rules added since the previous Title V renewal.

C. Rules Not Updated

- [District Rule 1070, Inspections \(amended December 17, 1992\)](#)
- [District Rule 1100, Equipment Breakdown \(amended December 17, 1992\)](#)
- [District Rule 1160, Emission Statements \(adopted November 18, 1992\)](#)
- [District Rule 2040, Applications \(amended December 17, 1992\)](#)
- [District Rule 4102, Nuisance \(amended December 17, 1992\)](#)
- [17 CCR §95460 through §95476, California Code of Regulations, Title 17, Subchapter 10, Article 4, Subarticular 6: Methane Emissions from Municipal Solid Waste Landfills \(adopted June 17, 2010\)](#)

VIII. PERMIT REQUIREMENTS

The purpose of this evaluation is to review changes to federally enforceable requirements; therefore, this compliance section will only address rules that have been amended or added since the previous Title V renewal.

A. District Rule 2020 - Exemptions

District Rule 2020 lists equipment which is specifically exempt from obtaining permits and specifies recordkeeping requirements to verify such exemptions.

The amendments to this rule involves the following: (1) Revisions to the HAP source definition; (2) Incorporating additional EPA approved fuel sulfur test methods; (3) Adding a small producer exemption for heavy oil storage tanks; (4) Clarifying the existing portable equipment exemption from permits.

The amendments to this rule do not have any effect on current permit requirements and will therefore not be addressed in this evaluation.

Continuous compliance with the requirements of this rule is expected and ensured with the listed permit condition in the table below:

Permit Number	Permit Condition Number
N-4070-0-5	4

B. District Rule 2201 - New and Modified Stationary Source Review Rule

District Rule 2201 has been amended since this facility's previous Title V permit was issued. However, the requirements of this rule are only triggered at the time the source undergoes a modification. All applicable requirements from any NSR permit actions have already been incorporated into the current Title V permit.

C. District Rule 2410 – Prevention of Significant Deterioration

This rule was added on June 16, 2011 and became effective on November 26, 2012. This Title V renewal is not a PSD modification; therefore, it is not necessary to update the permits to address this rule.

D. District Rule 4601 – Architectural Coatings

The purpose of this rule is to limit the emissions of volatile organic compounds (VOC) from architectural coatings. It requires limiting the application of any architectural coatings or colorants to no more than what is listed in the Table of Standards (Section 5.0). This rule further specifies labeling requirements, coatings thinning recommendations, and storage requirements.

This facility is subject to this rule and the applicable requirements are listed as permit conditions under the facility-wide requirements permit N-4070-0-4.

The latest version of District Rule 4601 has not been SIP approved. Attachment D contains a copy of the strikeout and underline version of the amended District Rule 4601 to show the current rule is as stringent if not more stringent than the SIP approved version.

Continuous compliance with the requirements of this rule is expected and ensured with the listed permit condition in the table below:

Permit Number	Permit Condition Number
N-4070-0-4	23, 24, and 25

E. 40 CFR Part 60, Subpart Cf, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills

§60.30f(a) states the administrator of an air quality program in a state or United States protectorate with one or more existing MSW landfills that commenced construction, reconstruction, or modification was commenced on or before July 17, 2014, the administrator must submit a state plan to the U.S. Environmental Protection Agency (EPA) that implements the Emission Guidelines contained in this subpart.

§60.31f(a) states the designated facility to which these Emission Guidelines apply is each existing MSW landfill for which construction, reconstruction, or modification was commenced on or before July 17, 2014.

The District is in the process of developing a state plan for EPA review. The applicable requirements of this subpart, if any, will be incorporated into the Title V permit, once the state plan has been developed and approved by EPA, under a future permitting action. Therefore, the requirements of this subpart will not be addressed under this Title V permit renewal.

F. 40 CFR Part 60 Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills

§60.750(a) states the provisions of this subpart are applicable to each municipal solid waste (MSW) landfill that has commenced construction, reconstruction, or modification on or after May 30, 1991, but before July 18, 2014. Foothill Sanitary Landfill was modified after May 30, 1991 and not before July 18, 2014; therefore, the provisions of Subpart WWW apply.

The amendments to this subpart involves the following: (1) Revision to §60.750(a) to include that this subpart apply to each MSW landfill that has commenced construct, reconstruction, or modification before July 18 2014; (2) Add §60.750(d), which states that “An affected MSW landfill must continue to comply with this subpart until it: (1) Becomes subject to the more stringent requirements in an approved and effective state or federal plan that implements subpart Cf of this part, or (2) Modifies or reconstructs after July 17, 2014, and thus becomes subject to subpart XXX of this part.

The amendments to this rule do not have any effect on current permit requirements and will therefore not be addressed in this evaluation.

Continuous compliance with the requirements of this rule is expected and ensured with the listed permit condition in the table below:

Permit Number	Permit Condition Number
N-4070-1-9	7, 8, 13, 14, 15, 19, 21, 25, and 27

G. 40 CFR Part 60 Subpart XXX, Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014

§60.760(a) states the provisions of this subpart apply to each municipal solid waste landfill that commenced construction, reconstruction, or modification after July 17, 2014.

§60.2 of Part 60, defines construction as fabrication, erection, or installation of an affected facility.

§60.761 of this subpart, defines modification as an increase in the permitted volume design capacity of the landfill by either lateral or vertical expansion based on its permitted design capacity as of July 17, 2014. Modification does not occur until the owner or operator commences construction on the lateral or vertical expansion.

This existing landfill has been in operation since 1966 and only expanded its refuse capacity in 2003; therefore, the landfill permitted volume design capacity of the landfill has not undergone a modification since July 17, 2014. This existing landfill is not subject to the requirements of this subpart and no further discussion is required.

H. 40 CFR Part 63 Subpart AAAA, National Emissions Standards for Hazardous Air Pollutants (HAP): Municipal Solid Waste Landfills

§60.1935(a) states that an owner or operator is subject to this subpart if they own or operate a municipal solid waste (MSW) landfill that has accepted waste since November 8, 1987 or has additional capacity for waste deposition and meets one of the three following criteria:

- (1) The MSW landfill is a Major Source as defined in 40 CFR 63.2 of Subpart A.
- (2) The MSW landfill is collocated with a major source as defined in 40 CFR 63.2 of Subpart A.
- (c) The MSW landfill is an area source landfill that has a design capacity equal to or greater than 2.5 million MG or 2.5 million m³ and that is not permanent closed as of January 16, 2003.

As previously determined this landfill is subject to the requirements of Subpart AAAA.

The amendments to this subpart involves changes to promote consistency between MSW landfill regulations and changes to the wellhead temperature operating standards, including associated monitoring, corrective action, and reporting and recordkeeping requirements for temperature. The amendments also provides additional flexibility for landfill owners and operators by adjusting the provisions for landfill gas collection and control systems. The startup, shutdown, malfunction, and electronic reporting requirements have also been updated.

The amendments to this rule do not have any effect on the current permit conditions because the conditions require compliance by referring to the applicable sections of this subpart.

Continuous compliance with the requirements of this rule is expected and ensured with the listed permit condition in the table below:

Permit Number	Permit Condition Number
N-4070-1-9	23 and 24

G. 40 CFR Part 82, Subpart B (Servicing of Motor Vehicle Air Conditioners) and Subpart F (Recycling and Emissions Reduction)

There are applicable requirements from Title VI of the CAA (Stratospheric Ozone) that apply to all sources. These requirements pertain to air conditioners, chillers and refrigerators located at a Title V source and to disposal of air conditioners or maintenance/recharging/disposal of motor vehicle air conditioners (MVAC). These requirements are addressed in condition 27 and 28 of the draft Title V permit N-4070-0-4.

F. 40 CFR Part 64, Compliance Assurance Monitoring (CAM)

40 CFR Part 64 requires Compliance Assurance Monitoring (CAM) for units that meet the following three criteria:

1. The unit must have an emission limit for the pollutant;
2. The unit must have add-on controls for the pollutant (these are devices such as flue gas recirculation (FGR), baghouses, and catalytic oxidizers); and
3. The unit must have a pre-control potential to emit of greater than the major source thresholds.

Major Source Thresholds		
Pollutant	lb/year	ton/year
NO _x	20,000	10
SO _x	140,000	70
PM ₁₀	140,000	70
CO	200,000	100
VOC	20,000	10

Permit Number N-4070-1-9 (83.5 Million Cubic Meter Capacity (800 Acres) Municipal Solid Waste Landfill served by a Landfill Gas Collection System and a 60.8 MMBtu/hr Open Flare):

Section 64.2 (b)(i) states the requirement of this part shall not apply to emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Clean Air Act (CAA). Per Section 64.1, emission limitation or standard means any applicable requirement that constitutes an emission limitation, emission standard, standard of performance or means of emission limitation as defined under the CAA.

This municipal solid waste landfill is subject to the requirements of 40 CFR Part 60, Subpart WWW (Standards of Performance for Municipal Solid Waste Landfills) and 40 CFR Part 63, Subpart AAAAA (National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills). The permit does not contain more stringent requirements than the standards imposed by the above-listed subparts. Since both subparts were proposed after November 15, 1990, the exemption of Section 64.2(b) is applicable and CAM requirements do not apply to the municipal solid waste landfill.

IX. PERMIT SHIELD

A permit shield legally protects a facility from enforcement of the shielded regulations when a source is in compliance with the terms and conditions of the Title V permit. Compliance with the terms and conditions of the Operating Permit is considered compliance with all applicable requirements upon which those conditions are based, including those that have been subsumed.

A. Requirements Addressed by Model General Permit Templates

The applicant does not propose to use any model general permit templates.

B. Requirements not Addressed by Model General Permit Templates

The applicant is not requesting any new permit shields under this Title V renewal application.

X. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The purpose of the Title V permit renewal is to update the permit to ensure that any changes to regulations since the issuance of the initial Title V permit or most recent renewal of the Title V permit are incorporated as permit requirements.

Per the California Environmental Quality Act (CEQA) Statute §21080.24, and CEQA Guidelines §15281, the issuance, modification, amendment, or renewal of any permit by an air pollution control district or air quality management district pursuant to Title V is exempt from CEQA, unless the issuance, modification, amendment, or renewal authorizes a physical or operational change to a source or facility. There will be no physical or operational change to the source or facility nor will the Title V permit renewal authorize a physical or operational change to the source or facility. Therefore, this project, a Title V permit renewal, is subject to a ministerial action that is exempt from CEQA.

XI. PERMIT CONDITIONS

See Attachment A - Draft Renewed Title V Operating Permit

XII. ATTACHMENTS

- A. Draft Renewed Title V Operating Permit
- B. Previous Title V Operating Permit
- C. Detailed Facility List
- D. Copy of the strikeout and underline version of amended District Rule 4601

ATTACHMENT A

Draft Renewed Title V Operating Permit

San Joaquin Valley Air Pollution Control District

FACILITY: N-4070-0-4

EXPIRATION DATE: 07/31/2019

FACILITY-WIDE REQUIREMENTS

1. The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; San Joaquin County Rule 110] Federally Enforceable Through Title V Permit
2. The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; San Joaquin County Rule 110] Federally Enforceable Through Title V Permit
3. {1257} The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (7/21/94). [District Rules 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit
5. The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.12.1] Federally Enforceable Through Title V Permit
6. {1260} A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. {1261} Every application for a permit required under Rule 2010 (12/17/92) (Permits Required) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
9. The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate. Any amendments to these Facility-wide Requirements that affect specific Permit Units may constitute modification of those Permit Units.

Facility Name: FOOTHILL SANITARY LANDFILL
Location: 6484 N WAVERLY RD, LINDEN, CA
N-4070-0-4 : May 7 2020 8:57AM -- CHANK

10. The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit
11. Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520(6/15/95) [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
12. If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit
13. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit
14. The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit
15. The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit
16. The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit
17. The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit
18. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 2520, 9.13.2.1] Federally Enforceable Through Title V Permit
19. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 2520, 9.13.2.2] Federally Enforceable Through Title V Permit
20. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit
21. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit
22. No air contaminants shall be discharged into the atmosphere from any source operation (as defined in District Rule 1020) for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (2/17/05), by using EPA method 9. If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

23. {4384} No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in Table of Standards 1 effective until 12/30/10 or Table of Standards 2 effective on and after 1/1/11 of District Rule 4601 (12/17/09) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit
24. {4385} All VOC-containing materials subject to Rule 4601 (12/17/09) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit
25. {4386} The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.3 (12/17/09). [District Rule 4601, 6.1 and 6.3] Federally Enforceable Through Title V Permit
26. With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit
27. {1283} If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR Part 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit
28. {1284} If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR Part 82, Subpart B. [40 CFR Part 82, Subpart B] Federally Enforceable Through Title V Permit
29. {4390} Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8021] Federally Enforceable Through Title V Permit
30. {4391} Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8031] Federally Enforceable Through Title V Permit
31. {4392} An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8041] Federally Enforceable Through Title V Permit
32. {4393} Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8051] Federally Enforceable Through Title V Permit
33. {4394} Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8061] Federally Enforceable Through Title V Permit
34. {4395} Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rules 8011 and 8071] Federally Enforceable Through Title V Permit
35. {1288} Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation) [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE
These terms and conditions are part of the Facility-wide Permit to Operate.

36. The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit
37. {1375} Any Title V permittee shall submit an application permit renewal to the District at least six months, but not greater than 18 months, prior to the Title V permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
38. {1291} When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permit shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
39. {118} No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
40. On June 30, 2002, the initial Title V permit was issued. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report begin every July 1, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days of the end of the reporting period. [District Rule 2520, 9.5] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-4070-1-9

EXPIRATION DATE: 07/31/2019

SECTION: 12 **TOWNSHIP:** 2N **RANGE:** 9E

EQUIPMENT DESCRIPTION:

83.5 MILLION CUBIC METER CAPACITY (800 ACRES) MUNICIPAL SOLID WASTE LANDFILL SERVED BY A LANDFILL GAS COLLECTION SYSTEM AND A 60.7 MMBTU/HR OPEN FLARE

PERMIT UNIT REQUIREMENTS

1. NO_x emissions from the flare shall not exceed 0.06 lb/MMBtu. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rule 2201] Federally Enforceable Through Title V Permit
2. CO emissions from the flare shall not exceed 0.09 lb/MMBtu. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rule 2201] Federally Enforceable Through Title V Permit
3. VOC emissions from the flare shall not exceed 0.009 lb/MMBtu. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rule 2201] Federally Enforceable Through Title V Permit
4. PM₁₀ emissions from the flare shall not exceed 0.034 lb/MMBtu. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rule 2201] Federally Enforceable Through Title V Permit
5. SO_x emissions from the flare shall not exceed 0.03 lb/MMBtu. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rule 2201] Federally Enforceable Through Title V Permit
6. The flow rate of landfill gas into the flare shall not exceed 2,000 cfm. [District Rule 2201] Federally Enforceable Through Title V Permit
7. The owner/operator shall install, maintain, and operate a collection and control system that captures gas generated from the landfill and routes it either to an open, non-assisted flare or to facilities N-8247-1, N-8247-2, N-8247-3, or another facility permitted by the District to receive this gas. The open flare may be operated temporarily during repair or maintenance of a gas control system of the facility permitted to receive this gas. The collection and control system shall be designed according to 40 CFR 60.752(b)(2)(ii). The flare shall be designed and operated according to the provisions of 40 CFR 60.18. [District Rule 4001, 17 CCR 95464] Federally Enforceable Through Title V Permit
8. The collection and control system shall comply with all applicable provisions of 40 CFR 60 Subpart WWW at all times except during periods of startup, shutdown, or malfunction, provided that the duration of startup, shutdown, or malfunction shall not exceed five consecutive days for the collection system and shall not exceed one hour for the control system while the collection system is operating. [40 CFR 60.755(e)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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9. "Startup" is defined as the activity of starting or attempting to start operation of the collection and control system, including all measurements, manipulations, adjustments, attempts to restore operation, as well as testing to verify proper operation of the collection and control system. Unsuccessful attempts to restart the collection and control system shall not be considered an individual shutdown. The owner/operator shall minimize emissions during startup. [District Rule 2201] Federally Enforceable Through Title V Permit
10. "Shutdown" is defined as the cessation of operation of the collection and control system. [District Rule 2201] Federally Enforceable Through Title V Permit
11. "Malfunction" means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not failures. [40 CFR 60.2] Federally Enforceable Through Title V Permit
12. "Maintenance" is defined as work performed on the collection and/or control system in order to ensure continued compliance with all applicable Rules and Regulations, and also to prevent failures and malfunctions. The owner/operator shall minimize emissions during maintenance periods. [District Rule 2201] Federally Enforceable Through Title V Permit
13. In the event that the collection or control system becomes inoperable, the gas mover equipment (as defined in 40 CFR 60.751) shall be shut down and all valves in the collection and control system contributing to venting of the landfill gas to the atmosphere shall be closed within one hour. [40 CFR 60.753(e)] Federally Enforceable Through Title V Permit
14. The collection system shall be operated such that the methane concentration is less than 500 parts per million above background at the surface of the landfill. Compliance with this surface methane operational standard shall be demonstrated using the procedures outlined in 40 CFR 60.755(c) quarterly. [40 CFR 60.753(d), 40 CFR 60.755(c), and 40 CFR 60.8] Federally Enforceable Through Title V Permit
15. The owner/operator shall install, calibrate, maintain, and operate a meter that measures and records the landfill gas flow rate into the flare at least once every 15 minutes. This meter shall also be capable of measuring the landfill gas flow rate that might bypass the flare in the event of equipment malfunction or maintenance. [40 CFR 60.756(c)(2)] Federally Enforceable Through Title V Permit
16. The flare's tip velocity shall be less than 18.3 m/sec (60 ft/sec), as determined by 40 CFR 60.18(f)(4). The net heating value of the landfill gas being combusted shall not be less than 200 Btu/scf, as determined by 40 CFR 60.18(f)(3). The flare's tip velocity and the net heating value of the landfill gas shall be determined annually. [40 CFR 60.18(c)(4)(i) and 40 CFR 60.8] Federally Enforceable Through Title V Permit
17. The flare's discharge height shall be at least 30 feet above grade. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
18. There shall be no visible emissions from the flare except for periods not exceeding a total of five minutes during any consecutive two hours. Visible emissions shall be determined using EPA Method 22 and a two-hour observation period. [40 CFR 60.18(c)(1)] Federally Enforceable Through Title V Permit
19. The flare shall be operated with a flame present at all times while gas is being vented to it. The presence of a flame shall be continuously monitored using a thermocouple, ultraviolet sensor, or any other equivalent device located at the pilot light or the flame itself. The flame's presence shall be recorded at least once every 15 minutes. [40 CFR 60.18(c)(2) and 40 CFR 60.756(c)(1)] Federally Enforceable Through Title V Permit
20. The flare shall be operated at all times when landfill gas is vented to it. [40 CFR 60.18(e)] Federally Enforceable Through Title V Permit
21. The landfill gas collection and control system shall comply with the operational standards of 40 CFR 60.753, the compliance provisions of 40 CFR 60.755, the monitoring provisions of 40 CFR 60.756, the reporting and record keeping requirements of 40 CFR 60.757 and 60.758, and the requirements of 40 CFR 60.759 (for active collection systems). [40 CFR 60.752(b)(2)(ii), 60.753, 60.755, 60.756, 60.757, 60.758, 60.759, 62.14353 and 62.14354(b)] Federally Enforceable Through Title V Permit
22. Soil with VOC content of 50 ppm by weight or greater shall not be used as daily cover. [District Rule 4651] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

23. The owner or operator shall comply with the applicable requirements of 40 CFR 63.1955 through 63.1985, and with the general provisions of 40 CFR part 63, as specified in table 1 of 40 CFR part 63, subpart AAAA. [40 CFR 63.1955(a) and 63.1981] Federally Enforceable Through Title V Permit
24. Before September 28, 2021, the owner or operator shall develop and implement a written startup, shutdown and malfunction (SSM) plan according to the provisions of 40 CFR 63.6(e)(3). A copy of the SSM plan shall be maintained on site. Failure to write, implement or maintain a copy of the SSM plan is a deviation from the requirements of 40 CFR part 63, subpart AAAA. After September 27, 2021, the SSM provisions of 40 CFR 63.6(e)(3) no longer apply and the operating standards of 40 CFR 63.1958 is required at all times. [40 CFR 63.1964] Federally Enforceable Through Title V Permit
25. The owner or operator shall keep records and reports as specified in 40 CFR part 60 subpart WWW, except that the owner or operator shall submit the annual report described in 40 CFR 60.757(f) every 6 months. [40 CFR 63.1981] Federally Enforceable Through Title V Permit
26. Daily records of the weight of materials received - including waste material (tons) and soil cover (cubic yards converted to tons) - and daily records of all soil organic content test results and certifications for loads contaminated with VOCs, shall be maintained, kept on site for a period of five years, and made available to District staff upon request. [District Rule 4651] Federally Enforceable Through Title V Permit
27. Each owner/operator shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. [40 CFR 60.758(a), 62.14355(a) and District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
28. Landfill collection and control system must be operated continuously such that methane emission from the landfill do not exceed instantaneous or integrated limit requirements. [17 CCR 95464]
29. Landfill gas collection system wellheads must be operated under vacuum. Monthly monitoring of wellheads is required. [17 CCR 95464]
30. Landfill gas collection system components downstream of blower have a leak limit of 500 ppmv as methane. Components must be checked quarterly. [17 CCR 95464]
31. Landfill surface methane emissions shall not exceed instantaneous surface emission limit of 500 ppmv as methane or integrated surface emission limit of 25 ppmv as methane. [17 CCR 95464]
32. Instantaneous and integrated landfill surface emissions measurements shall be done quarterly. The landfill may monitor annually provided they comply with requirements of 17 CCR 95469 (a)(1). [17 CCR 95469]
33. Permittee shall keep records of all gas collection system downtime exceeding five days, including individual well shutdown and disconnection times and the reason for downtime. [17 CCR 95470]
34. Permittee shall keep records of all gas control system downtime in excess of one hour, the reason for the downtime and the length of time the gas control system was shutdown. [17 CCR 95470]
35. Permittee shall keep records of the expected gas generation flow rate calculated pursuant to section 95471(e). [17 CCR 95470]
36. Permittee shall keep records of all instantaneous surface readings of 200 ppmv or greater; all exceedances of the limits in sections 95464(b)(1)(B) or 95465, including the location of the leak (or affected grid), leak concentration in ppmv, date and time of measurement, the action taken to repair the leak, date of repair, any required re-monitoring and the re-monitored concentration in ppmv, and wind speed during surface sampling; and the installation date and location of each well installed as part of a gas collection system expansion. [17 CCR 95470]
37. Permittee shall keep records of any positive wellhead gauge pressure measurements, the date of the measurements, the well identification number, and the corrective action taken. [17 CCR 95470]
38. Permittee shall keep records of the annual solid waste acceptance rate and the current amount of waste-in-place. [17 CCR 95470]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

39. Permittee shall keep records of the nature, location, amount, and date of deposition of non-degradable waste for any landfill areas excluded from the collection system. [17 CCR 95470]
40. Permittee shall keep records describing the mitigation measures taken to prevent the release of methane or other emissions into the atmosphere during the following activities: 1. When solid waste was brought to the surface during the installation or preparation of wells, piping, or other equipment; 2. During repairs or the temporary shutdown of gas collection system components; or, 3. When solid waste was excavated and moved. [17 CCR 95470]
41. Permittee shall keep records of any construction activities pursuant to section 95466. The records must contain the following information: 1. A description of the actions being taken, the areas of the MSW landfill that will be affected by these actions, the reason the actions are required, and any landfill gas collection system components that will be affected by these actions. 2. Construction start and finish dates, projected equipment installation dates, and projected shut down times for individual gas collection system components. 3. A description of the mitigation measures taken to minimize methane emissions and other potential air quality impacts. [17 CCR 95470]
42. Permittee shall keep records of the equipment operating parameters specified to be monitored under section 95469(b)(1) as well as records for periods of operation during which the parameter boundaries established during the most recent source test are exceeded. The records must include the following information: 1. For enclosed flares, all 3-hour periods of operation during which the average temperature difference was more than 28 degrees Celsius (or 50 degrees Fahrenheit) below the average combustion temperature during the most recent source test at which compliance with sections 95464(b)(2) was determined and a gas flow rate device which must record the flow to the control device at least every 15 minutes. [17 CCR 95470]
43. Permittee shall submit the following reports as required in section 95470(b): Closure notification, Equipment removal report and Annual report. All reports must be accompanied by a certification of truth, accuracy, and completeness signed by a responsible official. [17 CCR 95470]
44. Permittee may comply with the CARB regulation for landfill methane control measures by using approved alternative compliance options. Documentation of approved alternative compliance options shall be available for inspection upon request. [17 CCR 95468]
45. {1958} All records shall be retained for a period of at least 5 years and shall be made available for District inspection upon request. [District Rule 1070]

These terms and conditions are part of the Facility-wide Permit to Operate.

ATTACHMENT B

Previous Title V Operating Permit

San Joaquin Valley Air Pollution Control District

FACILITY: N-4070-0-3

EXPIRATION DATE: 07/31/2019

FACILITY-WIDE REQUIREMENTS

1. The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; San Joaquin County Rule 110] Federally Enforceable Through Title V Permit
2. The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; San Joaquin County Rule 110] Federally Enforceable Through Title V Permit
3. The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (7/21/94). [District Rules 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit
5. The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.12.1] Federally Enforceable Through Title V Permit
6. A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. Every application for a permit required under Rule 2010 (12/17/92) (Permits Required) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
9. The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate. Any amendments to these Facility-wide Requirements that affect specific Permit Units may constitute modification of those Permit Units.

Facility Name: FOOTHILL SANITARY LANDFILL
Location: 6484 N WAVERLY RD, LINDEN, CA
N-4070-0-3 May 5 2016 11:03AM -- KAHLOHJ

10. The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit
11. Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520(6/15/95) [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
12. If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit
13. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit
14. The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit
15. The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit
16. The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit
17. The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit
18. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 2520, 9.13.2.1] Federally Enforceable Through Title V Permit
19. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 2520, 9.13.2.2] Federally Enforceable Through Title V Permit
20. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit
21. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit
22. No air contaminants shall be discharged into the atmosphere from any source operation (as defined in District Rule 1020) for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (2/17/05), by using EPA method 9. If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

23. No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in Table of Standards 1 effective until 12/30/10 or Table of Standards 2 effective on and after 1/1/11 of District Rule 4601 (12/17/09) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit
24. All VOC-containing materials subject to Rule 4601 (12/17/09) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit
25. The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.3 (12/17/09). [District Rule 4601, 6.1 and 6.3] Federally Enforceable Through Title V Permit
26. With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit
27. If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR Part 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit
28. If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR Part 82, Subpart B. [40 CFR Part 82, Subpart B] Federally Enforceable Through Title V Permit
29. Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8021 and 8011] Federally Enforceable Through Title V Permit
30. Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8031 and 8011] Federally Enforceable Through Title V Permit
31. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8041 and 8011] Federally Enforceable Through Title V Permit
32. Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8051 and 8011] Federally Enforceable Through Title V Permit
33. Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rules 8061 and Rule 8011] Federally Enforceable Through Title V Permit
34. Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rules 8071 and Rule 8011] Federally Enforceable Through Title V Permit
35. Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

36. The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit
37. Any Title V permittee shall submit an application permit renewal to the District at least six months, but not greater than 18 months, prior to the Title V permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
38. When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permit shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
39. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
40. On June 30, 2002, the initial Title V permit was issued. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report begin every July 1, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days of the end of the reporting period. [District Rule 2520, 9.5] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: N-4070-1-8

EXPIRATION DATE: 07/31/2019

SECTION: 12 TOWNSHIP: 2N RANGE: 9E

EQUIPMENT DESCRIPTION:

83.5 MILLION CUBIC METER CAPACITY (800 ACRES) MUNICIPAL SOLID WASTE LANDFILL SERVED BY A LANDFILL GAS COLLECTION SYSTEM AND A 60.7 MMBTU/HR OPEN FLARE

PERMIT UNIT REQUIREMENTS

1. NOx emissions from the flare shall not exceed 0.06 lb/MMBtu. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rule 2201] Federally Enforceable Through Title V Permit
2. CO emissions from the flare shall not exceed 0.09 lb/MMBtu. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rule 2201] Federally Enforceable Through Title V Permit
3. VOC emissions from the flare shall not exceed 0.009 lb/MMBtu. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rule 2201] Federally Enforceable Through Title V Permit
4. PM10 emissions from the flare shall not exceed 0.034 lb/MMBtu. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rule 2201] Federally Enforceable Through Title V Permit
5. SOx emissions from the flare shall not exceed 0.03 lb/MMBtu. As long as the flare is designed and operated according to the applicable provisions of 40 CFR 60.18, it is assumed that the flare is in compliance with this emission limitation. [District Rule 2201] Federally Enforceable Through Title V Permit
6. The flow rate of landfill gas into the flare shall not exceed 2,000 cfm. [District Rule 2201] Federally Enforceable Through Title V Permit
7. The owner/operator shall install, maintain, and operate a collection and control system that captures gas generated from the landfill and routes it either to an open, non-assisted flare or to facilities N-8247-1, N-8247-2, N-8247-3, or another facility permitted by the District to receive this gas. After January 1, 2018, the open flare may be operated temporarily during repair or maintenance of a gas control system of the facility permitted to receive this gas. The collection and control system shall be designed according to 40 CFR 60.752(b)(2)(ii). The flare shall be designed and operated according to the provisions of 40 CFR 60.18. [District Rule 4001, 17 CCR 95464] Federally Enforceable Through Title V Permit
8. The collection and control system shall comply with all applicable provisions of 40 CFR 60 Subpart WWW at all times except during periods of startup, shutdown, or malfunction, provided that the duration of startup, shutdown, or malfunction shall not exceed five consecutive days for the collection system and shall not exceed one hour for the control system while the collection system is operating. [40 CFR 60.755(e)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

9. "Startup" is defined as the activity of starting or attempting to start operation of the collection and control system, including all measurements, manipulations, adjustments, attempts to restore operation, as well as testing to verify proper operation of the collection and control system. Unsuccessful attempts to restart the collection and control system shall not be considered an individual shutdown. The owner/operator shall minimize emissions during startup. [District Rule 2201] Federally Enforceable Through Title V Permit
10. "Shutdown" is defined as the cessation of operation of the collection and control system. [District Rule 2201] Federally Enforceable Through Title V Permit
11. "Malfunction" means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not failures. [40 CFR 60.2] Federally Enforceable Through Title V Permit
12. "Maintenance" is defined as work performed on the collection and/or control system in order to ensure continued compliance with all applicable Rules and Regulations, and also to prevent failures and malfunctions. The owner/operator shall minimize emissions during maintenance periods. [District Rule 2201] Federally Enforceable Through Title V Permit
13. In the event that the collection or control system becomes inoperable, the gas mover equipment (as defined in 40 CFR 60.751) shall be shut down and all valves in the collection and control system contributing to venting of the landfill gas to the atmosphere shall be closed within one hour. [40 CFR 60.753(e)] Federally Enforceable Through Title V Permit
14. The collection system shall be operated such that the methane concentration is less than 500 parts per million above background at the surface of the landfill. Compliance with this surface methane operational standard shall be demonstrated using the procedures outlined in 40 CFR 60.755(c) quarterly. [40 CFR 60.753(d), 40 CFR 60.755(c), and 40 CFR 60.8] Federally Enforceable Through Title V Permit
15. The owner/operator shall install, calibrate, maintain, and operate a meter that measures and records the landfill gas flow rate into the flare at least once every 15 minutes. This meter shall also be capable of measuring the landfill gas flow rate that might bypass the flare in the event of equipment malfunction or maintenance. [40 CFR 60.756(c)(2)] Federally Enforceable Through Title V Permit
16. The flare's tip velocity shall be less than 18.3 m/sec (60 ft/sec), as determined by 40 CFR 60.18(f)(4). The net heating value of the landfill gas being combusted shall not be less than 200 Btu/scf, as determined by 40 CFR 60.18(f)(3). The flare's tip velocity and the net heating value of the landfill gas shall be determined annually. [40 CFR 60.18(c)(4)(i) and 40 CFR 60.8] Federally Enforceable Through Title V Permit
17. The flare's discharge height shall be at least 30 feet above grade. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
18. There shall be no visible emissions from the flare except for periods not exceeding a total of five minutes during any consecutive two hours. Visible emissions shall be determined using EPA Method 22 and a two-hour observation period. [40 CFR 60.18(c)(1)] Federally Enforceable Through Title V Permit
19. The flare shall be operated with a flame present at all times while gas is being vented to it. The presence of a flame shall be continuously monitored using a thermocouple, ultraviolet sensor, or any other equivalent device located at the pilot light or the flame itself. The flame's presence shall be recorded at least once every 15 minutes. [40 CFR 60.18(c)(2) and 40 CFR 60.756(c)(1)] Federally Enforceable Through Title V Permit
20. The flare shall be operated at all times when landfill gas is vented to it. [40 CFR 60.18(c)] Federally Enforceable Through Title V Permit
21. The landfill gas collection and control system shall comply with the operational standards of 40 CFR 60.753, the compliance provisions of 40 CFR 60.755, the monitoring provisions of 40 CFR 60.756, the reporting and record keeping requirements of 40 CFR 60.757 and 60.758, and the requirements of 40 CFR 60.759 (for active collection systems). [40 CFR 60.752(b)(2)(ii), 60.753, 60.755, 60.756, 60.757, 60.758, 60.759, 62.14353 and 62.14354(b)] Federally Enforceable Through Title V Permit
22. Soil with VOC content of 50 ppm by weight or greater shall not be used as daily cover. [District Rule 4651] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

23. The owner or operator shall comply with the requirements of 40 CFR 63.1960 through 63.1985, and with the general provisions of 40 CFR part 63, as specified in table 1 of 40 CFR part 63, subpart AAAA. [40 CFR 63.1955(b) and 63.1980(b)] Federally Enforceable Through Title V Permit
24. The owner or operator shall develop and implement a written startup, shutdown and malfunction (SSM) plan according to the provisions of 40 CFR 63.6(e)(3). A copy of the SSM plan shall be maintained on site. Failure to write, implement or maintain a copy of the SSM plan is a deviation from the requirements of 40 CFR part 63, subpart AAAA. [40 CFR 63.1960] Federally Enforceable Through Title V Permit
25. The owner or operator shall keep records and reports as specified in 40 CFR part 60 subpart WWW, except that the owner or operator shall submit the annual report described in 40 CFR 60.757(f) every 6 months. [40 CFR 63.1980(a)] Federally Enforceable Through Title V Permit
26. Daily records of the weight of materials received - including waste material (tons) and soil cover (cubic yards converted to tons) - and daily records of all soil organic content test results and certifications for loads contaminated with VOCs, shall be maintained, kept on site for a period of five years, and made available to District staff upon request. [District Rule 4651] Federally Enforceable Through Title V Permit
27. Each owner/operator shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. [40 CFR 60.758(a), 62.14355(a) and District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
28. Landfill collection and control system must be operated continuously such that methane emission from the landfill do not exceed instantaneous or integrated limit requirements. [17 CCR 95464]
29. Landfill gas collection system wellheads must be operated under vacuum. Monthly monitoring of wellheads is required. [17 CCR 95464]
30. Landfill gas collection system components downstream of blower have a leak limit of 500 ppmv as methane. Components must be checked quarterly. [17 CCR 95464]
31. Landfill surface methane emissions shall not exceed instantaneous surface emission limit of 500 ppmv as methane or integrated surface emission limit of 25 ppmv as methane. [17 CCR 95464]
32. Instantaneous and integrated landfill surface emissions measurements shall be done quarterly. The landfill may monitor annually provided they comply with requirements of 17 CCR 95469 (a)(1). [17 CCR 95469]
33. Permittee shall keep records of all gas collection system downtime exceeding five days, including individual well shutdown and disconnection times and the reason for downtime. [17 CCR 95470]
34. Permittee shall keep records of all gas control system downtime in excess of one hour, the reason for the downtime and the length of time the gas control system was shutdown. [17 CCR 95470]
35. Permittee shall keep records of the expected gas generation flow rate calculated pursuant to section 95471(e). [17 CCR 95470]
36. Permittee shall keep records of all instantaneous surface readings of 200 ppmv or greater; all exceedances of the limits in sections 95464(b)(1)(B) or 95465, including the location of the leak (or affected grid), leak concentration in ppmv, date and time of measurement, the action taken to repair the leak, date of repair, any required re-monitoring and the re-monitored concentration in ppmv, and wind speed during surface sampling; and the installation date and location of each well installed as part of a gas collection system expansion. [17 CCR 95470]
37. Permittee shall keep records of any positive wellhead gauge pressure measurements, the date of the measurements, the well identification number, and the corrective action taken. [17 CCR 95470]
38. Permittee shall keep records of the annual solid waste acceptance rate and the current amount of waste-in-place. [17 CCR 95470]
39. Permittee shall keep records of the nature, location, amount, and date of deposition of non-degradable waste for any landfill areas excluded from the collection system. [17 CCR 95470]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

40. Permittee shall keep records describing the mitigation measures taken to prevent the release of methane or other emissions into the atmosphere during the following activities: 1. When solid waste was brought to the surface during the installation or preparation of wells, piping, or other equipment; 2. During repairs or the temporary shutdown of gas collection system components; or, 3. When solid waste was excavated and moved. [17 CCR 95470]
41. Permittee shall keep records of any construction activities pursuant to section 95466. The records must contain the following information: 1. A description of the actions being taken, the areas of the MSW landfill that will be affected by these actions, the reason the actions are required, and any landfill gas collection system components that will be affected by these actions. 2. Construction start and finish dates, projected equipment installation dates, and projected shut down times for individual gas collection system components. 3. A description of the mitigation measures taken to minimize methane emissions and other potential air quality impacts. [17 CCR 95470]
42. Permittee shall keep records of the equipment operating parameters specified to be monitored under section 95469(b)(1) as well as records for periods of operation during which the parameter boundaries established during the most recent source test are exceeded. The records must include the following information: 1. For enclosed flares, all 3-hour periods of operation during which the average temperature difference was more than 28 degrees Celsius (or 50 degrees Fahrenheit) below the average combustion temperature during the most recent source test at which compliance with sections 95464(b)(2) was determined and a gas flow rate device which must record the flow to the control device at least every 15 minutes. [17 CCR 95470]
43. Permittee shall submit the following reports as required in section 95470(b): Closure notification, Equipment removal report and Annual report. All reports must be accompanied by a certification of truth, accuracy, and completeness signed by a responsible official. [17 CCR 95470]
44. Permittee may comply with the CARB regulation for landfill methane control measures by using approved alternative compliance options. Documentation of approved alternative compliance options shall be available for inspection upon request. [17 CCR 95468]
45. All records shall be retained for a period of at least 5 years and shall be made available for District inspection upon request. [District Rule 1070]

These terms and conditions are part of the Facility-wide Permit to Operate.

ATTACHMENT C

Detailed Facility List

Detailed Facility Report
For Facility=4070 and excluding Deleted Permits
Sorted by Facility Name and Permit Number

FOOTHILL SANITARY LANDFILL 6484 N WAVERLY RD LINDEN, CA	FAC #	N 4070	TYPE:	TitleV	EXPIRE ON:	07/31/2019
	STATUS:	A	TOXIC ID:	70163	AREA:	1 /
	TELEPHONE:	2094683066			INSP. DATE:	03/21

PERMIT NUMBER	FEE DESCRIPTION	FEE RULE	QTY	FEE AMOUNT	FEE TOTAL	PERMIT STATUS	EQUIPMENT DESCRIPTION
N-4070-1-8	674 acres	3020-12 U	674	121.00	16,618.00	A	83.5 MILLION CUBIC METER CAPACITY (800 ACRES) MUNICIPAL SOLID WASTE LANDFILL SERVED BY A LANDFILL GAS COLLECTION SYSTEM AND A 60.7 MMBTU/HR OPEN FLARE

Number of Facilities Reported: 1

ATTACHMENT D

Copy of the Strikeout and Underline Version of
Amended District Rule 4601

RULE 4601 ARCHITECTURAL COATINGS (Adopted April 11, 1991; Amended December 17, 1992; Amended September 17, 1997; Amended October 31, 2001; Amended December 17, 2009; Amended [date of rule adoption])

1.0 Purpose

The purpose of this rule is to limit VOC emissions from architectural coatings. This rule specifies architectural coatings storage, cleanup, and labeling requirements.

2.0 Applicability

This rule is applicable to any person who supplies, markets, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures, blends or repackages any architectural coating for use within the District.

3.0 Definitions

3.1 Adhesive: Any chemical substance that is applied for the purpose of bonding two surfaces together other than by mechanical means.

3.2 Aerosol Coating Product: A pressurized coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application or for use in specialized equipment for ground traffic/marketing applications.

3.3 Air Pollution Control Officer (APCO): as defined in Rule 1020 (Definitions).

3.4 Air Resources Board (ARB or CARB): as defined in Rule 1020 (Definitions).

3.5 Aluminum Roof Coating: A coating labeled and formulated exclusively for application to roofs and containing at least 84 grams of elemental aluminum pigment per liter of coating (at least 0.7 pounds per gallon). Pigment content shall be determined in accordance with SCAQMD Method 318-95, incorporated by reference in Section 6.3.89.

~~3.6 Antenna Coating: A coating labeled and formulated exclusively for application to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals. Effective January 1, 2011, the Antenna coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~

~~3.7 Antifouling Coating: A coating labeled and formulated for application to submerged stationary structures and their appurtenances to prevent or reduce the~~

~~attachment of marine or freshwater biological organisms. To qualify as an antifouling coating, the coating must be registered with both the U.S. EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Section 136, *et seq.*) and with the California Department of Pesticide Regulation. Effective January 1, 2011, the Antifouling coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~

- 3.86 Appurtenance: Any accessory to a stationary structure coated at the site of installation, whether installed or detached, including but not limited to: bathroom and kitchen fixtures; cabinets; concrete forms; doors; elevators; fences; hand railings; heating equipment, air conditioning equipment, and other fixed mechanical equipment or stationary tools; lampposts; partitions; pipes and piping systems; rain gutters and downspouts; stairways, fixed ladders, catwalks, and fire escapes; and window screens.
- 3.97 Architectural Coating: A coating to be applied to stationary structures or their appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs. Coatings applied in shop applications or to non-stationary structures such as airplanes, ships, boats, railcars, and automobiles, and adhesives are not considered architectural coatings for the purposes of this rule.
- 3.408 Basement Specialty Coating: A clear or opaque coating that is labeled and formulated for application to concrete and masonry surfaces to provide a hydrostatic seal for basements and other below-grade surfaces. Basement Specialty Coatings must meet the following criteria:
 - 3.408.1 Coating must be capable of withstanding at least 10 psi of hydrostatic pressure, as determined in accordance with ASTM D7088-0417, which is incorporated by reference in Section 6.3.187.
 - 3.408.2 Coating must be resistant to mold and mildew growth and must achieve a microbial growth rating of 8 or more, as determined in accordance with ASTM D3273-0016 and ASTM D3274-9509 (2017), incorporated by reference in Section 6.3.243.
- 3.419 Bitumens: Black or brown materials including, but not limited to, asphalt, tar, pitch, and asphaltite that are soluble in carbon disulfide, consist mainly of hydrocarbons, and are obtained from natural deposits or as residues from the distillation of crude petroleum or coal.
- 3.120 Bituminous Roof Coating: A coating which incorporates bitumens that is labeled and formulated exclusively for roofing.

- 3.13~~1~~ Bituminous Roof Primer: A primer which incorporates bitumens that is labeled and formulated exclusively for roofing and intended for the purpose of preparing a weathered or aged surface or improving adhesion of subsequent surface components.
- 3.14~~2~~ Bond Breaker: A coating labeled and formulated for application between layers of concrete to prevent a freshly poured top layer of concrete from bonding to the layer over which it is poured.
- 3.13 Building Envelope: The ensemble of exterior and demising partitions of a building that enclose conditioned space.
- 3.14 Building Envelope Coating: The fluid applied coating applied to the building envelope to provide a continuous barrier to air or vapor leakage through the building envelope that separates conditioned from unconditioned spaces. Building Envelope Coatings are applied to diverse materials including, but not limited to, concrete masonry units (CMU), oriented strand board (OSB), gypsum board, and wood substrates and must meet the following performance criteria:
- 3.14.1 Air Barriers formulated to have an air permeance not exceeding 0.004 cubic feet per minute per square foot under a pressure differential of 1.57 pounds per square foot (0.004 cfm/ft² @ 1.57 psf), [0.02 liters per square meter per second under a pressure differential of 75 Pa (0.02 L/(s m²) @ 75 Pa)] when tested in accordance with ASTM E2178-13, incorporated by reference in subsection 6.3.28; and/or
- 3.14.2 Water Resistive Barriers formulated to resist liquid water that has penetrated a cladding system from further intruding into the exterior wall assembly and is classified as follows:
- 3.14.2.1 Passes water resistance testing accordance to ASTM E331-00 (2016), incorporated by reference in subsection 6.3.29 and
- 3.14.2.2 Water vapor permeance is classified in accordance with ASTM E96/96M-16, incorporated by reference in subsection 6.3.30.
- ~~3.15 Clear Brushing Lacquers: Clear wood finishes, excluding clear lacquer sanding sealers, formulated with nitrocellulose or synthetic resins to dry by solvent evaporation without chemical reaction and to provide a solid, protective film, which are intended exclusively for application by brush, and which are labeled as specified in Section 6.1. Effective January 1, 2011, the Clear Brushing Lacquers coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~
- ~~3.16 Clear Wood Coatings: Clear and semi-transparent coatings, including lacquers and varnishes, applied to wood substrates to provide a transparent or translucent~~

~~solid film. Effective January 1, 2011, the Clear Wood coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~

- 3.175 Coating: A material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to, paints, varnishes, sealers, and stains.
- 3.186 Colorant: A concentrated pigment dispersion in water, solvent, and/or binder that is added to an architectural coating after packaging in sale units to produce the desired color. Colorants must be labeled in accordance with Section 6.1.12.
- 3.197 Concrete Curing Compound: A coating labeled and formulated for application to freshly poured concrete to retard the evaporation of water, or harden or dustproof the surface of freshly poured concrete.
- 3.2018 Concrete/Masonry Sealer: A clear or opaque coating that is labeled and formulated primarily for application to concrete and masonry surfaces to prevent penetration of water, provide resistance against abrasion, alkalis, acids, mildew, staining, or ultraviolet light, or harden or dustproof the surface of aged or cured concrete.
- 3.2119 Driveway Sealer: A coating labeled and formulated for application to worn asphalt driveway surfaces to fill cracks, seal the surface to provide protection, or to restore or preserve the appearance.
- 3.220 Dry Fog Coating: A coating labeled and formulated only for spray application such that overspray droplets dry before subsequent contact with incidental surfaces in the vicinity of the surface coating activity.
- 3.2321 EPA: United States Environmental Protection Agency.
- 3.2422 Exempt Compound: A compound identified as exempt under the definition of Volatile Organic Compound (VOC), as defined in Rule 1020 (Definitions).
- 3.2523 Faux Finishing Coating: A coating labeled and formulated to meet one or more of the following criteria:
- 3.2523.1 A glaze or textured coating used to create artistic effects, including, but not limited to: dirt, suede, old age, smoke damage, and simulated marble and wood grain; or

- 3.2523.2 A decorative coating used to create a metallic, iridescent, or pearlescent appearance and that contains at least 48 grams of pearlescent mica pigment or other iridescent pigment per liter of coating as applied (at least 0.4 pounds per gallon); or
- 3.2523.3 A decorative coating used to create a metallic appearance and that contains less than 48 grams of elemental metallic pigment per liter of coating as applied (less than 0.4 pounds per gallon) when tested in accordance with SCAQMD Method 318-95, incorporated by reference in Section 6.3.89; or
- 3.2523.4 A decorative coating used to create a metallic appearance and that contains greater than 48 grams of elemental metallic pigment per liter of coating as applied (greater than 0.4 pounds per gallon) and which requires a clear topcoat to prevent the degradation of the finish under normal use conditions. The metallic pigment content shall be determined in accordance with SCAQMD Method 318-95, incorporated by reference in Section 6.3.89; or
- 3.2523.5 A clear topcoat to seal and protect a Faux Finishing coating that meets the requirements of Sections 3.2523.1, 3.2523.2, 3.2523.3, or 3.2523.4. These clear topcoats must be sold and used solely as part of a Faux Finishing coating system, and must be labeled in accordance with Section 6.1.4.
- 3.264 Fire-Resistive Coating: A coating labeled and formulated to protect structural integrity by increasing the fire endurance of interior or exterior steel and other structural materials. The Fire-Resistive coating category includes sprayed fire resistive materials and intumescent fire resistive coatings that are used to bring structural materials into compliance with federal, state, and local building code requirements. The fire-resistant coatings shall be tested in accordance with ASTM E119-0718ce1, incorporated by reference in Section 6.3.67. Fire Resistive coatings and testing agencies must be approved by building code officials.
- 3.275 Fire-Retardant Coating: A coating labeled and formulated to retard ignition and flame spread, that has been fire tested and rated by a testing agency approved by building code officials for use in bringing building and construction materials into compliance with federal, state and local building code requirements. The fire-retardant coating and the testing agency must be approved by building code officials. The fire-retardant coating shall be tested in accordance with ASTM E84-0718b incorporated by reference in Section 6.3.56. ~~Effective January 1, 2011, the Fire Retardant Coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table~~

of Standards 2, except as provided in Section 5.2. Effective January 1, 2010, the Fire Retardant coating category is eliminated and coatings with fire retardant properties will be subject to the VOC limit of their primary category (e.g., Flat, Nonflat, etc.).

- 3.286 Flat Coating: A coating that is not defined under any other definition in this rule and that registers gloss less than 15 on an 85-degree meter or less than 5 on a 60-degree meter according to ASTM D523-89 (1999)14 (2018), incorporated by reference in Section 6.3.78.
- 3.297 Floor Coating: An opaque coating that is labeled and formulated for application to flooring, including, but not limited to, decks, porches, steps, garage floors, and other horizontal surfaces which may be subject to foot traffic.
- ~~3.30 Flow Coating: A coating labeled and formulated exclusively for use by electric power companies or their subcontractors to maintain the protective coating systems present on utility transformer units. Effective January 1, 2011, the Flow coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~
- 3.3128 Form-Release Compound: A coating labeled and formulated for application to a concrete form to prevent the freshly poured concrete from bonding to the form. The form may consist of wood, metal, or some material other than concrete.
- 3.3229 Graphic Arts Coating or Sign Paint: A coating labeled and formulated for hand-application by artists using brush, airbrush, or roller techniques to indoor and outdoor signs (excluding structural components) and murals including lettering enamels, poster colors, copy blockers, and bulletin enamels.
- 3.330 High-Temperature Coating: A high performance coating labeled and formulated for application to substrates exposed continuously or intermittently to temperatures above 204°C (400°F).
- 3.3431 Industrial Maintenance Coating: A high performance architectural coating, including primers, sealers, undercoaters, intermediate coats, and topcoats, formulated for application to substrates including floors, exposed to one or more of the following extreme environmental conditions listed in Sections 3.3431.1 through 3.3431.5 and labeled as specified in Section 6.1:
- 3.3431.1 Immersion in water, wastewater, or chemical solutions (aqueous and non-aqueous solutions), or chronic exposure of interior surfaces to moisture condensation; or

- 3.3431.2 Acute or chronic exposure to corrosive, caustic or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions; or
- 3.3431.3 Frequent exposure to temperatures above 121°C (250°F); or
- 3.3431.4 Frequent heavy abrasion, including mechanical wear and frequent scrubbing with industrial solvents, cleansers, or scouring agents; or
- 3.3431.5 Exterior exposure of metal structures and structural components.
- 3.32 Interior Stain: A stain labeled and formulated exclusively for use on interior surfaces.
- 3.33 Intumescent: A material that swells as a result of heat exposure, thus increasing in volume and decreasing in density.
- 3.354 Lacquer: A clear or opaque wood coating, including clear lacquer sanding sealers, formulated with cellulosic or synthetic resins to dry by evaporation without chemical reaction and to provide a solid, protective film. ~~Effective January 1, 2011, the Lacquer category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~
- 3.365 Low Solids Coating: A coating containing 0.12 kilogram or less of solids per liter (1 pound or less of solids per gallon) of coating material as recommended for application by the manufacturer. The VOC content for low solids coatings shall be calculated pursuant to VOC Actual.
- 3.3736 Magnesite Cement Coating: A coating labeled and formulated for application to magnesite cement decking to protect the magnesite cement substrate from erosion by water.
- 3.3837 Manufacturer's Maximum Thinning Recommendation: The maximum recommendation for thinning that is indicated on the label or lid of the coating container.
- 3.38 Market: To facilitate sales through third party vendors including, but not limited to, catalog or ecommerce sales that bring together buyers and sellers. For the purposes of this rule, market does not mean to generally promote or advertise coatings.
- 3.39 Mastic Texture Coating: A coating labeled and formulated to cover holes and minor cracks and to conceal surface irregularities, and is applied in a single coat of at least 10 mils (at least 0.010 inch) dry film thickness.

- 3.40 Medium Density Fiberboard: A composite wood product, panel, molding, or other building material composed of cellulosic fibers (usually wood) made by dry forming and pressing of a resinated fiber mat.
- 3.41 Metallic Pigmented Coating: A coating that is labeled and formulated to provide a metallic appearance. Metallic Pigmented coatings must contain at least 48 grams of elemental metallic pigment (excluding zinc) per liter of coating as applied (at least 0.4 pounds per gallon), when tested in accordance with SCAQMD Method 318-95, incorporated by reference in Section 6.3.89. The metallic Pigmented Coating category does not include coatings applied to roofs, or Zinc-Rich Primers.
- 3.42 Multi-Color Coating: A coating that is packaged in a single container and that is labeled and formulated to exhibit more than one color when applied in a single coat.
- 3.43 Nonflat Coating: A coating that is not defined under any other definition in this rule and that registers a gloss of 15 or greater on an 85-degree meter and 5 or greater on a 60-degree meter according to ASTM D523-89 (1999)¹⁴ (2018), incorporated by reference in Section 6.3.78.
- ~~3.44 Nonflat High Gloss Coating: A nonflat coating that registers a gloss of 70 or greater on a 60 degree meter according to ASTM D523 89 (1999), incorporated by reference in Section 6.3.7. Nonflat High Gloss Coatings must be labeled in accordance with Section 6.1.12.~~
- 3.4544 Particleboard: A composite wood product panel, molding, or other building material composed of cellulosic material (usually wood) in the form of discrete particles, as distinguished from fibers, flakes, or strands, which are pressed together with resin.
- 3.4645 Pearlescent: Exhibiting various colors depending on the angles of illumination and viewing, as observed in mother-of-pearl.
- 3.4746 Plywood: A panel product consisting of layers of wood veneers or composite core pressed together with resin. Plywood includes panel products made by either hot or cold pressing (with resin) veneers to a platform.
- 3.4847 Post-Consumer Coating: Finished coatings generated by a business or consumer that have served their intended end uses, and are recovered from or otherwise diverted from the waste stream for the purpose of recycling.

- 3.4948 Pre-Treatment Wash Primer: A primer that contains a minimum of 0.5 percent acid, by weight, when tested in accordance with ASTM D1613-0617 incorporated by reference in Section 6.3.910, that is labeled and formulated for application directly to bare metal surfaces to provide corrosion resistance and to promote adhesion of subsequent topcoats.
- 3.5049 Primer, Sealer, and Undercoater: A coating labeled and formulated to provide a firm bond between the substrate and the subsequent coatings, prevent subsequent coatings from being absorbed by the substrate, prevent harm to subsequent coatings by materials in the substrate, provide a smooth surface for the subsequent application of coatings, provide a clear finish coat to seal the substrate, or to block materials from penetrating into or leaching out of a substrate.
- ~~3.51 Quick Dry Enamel: A nonflat coating that is labeled as specified in Section 6.1 and that is formulated to have the following characteristics:~~
- ~~3.51.1 Is capable of being applied directly from the container under normal conditions with ambient temperatures between 16 and 27°C (60 and 80°F);~~
- ~~3.51.2 Sets to touch in 2 hours or less, is tack free in 4 hours or less, and dries hard in 8 hours or less by the mechanical test method; and~~
- ~~3.51.3 Has a dried film gloss of 70 or above on a 60 degree meter.~~
- ~~3.51.4 Effective January 1, 2011, the Quick Dry Enamel coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~
- ~~3.52 Quick Dry Primer, Sealer, and Undercoater: A primer, sealer, or undercoater that is dry to the touch in 30 minutes and can be recoated in 2 hours when tested in accordance with ASTM D1640 95 incorporated by reference in Section 6.3.10. Effective January 1, 2011, the Quick Dry Primer, Sealer, and Undercoater coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~
- 3.5350 Reactive Penetrating Sealer: A clear or pigmented coating that is formulated for application to above-grade concrete and masonry substrates to provide protection from water and waterborne contaminants, including, but not limited to, alkalis, acids, and salts. Reactive Penetrating Sealers must penetrate into concrete and masonry substrates and chemically react to form covalent bonds with naturally occurring minerals in the substrate. Reactive Penetrating Sealers line the pores of concrete and masonry substrates with a hydrophobic coating, but do not form

a surface film. Reactive Penetrating Sealers must meet all of the following criteria:

- 3.5350.1 The Reactive Penetrating Sealer must improve water repellency at least 80 percent after application on a concrete or masonry substrate. This performance must be verified on standardized test specimens, in accordance with one or more of the following standards, incorporated by reference in Section 6.3.254: ASTM C67-07/C67M-18, or ASTM C97-02/97M-18, or ASTM C140-06/C140M-18a; and
- 3.5350.2 The Reactive Penetrating Sealer must ~~not reduce the water vapor transmission rate by more than 2 percent after application on a concrete or masonry substrate. This performance must be verified on standardized test specimens, in accordance with ASTM E96/E96M-05,~~provide a breathable waterproof barrier for concrete or masonry surfaces that does not prevent or substantially retard water vapor transmission. This performance must be verified on standardized test specimens, in accordance with ASTM E96/96M-16 or ASTM D6490-99 (2014), incorporated by reference in Section 6.3.265; and
- 3.5350.3 Products labeled and formulated for vehicular traffic surface chloride screening applications must meet the performance criteria listed in the National Cooperative Highway Research Report 244 (1981) incorporated by reference in Section 6.3.276.
- 3.5350.4 Reactive Penetrating Sealers must be labeled in accordance with Section 6.1.408.
- 3.5451 Recycled Coating: An architectural coating formulated such that it contains a minimum of 50 percent by volume post-consumer coating, with a maximum of 50 percent by volume secondary industrial materials or virgin materials.
- 3.5552 Residential: Areas where people reside or lodge, including, but not limited to, single and multiple family dwellings, condominiums, mobile homes, apartment complexes, motels, and hotels.
- 3.5653 Roof Coating: A non-bituminous coating labeled and formulated for application to roofs for the primary purpose of preventing water penetration, reflecting ultraviolet light, or reflecting solar radiation.
- 3.5754 Rust Preventative Coating: A coating formulated to prevent the corrosion of metal surfaces for direct-to-metal coating or a coating intended for application over rusty, previously coated surfaces. The Rust Preventative category does not include coatings that are required to be applied as a topcoat over a primer; or

coatings that are intended for use on wood or any other nonmetallic surface. Rust preventative coatings are for metal substrates only and must be labeled as such, in accordance with the labeling requirements in Section 6.1.76.

3.5855 Sanding Sealer: A clear or semi-transparent wood coating labeled and formulated for application to bare wood to seal the wood and to provide a coat that can be abraded to create a smooth surface for subsequent applications of coatings. ~~A sanding sealer that also meets the definition of a lacquer is not included in this category, but is included in the lacquer category. Effective January 1, 2011, the Sanding Sealer coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~

3.5956 Secondary Industrial Materials: Products or by-products of the paint manufacturing process that are of known composition and have economic value but can no longer be used for their intended purpose.

3.6057 Semitransparent Coating: A coating that contains binders and colored pigments and is formulated to change the color of the surface, but not conceal the grain pattern or texture.

3.6158 Shellac: A clear or opaque coating formulated solely with the resinous secretions of the lac beetle (*Lacifer lacca*) and formulated to dry by evaporation without a chemical reaction.

3.6259 Shop Application: Application of a coating to a product or a component of a product in or on the premises of a factory or a shop as part of a manufacturing, production, or repairing process (e.g., original equipment manufacturing coatings).

3.6360 Solicit: To require for use or to specify, by written or oral contract.

3.6461 Specialty Primer, Sealer, and Undercoater:

~~3.64.1 Effective through December 31, 2011: A coating labeled as specified in Section 6.1 and that is formulated for application to a substrate to seal fire, smoke or water damage; to condition excessively chalky surfaces, or to block stains. An excessively chalky surface is one that is defined as having a chalk rating of four or less as determined by ASTM D4214 98, incorporated by reference in Section 6.3.11. Specialty Primers, Sealers, and Undercoaters must be labeled in accordance with Section 6.1.8.~~

3.6461.21 ~~Effective on and after January 1, 2012:~~ A coating that is formulated for application to a substrate to block water-soluble stains

resulting from: fire damage, smoke damage, or water damage. Specialty Primers, Sealers, and Undercoaters must be labeled in accordance with Section 6.1.87.

- 3.6562 Stain: A semitransparent or opaque coating labeled and formulated to change the color of a surface but not conceal the grain pattern or texture.
- 3.6663 Stone Consolidant: A coating that is labeled and formulated for application to stone substrates to repair historical structures that have been damaged by weathering or other decay mechanisms. Stone Consolidants must penetrate into stone substrates to create bonds between particles and consolidate deteriorated material. Stone Consolidants must be specified and used in accordance with ASTM E2167-01 (2008), incorporated by reference in Section 6.3.287. Stone Consolidants are for professional use only and must be labeled as such, in accordance with the labeling requirements in Section 6.1.449.
- 3.6764 Swimming Pool Coating: A coating labeled and formulated to coat the interior of swimming pools and to resist swimming pool chemicals. Swimming pool coatings include coatings used for swimming pool repair and maintenance.
- ~~3.68 Swimming Pool Repair and Maintenance Coating: A rubber based coating labeled and formulated to be used over existing rubber based coatings for the repair and maintenance of swimming pools. Effective January 1, 2011, the Swimming Pool Repair and Maintenance coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~
- ~~3.69 Temperature Indicator Safety Coating: A coating labeled and formulated as a color changing indicator coating for the purpose of monitoring the temperature and safety of the substrate, underlying piping, or underlying equipment, and for application to substrates exposed continuously or intermittently to temperatures above 204°C (400°F). Effective January 1, 2011, the Temperature Indicator Safety coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~
- 3.65 Tile and Stone Sealers: A clear or pigmented sealer that is used for sealing tile, stone or grout to provide resistance against water, alkalis, acids, ultraviolet light or straining and which meets one of the following subcategories:
- 3.65.1 Penetrating sealers are polymer solutions that cross-link in the substrate and must meet the following criteria:

3.65.1.1 Qualify as a fine particle structure to penetrate dense tile such as porcelain with absorption as low as 0.10 percent per ASTM C373-18, ASTM C97/97M-18, or ASTM C642-13, incorporated by reference in subsection 6.3.31;

3.65.1.2 Retain or increase static coefficient of friction per ANSI A137.1 (2012), incorporated by reference in subsection 6.3.32;

3.65.1.3 Not create a topical surface film on the tile or stone; and

3.65.1.4 Allow vapor transmission per ASTM E96/96M-16, incorporated by subsection 6.3.33.

3.65.2 Film forming sealers which leave a protective film on the surface.

~~3.7066~~ Tint Base: An architectural coating to which colorant is added after packaging in sale units to produce a desired color.

~~3.7167~~ Traffic Marking Coating: A coating labeled and formulated for marking and striping streets, highways, or other traffic surfaces including, but not limited to, curbs, berms, driveways, parking lots, sidewalks, and airport runways. This coating category also includes Methacrylate Multicomponent Coatings used as traffic marking coatings. The VOC content of Methacrylate Multicomponent Coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR Part 59, Subpart D, Appendix A, incorporated by reference in subsection 6.3.16.

~~3.7268~~ Tub and Tile Refinish Coating: A clear or opaque coating that is labeled and formulated exclusively for refinishing the surface of a bathtub, shower, sink, or countertop. Tub and Tile Refinish coatings must meet all of the following criteria:

~~3.7268.1~~ The coating must have a scratch hardness of 3H or harder and a gouge hardness of 4H or harder. This must be determined on bonderite 1000, in accordance with ASTM D3363-05 (2011)e2, incorporated by reference in Section 6.3.2019; and

~~3.7268.2~~ The coating must have a weight loss of 20 milligrams or less after 1,000 cycles. This must be determined with CS-17 wheels on bonderite 1000, in accordance with ASTM D4060-0714, incorporated by reference in Section 6.3.240; and

~~3.7268.3~~ The coating must withstand 1,000 hours or more of exposure with few or no #8 blisters. This must be determined on unscribed bonderite, in

accordance with ASTM D4585-99/D4585M-18, and ASTM D714-02e1 (2017), incorporated by reference in Section 6.3.221; and

3.7268.4 The coating must have an adhesion rating of 4B or better after 24 hours of recovery. This must be determined on unscribed bonderite, in accordance with ASTM D4585-99/D4585M-18 and ASTM D3359-0217, incorporated by reference in Section 6.3.198.

~~3.73 Varnish: A clear or semi-transparent wood coating, excluding lacquers and shellacs, formulated to dry by chemical reaction on exposure to air. Varnishes may contain small amounts of pigment to color a surface, or to control the final sheen or gloss of the finish. Effective January 1, 2011, the Varnish coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~

3.7469 Veneer: Thin sheets of wood peeled or sliced from logs for use in the manufacture of wood products such as plywood, laminated veneer lumber, or other products.

3.7570 Virgin Materials: Materials that contain no post-consumer coatings or secondary industrial materials.

3.7671 Volatile Organic Compound (VOC): as defined in Rule 1020 (Definitions).

3.7772 VOC Actual: The weight of VOC per volume of coating. VOC Actual applies to coatings or colorants in the Low Solids Coatings category and it is calculated with the following equation:

$$\text{VOC Actual} = \frac{(W_s - W_w - W_{ec})}{(V_m)}$$

Where:

VOC Actual	=	the grams of VOC per liter of coating (also known as “Material VOC”)
W _s	=	weight of volatiles, in grams
W _w	=	weight of water, in grams
W _{ec}	=	weight of exempt compounds, in grams
V _m	=	volume of coating <u>or colorant</u> , in liters

3.7873 VOC Content: The weight of VOC per volume of coating or colorant. VOC Content is VOC Regulatory, as defined in Section 3.794, for all coatings or colorants except those in the Low Solids category. For coatings or colorants in the Low Solids category, the VOC Content is VOC Actual, as defined in Section 3.7277. If the coating is a multi-component product, the VOC content is VOC

Regulatory as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing.

3.7974 VOC Regulatory: VOC Regulatory is the weight of VOC per volume of coating or colorant, less the volume of water and exempt compounds. It is calculated with the following equation:

$$\text{VOC Regulatory} = \frac{(W_s - W_w - W_{ec})}{(V_m - V_w - V_{ec})}$$

Where:

VOC Regulatory = grams of VOC per liter of coating or colorant, less water and

exempt compounds (also known as “Coating VOC”)
 W_s = weight of volatiles, in grams
 W_w = weight of water, in grams
 W_{ec} = weight of exempt compounds, in grams
 V_m = volume of coating or colorant, in liters
 V_w = volume of water, in liters
 V_{ec} = volume of exempt compounds, in liters

~~3.80 Waterproofing Concrete/Masonry Sealer: A clear or pigmented film forming coating that is labeled and formulated for sealing concrete and masonry to provide resistance against water, alkalis, acids, ultraviolet light, and staining. Effective January 1, 2011, the Waterproofing Concrete/Masonry Sealer category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~

3.8175 Waterproofing Membrane: A clear or opaque coating that is labeled and formulated for application to concrete and masonry surfaces to provide a seamless waterproofing membrane that prevents any penetration of liquid water into the substrate. Waterproofing Membranes are intended for the following waterproofing applications: below-grade surfaces, between concrete slabs, inside tunnels, inside concrete planters, and under flooring materials. The Waterproofing Membrane category does not include topcoats that are included in the Concrete/Masonry Sealer category (e.g., parking deck topcoats, pedestrian deck topcoats, etc.). Waterproofing Membranes must meet the following criteria:

3.8175.1 Coating must be applied in a single coat of at least 25 mils (at least 0.025 inch) dry film thickness; and

3.8175.2 Coatings must meet or exceed the requirements contained in ASTM C836-06/C836M-18, incorporated by reference in Section 6.3.232.

~~3.82 Waterproofing Sealer: A coating labeled and formulated for application to a porous substrate for the primary purpose of preventing the penetration of water. Effective January 1, 2011, the Waterproofing Sealer coating category is eliminated and coatings meeting this definition will be subject to the VOC limit for the applicable category in the Table of Standards 2, except as provided in Section 5.2.~~

3.8376 Wood Coatings: Coatings labeled and formulated for application to wood substrates only. The Wood Coatings category includes the following clear and semitransparent coatings: lacquers; varnishes; sanding sealers; penetrating oils; clear stains; wood conditioners used as undercoats; and wood sealers used as topcoats. The Wood Coatings category also includes the following opaque wood coatings: opaque lacquers; opaque sanding sealers; and opaque lacquer undercoaters. The Wood Coatings category does not include clear sealers that are labeled and formulated for use on concrete/masonry surfaces; or coatings intended for substrates other than wood. Wood Coatings must be labeled “For Wood Substrates Only”, in accordance with Section 6.1.130.

3.8477 Wood Preservative: A coating labeled and formulated to protect exposed wood from decay or insect attack, that is registered with both the U.S. EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code (U.S.C.) Section 136, *et seq.*) and with the California Department of Pesticide Regulation.

3.8578 Wood Substrate: A substrate made of wood, particleboard, plywood, medium density fiberboard, rattan, wicker, bamboo, or composite products with exposed wood grain. Wood Products do not include items comprised of simulated wood.

3.8679 Zinc-Rich Primer: A coating that contains at least 65 percent metallic zinc powder or zinc dust by weight of total solids, and is formulated for application to metal substrates to provide a firm bond between the substrate and subsequent applications of coatings. Zinc-Rich Primers are intended for professional use only and are labeled as such, in accordance with the labeling requirements in Section 6.1.11.

4.0 Exemptions

4.1 The provisions of this rule shall not apply to:

4.1.1 Any architectural coating that is supplied, sold, offered for sale, or manufactured for use outside of the District or for shipment to other manufacturers for reformulation or repackaging.

4.1.2 Any aerosol coating product.

4.2 With the exception of Section 6.2 and Section 4.3, the provisions of this rule shall not apply to any architectural coating that is sold in a container with a volume of one liter (1.057 quarts) or less-, provided the following requirements are met:

4.2.1 The coating container is not bundled together with other containers of the same specific coating category (listed in Table 1) to be sold as a unit that exceeds one liter (1.057 quart), excluding containers packed together for shipping to a retail outlet, and

4.2.2 The label or any other product literature does not suggest combining multiple containers of the same specific category (listed in Table 1) so that the combination exceeds one liter (1.057 quart).

4.3 On and after sixty days following the effective date of EPA final rulemaking that the conditions described in Clean Air Act Sections 172(c)(9) and 182(c)(9) have occurred in the San Joaquin Valley regarding the 2008 8-hour Ozone National Ambient Air Quality Standard, the categories of coatings listed below shall no longer be exempt from the provisions of Table 1 of this rule when sold in containers having capacities of one liter (1.057 quarts) or less:

4.3.1 Bituminous Roof Coatings;

4.3.2 Flat Coatings that are sold in containers having capacities greater than eight fluid ounces;

4.3.3 Magnesite Cement Coatings;

4.3.4 Multi-Color Coatings;

4.3.5 Nonflat Coatings that are sold in containers having capacities greater than eight fluid ounces;

4.3.6 Pre-Treatment Wash Primers;

4.3.7 Reactive Penetrating Sealers;

4.3.8 Shellacs (Clear and Opaque);

4.3.9 Stone Consolidants;

4.3.10 Swimming Pool Coatings;

4.3.11 Tub and Tile Refinishing Coatings;

4.3.12 Wood Coatings, including Lacquers, Varnishes, and Sanding Sealers; and

4.3.13 Wood Preservatives.

- 4.4 Colorant added at the factory or at the worksite is not subject to the VOC limits in Table 2. In addition, containers of colorant sold at the point of sale for use in the field or on a job site are also not subject to the VOC limit in Table 2.

5.0 Requirements

- 5.1 VOC Content Limits: Except as provided in Sections 5.2 and 5.3, no person shall: manufacture, blend, or repackage for use within the District; or supply, sell, market or offer for sale within the District; or solicit for application or apply within the District any architectural coating or colorant with a VOC content in excess of the corresponding limit specified in ~~the Table of Standards 1 or the Table of Standards 2~~, after the specified effective date in ~~the Table of Standards 1 or the Table of Standards 2~~. Limits are expressed as VOC Regulatory, thinned to the manufacturer's maximum thinning recommendation, excluding any colorant added to tint bases.
- 5.2 Most Restrictive VOC Limit: If a coating meets the definition in Section 3.0 for one or more specialty coating categories listed in ~~the Table of Standards 1 or the Table of Standards 2~~, then that coating is not required to meet the VOC limits for Flat, or Nonflat, or Nonflat High Gloss coatings, but is required to meet the VOC limit for the applicable specialty coating listed in ~~the Table of Standards 1 or the Table of Standards 2~~. With the exception of the specialty coating categories specified in Sections 5.2.1 through 5.2.12, if a coating is recommended for use in more than one of the specialty coating categories listed in Table 1~~the Table of Standards~~, then the most restrictive (or lowest) VOC content limit shall apply. This requirement applies to: usage recommendations that appear anywhere on the coating container, anywhere on any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf.

5.2.1 Metallic pigmented coatings;

5.2.2 Shellacs;

5.2.3 Pretreatment wash primers;

5.2.4 Industrial maintenance coatings;

5.2.5 Low-solids coatings;

5.2.6 Wood preservatives;

5.2.7 High temperature coatings;

5.2.8 Bituminous roof primers;

5.2.9 Specialty primers, sealers and undercoaters;

5.2.10 Aluminum roof coatings;

5.2.11 Zinc-rich primers; and

5.2.12 Wood Coatings.

~~5.2.1 Effective until December 31, 2010, with the exception of the specialty coating categories specified in Section 5.2.3.1 through 5.2.3.15, if a coating is recommended for use in more than one of the specialty coating categories listed in the Table of Standards 1, the most restrictive (or lowest) VOC content limit shall apply.~~

~~5.2.2 Effective on and after January 1, 2011, with the exception of the specialty coating categories specified in Sections 5.2.3.2, 5.2.3.3, 5.2.3.5 through 5.2.3.9, and 5.2.3.14 through 5.2.3.18, if a coating is recommended for use in more than one of the specialty coating categories listed in the Table of Standards 2, the most restrictive (or lowest) VOC content limit shall apply.~~

~~5.2.31 This requirement applies to: usage recommendations that appear anywhere on the coating container, anywhere on any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf.~~

~~5.2.31.1 Lacquer coatings (including lacquer sanding sealers)~~

~~5.2.31.2 Metallic pigmented coatings~~

~~5.2.31.3 Shellacs~~

~~5.2.31.4 Fire retardant coatings~~

~~5.2.31.5 Pretreatment wash primers~~

~~5.2.31.6 Industrial maintenance coatings~~

~~5.2.31.7 Low solids coatings~~

~~5.2.31.8 Wood preservatives~~

~~5.2.31.9 High temperature coatings~~

~~5.2.31.10 Temperature indicator safety coatings~~

~~5.2.31.11 Antenna coatings~~

~~5.2.31.12 Antifouling coatings~~

~~5.2.31.13 Flow coatings~~

~~5.2.31.14 Bituminous roof primers~~

~~5.2.31.15 Specialty primers, sealers and undercoaters~~

~~5.2.31.16 Aluminum roof coatings~~

~~5.2.31.17 Zinc rich primers~~

~~5.2.31.18 Wood Coatings~~

5.3 Sell-Through of Coatings:

~~A coating manufactured prior to the effective date specified for that coating in the Table of Standards 1 or the Table of Standards 2, and that complied with the standards in effect at the time the coating was manufactured, may be sold, supplied, or offered for sale for up to three years after the specified effective date. In addition, a coating manufactured before the effective date specified for that~~

~~coating in the Table of Standards 1 or the Table of Standards 2 may be applied at any time, both before and after the specified effective date, so long as the coating complied with the standards in effect at the time the coating was manufactured. This Section 5.3 does not apply to any coating that does not display the date or date code required by Section 6.1.1.~~

5.3.1 A coating manufactured prior to January 1, 2022 may be sold, supplied, or offered for sale for up to three years after January 1, 2022. In addition, a coating manufactured before January 1, 2022 may be applied at any time, both before and after January 1, 2022, so long as the coating complied with the standards in effect at the time the coating was manufactured. This subsection 5.3.1 does not apply to any coating that does not display the date or date-code required by subsection 6.1.1.

5.3.2 A colorant manufactured prior to January 1, 2022 may be sold, supplied, or offered for sale for up to three years after January 1, 2022. In addition, a colorant manufactured before January 1, 2022 may be applied at any time, both before and after January 1, 2022, so long as the colorant complied with the standards in effect at the time the colorant was manufactured. This subsection 5.3.2 does not apply to any colorant that does not display the date or date-code required by subsection 6.1.1.

5.4 Painting Practices: All architectural coating containers used to apply the contents therein to a surface directly from the container by pouring, siphoning, brushing, rolling, padding, ragging or other means, shall be closed when not in use. These architectural coating containers include, but are not limited to, drums, buckets, cans, pails, trays or other application containers. Containers of any VOC-containing materials used for thinning and cleanup shall also be closed when not in use.

5.5 Thinning: No person who applies or solicits the application of any architectural coating shall apply a coating that is thinned to exceed the applicable VOC limit specified in ~~the Table of Standards 1, or the Table of Standards 2.~~

~~5.6 Rust Preventative Coatings: Effective through December 31, 2010, no person shall apply or solicit the application of any rust preventative coating for industrial use, unless such a rust preventative coating complies with the industrial maintenance coating VOC limit specified in the Table of Standards 1.~~

5.7 Coatings Not Listed in ~~the Table of Standards 1 or the Table of Standards 2:~~ For any coating that does not meet any of the definitions for the specialty coatings categories listed in ~~the Table of Standards 1 or the Table of Standards 2,~~ the VOC content limit shall be determined by classifying the coating as ~~a Flat, or Nonflat, or Nonflat High Gloss coating,~~ based on its gloss, and the corresponding Flat,

~~or Nonflat VOC limit in the Table of Standards 1 or the Table of Standards 2 shall apply.~~

- ~~5.67~~ Colorants: No person within the District shall, at the point of sale of any architectural coating subject to subsection 5.1, add to such coating any colorant that contains VOCs in excess of the corresponding applicable VOC limit specified in Table 2. The point of sale includes retail outlets that add colorant to a coating container to obtain a specific color.

~~5.8 — Prior to January 1, 2011, any coating that meets a definition in Section 3.0 for a coating category listed in the Table of Standards 2 and complies with the applicable VOC limit in the Table of Standards 2 and with Sections 5.2 and 6.1 (including those provision of Section 6.1 otherwise effective on January 1, 2011) shall be considered in compliance with this rule.~~

TABLE OF STANDARDS 1 (Effective through 12/31/10)

Limits are expressed in grams of VOC per liter* of coating thinned to the manufacturer's maximum recommendation, excluding the volume of any water, exempt compounds, or colorant added to tint bases. Manufacturer's maximum recommendation means the maximum recommendation for thinning that is indicated on the label or lid of the coating container.

COATING CATEGORY	Effective Date: 1/1/2003
<i>Flat Coatings</i>	100
<i>Nonflat Coatings</i>	150
<i>Nonflat High-Gloss Coatings</i>	250
<i>Specialty Coatings</i>	-
Antenna Coatings	530
Antifouling Coatings	400
Bituminous Roof Coatings	300
Bituminous Roof Primers	350
Bond Breakers	350
Clear Wood Coatings:-	-
Clear Brushing Lacquers	680
Lacquers (including lacquer sanding sealers)	550
Sanding Sealers (other than lacquer sanding sealers)	350
Varnishes	350
Concrete-Curing Compounds	350
Dry Fog Coatings	400
Faux Finishing Coatings	350
Fire Resistive Coatings	350
Fire Retardant Coatings:-	-
— Clear	650
— Opaque	350
Floor Coatings	250
Flow Coatings	420
Form Release Compounds	250
Graphic Arts Coatings (Sign Paints)	500
High Temperature Coatings	420
Industrial Maintenance Coatings	250
Low Solids Coatings	120 ^a
Magnesite Cement Coatings	450
Mastic Texture Coatings	300
Metallic Pigmented Coatings	500
Multi-Color Coatings	250

TABLE OF STANDARDS 1, continued (Effective through 12/31/10)

COATING CATEGORY	Effective Date: 1/1/2003
Pre Treatment Wash Primers	420
Primers, Sealers, and Undercoaters	200
Quick Dry Enamels	250
Quick Dry Primers, Sealers and Undercoaters	200
Recycled Coatings	250
Roof Coatings	250
Rust Preventative Coatings	400
Shellacs:	-
— Clear	730
— Opaque	550
Specialty Primers, Sealers, and Undercoaters	350
Stains	250
Swimming Pool Coatings	340
Swimming Pool Repair and Maintenance Coatings	340
Temperature Indicator Safety Coatings	550
Traffic Marking Coatings	150
Waterproofing Sealers	250
Waterproofing Concrete/Masonry Sealers	400
Wood Preservatives	350

a Conversion factor: one pound VOC per gallon (U.S.) = 119.95 grams VOC per liter.

b Units are grams of VOC per liter of coating, including water and exempt compounds in accordance with Section 3.77.

Table 1 VOC Content Limits for Coatings¹
TABLE OF STANDARDS 2 (Effective on and after 1/1/11)
VOC CONTENT LIMITS FOR COATINGS

Limits are expressed as VOC Regulatory, thinned to the manufacturer's maximum thinning recommendation, excluding any colorant added to tint bases.

<i>COATING CATEGORY</i>	<i>VOC Limit (g/l) Effective 1/1/2011 through 12/31/2011²</i>	<i>Current VOC Limit (g/l) Effective on and after 1/1/2012²</i>	<i>VOC Limit (g/l) Effective on and after 1/1/2022</i>
<i>Flat Coatings</i>	50	50	<u>50</u>
<i>Nonflat Coatings</i>	100	100	<u>50</u>
~~<i>Nonflat High Gloss Coatings</i>~~	150	150	
<i>Specialty Coatings</i>	-	-	-
Aluminum Roof Coatings	400	400	<u>100</u>
Basement Specialty Coatings	400	400	<u>400</u>
Bituminous Roof Coatings	50	50	<u>50</u>
Bituminous Roof Primers	350	350	<u>350</u>
Bond Breakers	350	350	<u>350</u>
<u>Building Envelope Coatings</u>	-	-	<u>50</u>
Concrete Curing Compounds	350	350	<u>350</u>
Concrete/Masonry Sealers	100	100	<u>100</u>
Driveway Sealers	50	50	<u>50</u>
Dry Fog Coatings	150	150	<u>50</u>
Faux Finishing Coatings	350	350	<u>350</u>
Fire Resistive Coatings	350	350	<u>150</u>
Floor Coatings	100	100	<u>50</u>
Form-Release Compounds	250	250	<u>100</u>
Graphic Arts Coatings (Sign Paints)	500	500	<u>500</u>
High Temperature Coatings	420	420	<u>420</u>
Industrial Maintenance Coatings	250	250	<u>250</u>
Low Solids Coatings ⁴²	120 ⁺	120 ⁺	<u>120⁺</u>
Magnesite Cement Coatings	450	450	<u>450</u>
Mastic Texture Coatings	100	100	<u>100</u>
Metallic Pigmented Coatings	500	500	<u>500</u>
Multi-Color Coatings	250	250	<u>250</u>
Pre-Treatment Wash Primers	420	420	<u>420</u>
Primers, Sealers, and Undercoaters	100	100	<u>100</u>
Reactive Penetrating Sealers	350	350	<u>350</u>
Recycled Coatings	250	250	<u>250</u>

Table 1 VOC Content Limits for Coatings (continued)¹

TABLE OF STANDARDS 2 (continued) (Effective on and after 1/1/11)

Limits are expressed as VOC Regulatory, thinned to the manufacturer's maximum thinning recommendation, excluding any colorant added to tint bases.

<i>COATING CATEGORY</i>	<i>VOC Limit (g/l) Effective 1/1/2011 through 12/31/2011²</i>	<i>Current VOC Limit (g/l) Effective on and after 1/1/2012²</i>	<i>VOC Limit (g/l) Effective on and after 1/1/2022</i>
Roof Coatings	50	50	50
Rust Preventative Coatings	400	250	250
Shellacs:			
Clear	730	730	730
Opaque	550	550	550
Specialty Primers, Sealers, and Undercoaters	350	100	100
Stains	250	250	100
Interior Stains			250
Stone Consolidants	450	450	450
Swimming Pool Coatings	340	340	340
Tile and Stone Sealers			100
Traffic Marking Coatings	100	100	100
Tub and Tile Refinish Coatings	420	420	420
Waterproofing Membranes	250	250	100
Wood Coatings	275	275	275
Wood Preservatives	350	350	350
Zinc-Rich Primers	340	340	340

¹ Limits are expressed as VOC Regulatory (except where noted otherwise), thinned to the manufacturer's maximum thinning recommendation, excluding any colorant added to tint bases.

² Units are grams of VOC per liter of coating, including water and exempt compounds, in accordance with Section 3.772.

² The dates listed do not preclude voluntary compliance with the applicable limit prior to those dates.

Table 2 VOC Content Limits for Colorants¹

<i>Colorants Added To</i>	<i>VOC Limit (g/l) Effective on and after 1/1/2022</i>
Architectural Coatings, excluding Industrial Maintenance Coatings	50
Solvent Based Industrial Maintenance Coatings	600
Waterborne Industrial Maintenance Coatings	50
Wood Coatings	600

¹ Limits are expressed as VOC Regulatory.

6.0 Administrative Requirements

6.1 Labeling Requirements: Each manufacturer of any architectural coating subject to this rule shall display the information listed in Sections 6.1.1 through 6.1.142 on the coating container (or label) in which the coating is sold or distributed.

6.1.1 Date Code: The date the coating was manufactured, or a date code representing the date, shall be indicated on the label, lid or bottom of the container. If the manufacturer uses a date code for any coating, the manufacturer shall file an explanation of each code with the Executive Officer of the ARB.

6.1.2 Thinning Recommendations: A statement of the manufacturer's recommendation regarding thinning of the coating shall be indicated on the label or lid of the container. This requirement does not apply to the thinning of architectural coatings with water. If thinning of the coating prior to use is not necessary, the recommendation must specify that the coating is to be applied without thinning.

6.1.3 VOC Content: Each container of any coating subject to this rule shall display one of the following values, in grams of VOC per liter of coating:

6.1.3.1 Maximum VOC Content, as determined from all potential product formulations; or

6.1.3.2 VOC Content, as determined from actual formulation data; or

6.1.3.3 VOC Content, as determined using the test methods in Section 6.3.2.

If the manufacturer does not recommend thinning, the container must display the VOC Content, as supplied. If the manufacturer recommends thinning, the container must display the VOC Content, including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multicomponent product, the container must display the VOC content as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing. VOC Content shall be determined as defined in subsections 3.72, 3.73, and 3.74.

6.1.4 Faux Finishing Coatings: ~~Effective January 1, 2011,~~ The labels of all clear topcoat Faux Finishing coatings shall prominently display the

statement “This product can only be sold or used as part of a Faux Finishing coating system”.

- 6.1.5 Industrial Maintenance Coatings: Each manufacturer of any industrial maintenance coating subject to this rule shall display on the label or lid of the container in which the coating is sold or distributed one or more of the following descriptions listed in Section 6.1.5.1 through 6.1.5.32.

6.1.5.1 “For industrial use only”

6.1.5.2 “For professional use only”

~~6.1.5.3 “Not for residential use” or “Not intended for residential use”~~

- ~~6.1.6 Clear Brushing Lacquers: The labels of all clear brushing lacquers shall prominently display the statements “For brush application only,” and “This product must not be thinned or sprayed.” (Category deleted effective January 1, 2011.)~~

- 6.1.76 Rust Preventative Coatings: The labels of all rust preventative coatings shall prominently display the statement “For Metal Substrates Only”.

- 6.1.87 Specialty Primers, Sealers and Undercoaters: ~~Effective until December 31, 2010, the labels of all specialty primers, sealers and undercoaters shall prominently display one or more of the descriptions listed in Section 6.1.8.1 through 6.1.8.5. Effective on and after January 1, 2011, the~~ The labels of all specialty primers, sealers, and undercoaters shall prominently display the statement “Specialty Primer, Sealer, Undercoater”. ~~one or more of the descriptions listed in Sections 6.1.8.1 through 6.1.8.3. On and after January 1, 2011, Sections 6.1.8.4 and 6.1.8.5 will be no longer effective.~~

~~6.1.8.1 For fire damaged substrates.~~

~~6.1.8.2 For smoke damaged substrates.~~

~~6.1.8.3 For water damaged substrates.~~

~~6.1.8.4 For excessively chalky substrates.~~

~~6.1.8.5 For blocking stains.~~

- ~~6.1.9 Quick Dry Enamels: The labels of all quick dry enamels shall prominently display the words “Quick Dry” and the dry hard time. (Category deleted effective January 1, 2011.)~~

- 6.1.108 Reactive Penetrating Sealers: ~~Effective January 1, 2011, t~~ The labels of all Reactive Penetrating Sealers shall prominently display the statement “Reactive Penetrating Sealer.”

~~6.1.119~~ Stone Consolidants: ~~Effective January 1, 2011, t~~The labels of all Stone Consolidants shall prominently display the statement “Stone Consolidant - For Professional Use Only.”

~~6.1.12 Nonflat High Gloss Coatings: The labels of all Nonflat high gloss coatings shall prominently display the words “High Gloss.”~~

~~6.1.130~~ Wood Coatings: ~~Effective January 1, 2011, t~~The labels of all Wood Coatings shall prominently display the statement “For Wood Substrates Only.”

~~6.1.141~~ Zinc Rich Primers: ~~Effective January 1, 2011, t~~The labels of all Zinc Rich Primers shall prominently display the statement “For professional use only”.~~one or more of the following descriptions listed in Section 6.1.141.1.~~

~~6.1.141.1 “For industrial use only”~~

~~6.1.141.21 “For professional use only”~~

~~6.1.141.3 “Not for residential use” or “Not intended for residential use”~~

6.1.12 Colorants: Effective January 1, 2022, each manufacturer of any colorant subject to this rule shall display the information listed in subsections 6.1.12.1 and 6.1.12.2 on the container (or label) in which the colorant is sold or distributed.

6.1.12.1 Date Code: The date the colorant was manufactured, or a date code representing the date, shall be indicated on the label, lid, or bottom of the container. If the manufacturer uses a date code for any colorant, the manufacturer shall file an explanation of each code with the APCO.

6.1.12.2 VOC Content: Each container of any colorant subject to this rule shall display one of the following values in grams of VOC per liter of colorant:

6.1.12.2.1 Maximum VOC Content as determined from all potential product formulations; or

6.1.12.2.2 VOC Content as determined from actual formulation data; or

6.1.12.2.3 VOC Content as determined using the test methods in subsection 6.3.2.

If the colorant contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing. VOC Content shall be determined as defined in subsections 3.72, 3.73, and 3.74.

6.2 Reporting Requirements

~~The reporting requirements specified in Sections 6.2.1 through 6.2.6 shall apply until December 31, 2010.~~

~~6.2.1 Clear Brushing Lacquers: Each manufacturer of clear brushing lacquers shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of clear brushing lacquers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.~~

~~6.2.2 Rust Preventative Coatings: Each manufacturer of rust preventative coatings shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of rust preventative coatings sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.~~

~~6.2.3 Specialty Primers, Sealers and Undercoaters: Each manufacturer of specialty primers, sealers and undercoaters shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of specialty primers, sealers and undercoaters sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.~~

~~6.2.4 Toxic Exempt Compounds: For each architectural coating that contains perchloroethylene or methylene chloride, the manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB the following information for products sold in the State during the preceding year:~~

~~6.2.4.1 the product brand name and a copy of the product label with legible usage instructions;~~

~~6.2.4.2 the product category listed in the Table of Standards 1 or the Table of Standards 2 to which the coating belongs;~~

~~6.2.4.3 the total sales in California during the calendar year to the nearest gallon;~~

~~6.2.4.4 the volume percent, to the nearest 0.10 percent, of perchloroethylene and methylene chloride in the coating.~~

~~6.2.5 Recycled Coatings: Manufacturers of recycled coatings must submit a letter to the Executive Officer of the ARB certifying their status as a Recycled Paint Manufacturer. The manufacturer shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall include, for all recycled coatings, the total number of gallons distributed in the State during the preceding year, and shall describe the method used by the manufacturer to calculate State distribution.~~

~~6.2.6 Bituminous Coatings: Each manufacturer of bituminous roof coatings or bituminous roof primers shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of ARB. The report shall specify the number of gallons of bituminous roof coatings or bituminous roof primers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate state sales.~~

~~6.2.71~~ Effective on and after January 1, 2011, Sales Data: All sales data listed in Sections 6.2.71.1 through 6.2.71.14 shall be maintained on-site by the responsible official for a minimum of three years. A responsible official from each manufacturer shall upon request of the Executive Officer of the ARB, or his or her delegate, provide data concerning the distribution and sales of architectural coatings. Sales data submitted by the responsible official to the Executive Officer of ~~the~~ CARB may be claimed as confidential, and such information shall be handled in accordance with the procedures specified in Title 17, California Code of Regulations Sections 91000-91022. The responsible official shall within 180 days provide information, including, but not limited to the data listed in Sections 6.2.71.1 through 6.2.71.14:

6.2.71.1 ~~T~~he name and mailing address of the manufacturer;

6.2.71.2 ~~T~~he name, address and telephone number of a contact person;

- 6.2.71.3 ~~T~~he name of the coating product as it appears on the label and the applicable coating category;
- 6.2.71.4 ~~W~~hether the product is marketed for interior or exterior use or both;
- 6.2.71.5 ~~T~~he number of gallons sold in California in containers greater than one liter (1.057 quart) and equal to or less than one liter (1.057 quart);
- 6.2.71.6 ~~T~~he VOC Actual content and VOC Regulatory content in grams per liter. If thinning is recommended, list the VOC Actual content and VOC Regulatory content after maximum recommended thinning. If containers less than one liter have a different VOC content than containers greater than one liter, list separately. If the coating is a multi-component product, provide the VOC content as mixed or catalyzed;
- 6.2.71.7 ~~T~~he names and CAS numbers of the VOC constituents in the product;
- 6.2.71.8 ~~T~~he names and CAS numbers of any compounds in the product specifically exempted from the VOC definition;
- 6.2.71.9 ~~W~~hether the product is marketed as solvent-borne, waterborne, or 100% solids;
- 6.2.71.10 ~~D~~escription of resin or binder in the product;
- 6.2.71.11 ~~W~~hether the coating is a single-component or multi-component product;
- 6.2.71.12 ~~T~~he density of the product in pounds per gallon;
- 6.2.71.13 ~~T~~he percent by weight of: solids, all volatile materials, water, and any compounds in the product specifically exempted from the VOC definition; and
- 6.2.71.14 ~~T~~he percent by volume of: solids, water, and any compounds in the product specifically exempted from the VOC definition.

6.3 Test Methods

The test methods listed below shall be used to demonstrate compliance with this rule. Alternate equivalent test methods may be used provided the test methods have been approved by the APCO and EPA.

6.3.1 Calculation of VOC Content: For the purpose of determining compliance with the VOC content limits in ~~the Table of Standards 1 or the Table of Standards 2~~, the VOC content of a coating or colorant shall be determined as defined in Section 3.771, 3.782, or 3.793 as appropriate. The VOC content of a tint base shall be determined without colorant that is added after the tint base is manufactured. If the manufacturer does not recommend thinning, the VOC Content must be calculated for the product as supplied. If the manufacturer recommends thinning, the VOC Content must be calculated including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multi-component product, the VOC content must be calculated as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOC during the curing process, the VOC content must include the VOCs emitted during curing.

6.3.2 VOC Content of Coatings or Colorants: To determine the physical properties of a coating or colorant in order to perform the calculations in Section 3.771 and 3.793, the reference method for VOC content is EPA Method 24, except as provided in Sections 6.3.3 and 6.3.165. An alternative method to determine the VOC content of coatings or colorants is SCAQMD Method 304-91 (Revised February 1996). The exempt compounds content shall be determined by SCAQMD Method 303-91 (Revised 19936), BAAQMD Method 43 (Revised 19962005), or BAAQMD Method 41 (Revised 19952005), as applicable. To determine the VOC content of a coating or colorant, the manufacturer may use EPA Method 24, or an alternative method as provided in Section 6.3.4, formulation data, or any other reasonable means for predicting that the coating or colorant has been formulated as intended (e.g., quality assurance checks, recordkeeping). However, if there are any inconsistencies between the results of EPA Method 24 test and any other means for determining VOC content, the EPA Method 24 test results will govern, except when an alternative method is approved as specified in Section 6.3.34. The District Air Pollution Control Officer (APCO) may require the manufacturer to conduct an EPA Method 24 analysis.

6.3.3 To determine the VOC content of a coating or colorant with a VOC content of 150 g/l or less, the manufacturer may use SCAQMD Method 313, incorporated by reference in subsection 6.3.34, ASTM D6886-18,

incorporated by reference in subsection 6.3.35, or any other reasonable means for predicting that the coating or colorant has been formulated as intended (e.g., quality assurance checks, record keeping).

- 6.3.34 Alternative Test Methods: Other test methods demonstrated to provide results that are acceptable for purposes of determining compliance with Section 6.3.2, after review and approved in writing by the staffs of the District, CARB and EPA, may also be used.
- 6.3.45 Methacrylate Traffic Marking Coatings: Analysis of methacrylate multicomponent coatings used as traffic marking coatings shall be conducted according to a modification of EPA Method 24 (40 CFR 59, subpart D, Appendix A). This method has not been approved for methacrylate multicomponent coatings used for other purposes than as traffic marking coatings or for other classes of multicomponent coatings.
- 6.3.56 Flame Spread Index: The flame spread index of a fire-retardant coating shall be determined by ASTM E84-~~07~~18b, “Standard Test Method for Surface Burning Characteristics of Building Materials” (see Section 3.0, Fire-Retardant Coating).
- 6.3.67 Fire Resistance Rating: The fire resistance rating of a fire-resistive coating shall be determined by ASTM E119-~~07~~18ce1, “Standard Test Methods for Fire Tests of Building Construction and Materials” (see Section 3.0, Fire-Resistive Coating).
- 6.3.78 Gloss Determination: The gloss of a coating shall be determined by ASTM D523-~~89~~14 (19992018), “Standard Test Method for Specular Gloss” (see Section 3.0, Flat Coating, and Nonflat Coating, ~~and Nonflat High Gloss Coating~~).
- 6.3.89 Metal Content of Coatings: The metallic content of a coating shall be determined by SCAQMD Method 318-95, Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction, *SCAQMD Laboratory Methods of Analysis for Enforcement Samples* (see Section 3.0, Metallic Pigmented Coating, Aluminum Roof Coating and Faux Finish).
- 6.3.910 Acid Content of Coatings: The acid content of a coating shall be determined by ASTM D1613-~~06~~17, “Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer and related products” (see Section 3.0, Pre-Treatment Wash Primer).

- ~~6.3.10 Drying Times: The set to touch, dry hard, dry to touch and dry to recoat times of a coating shall be determined by ASTM D1640-95, "Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature" (see Section 3.0, Quick Dry Enamel and Quick Dry Primer, Sealer and Undercoater). The tack free time of a quick dry enamel coating shall be determined by the Mechanical Test Method of ASTM D1640-95. (Category deleted effective January 1, 2011.)~~
- ~~6.3.11 Surface Chalkiness: The chalkiness of a surface shall be determined using ASTM D4214-98, "Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films" (see Section 3, Specialty Primer, Sealer and Undercoater). (Category deleted effective January 1, 2011.)~~
- 6.3.12¹ Exempt Compounds—Siloxanes: Exempt compounds that are cyclic, branched, or linear completely methylated siloxanes, shall be analyzed as exempt compounds for compliance with Section 6 by BAAQMD Method 43, "Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials," *BAAQMD Manual of Procedures*, Volume III, ~~adopted 11/6/96~~ revised 2005, (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).
- 6.3.13² Exempt Compounds—Parachlorobenzotrifluoride (PCBTF): The exempt compound parachlorobenzotrifluoride, shall be analyzed as an exempt compound for compliance with Section 6 by BAAQMD Method 41, "Determination of Volatile Organic Compounds in Solvent Based Coatings and Related Materials Containing Parachlorobenzotrifluoride," *BAAQMD Manual of Procedures*, Volume III, ~~adopted 12/20/95~~ revised 2005, (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).
- 6.3.14³ Exempt Compounds: The content of compounds exempted under U.S. EPA Method 24 shall be analyzed by SCAQMD Method 303-91 (Revised ~~1993~~ 1996), "Determination of Exempt Compounds," *SCAQMD Laboratory Methods of Analysis for Enforcement Samples* (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).
- 6.3.15⁴ VOC Content of Coatings: The VOC content of a coating shall be determined by EPA Method 24 as it exists in appendix A of 40 *Code of Federal Regulations* (CFR) part 60, "Determination of Volatile Matter Content, Water Content, Density, Volume Solids and Weight Solids of Surface Coatings" (see Section 6.3.2).
- 6.3.16⁵ Alternative VOC Content of Coatings: The VOC content of coatings may be analyzed either by U.S. EPA Method 24 or SCAQMD Method 304-91 (Revised 1996), "Determination of Volatile Organic Compounds (VOC)

in Various Materials,” *SCAQMD Laboratory Methods of Analysis for Enforcement Samples*.

- 6.3.176Methacrylate Traffic Marking Coatings: The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR part 59, subpart D, appendix A, “Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings” (September 11, 1998).
- 6.3.187Hydrostatic Pressure for Basement Specialty Coatings: The hydrostatic pressure resistance for basement specialty coatings shall be analyzed using ASTM D7088-0417, “Standard Practice for Resistance to Hydrostatic Pressure for Coatings Used in Below Grade Applications Applied to Masonry”.
- 6.3.198Tub and Tile Refinish Coating Adhesion: The adhesion of tub and tile coating shall be determined by ASTM D4585-99/4585M-18, “Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation” and ASTM D3359-0217, “Standard Test Methods for Measuring Adhesion by Tape Test”.
- 6.3.2019Tub and Tile Refinish Coating Hardness: The hardness of tub and tile refinish coating shall be determined by ASTM D3363-05 (2011)e2, “Standard Test Method for Film Hardness by Pencil Test”.
- 6.3.240Tub and Tile Refinish Coating Abrasion Resistance: Abrasion resistance of tub and tile refinish coating shall be analyzed by ASTM D4060-0714, “Standard Test Methods for Abrasion Resistance of Organic Coatings by the Taber Abraser”.
- 6.3.221Tub and Tile Refinish Coating Water Resistance: Water resistance of tub and tile refinish coatings shall be determined by ASTM D4585-99/4585M-18, “Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation” and ASTM D714-02e1 (2017), “Standard Test Method for Evaluating Degree of Blistering of Paints”.
- 6.3.232Waterproofing Membrane: Waterproofing membrane shall be tested by ASTM C836-06/836M-18, “Standard Specification for High Solids Content, Cold Liquid-Applied Elastomeric Waterproofing Membrane for Use with Separate Wearing Course”.
- 6.3.243Mold and Mildew Growth for Basement Specialty Coatings: Mold and mildew growth resistance for basement specialty coatings shall be

determined by ASTM D3273-~~00~~16, “Standard Test Method for Resistance to Growth of Mold on the Surface of Interior Coatings in an Environmental Chamber” and ASTM D3274-~~95~~09 (2017), “Standard Test Method for Evaluating Degree of Surface Disfigurement of Paint Films by ~~Microbial~~ (Fungal or Algal) Growth or Soil and Dirt Accumulation”.

6.3.25~~4~~5 Reactive Penetrating Sealer Water Repellency: Reactive penetrating sealer water repellency shall be analyzed by ASTM C67-~~07~~C67M-18, “Standard Test Methods for Sampling and Testing Brick and Structural Clay Tile”; or ASTM C97-~~02~~97M-18, “Standard Test Methods for Absorption and Bulk Specific Gravity of Dimension Stone”; or ASTM C140-~~06~~140M-18a, “Standard Test Methods for Sampling and Testing Concrete Masonry Units and Related Units”.

6.3.26~~5~~6 Reactive Penetrating Sealer Water Vapor Transmission: Reactive penetrating sealer water vapor transmission shall be analyzed ASTM E96/E96M-~~05~~16, “Standard Test Method for Water Vapor Transmission of Materials” or ASTM D6490-99 (2014), “Standard Test Method for Water Vapor Transmission of Nonfilm Forming Treatments Used on Cementitious Panels”.

6.3.27~~6~~7 Reactive Penetrating Sealer - Chloride Screening Applications: Reactive penetrating sealers shall be analyzed by National Cooperative Highway Research Report 244 (1981), “Concrete Sealers for the Protection of Bridge Structures”.

6.3.28~~7~~8 Stone Consolidants: Stone consolidants shall be tested using ASTM E2167-01 (2008), “Standard Guide for Selection and Use of Stone Consolidants”.

6.3.28 Building Envelope Coating Air Permeance of Building Materials: ASTM E2178-13, “Standard Test Method for Air Permeance of Building Materials”.

6.3.29 Building Envelope Coating Water Penetration Testing: ASTM E331-00 (2016), “Standard Test Method for Water Penetration of Exterior Windows, Skylights, Doors, and Curtain Walls by Uniform Static Air Pressure Difference”.

6.3.30 Building Envelope Coating Water Vapor Transmission: ASTM E96/96M-16, “Standard Test Methods for Water Vapor Transmission of Materials”.

6.3.31 Tile and Stone Sealers Absorption: ASTM C373-18, “Standard Test Methods for Determination of Water Absorption and Associated

Properties by Vacuum Method for Pressed Ceramic Tile and Glass Tiles and Boil Method for Extruded Ceramic Tiles and Non-tile Fired Ceramic Whiteware Products”; or ASTM C97/97M-18, “Standard Test Methods for Absorption and Bulk Specific Gravity of Dimension Stone”; or ASTM C642-13, “Standard Test Method for Density, Absorption, and Voids in Hardened Concrete”.

6.3.32 Tile and Stone Sealers – Static Coefficient of Friction: ANSI A137.1 (2012), “American National Standard of Specifications for Ceramic Tile”.

6.3.33 Tile and Stone Sealers Water Vapor Transmissions: ASTM E96/96M-16, “Standard Test Methods for Water Vapor Transmission of Materials”.

6.3.34 VOC Content of Coatings: South Coast AQMD Method 313, “Determination of Volatile Organic Compounds (VOC) by Gas Chromatography/Mass Spectrometry/Flame Ionization Detection (GS/MS/FID)”.

6.3.35 VOC Content of Coatings: ASTM D6886-18, “Standard Test Method for Determination of the Weight Percent Individual Volatile Organic Compounds in Waterborne Air-Dry Coatings by Gas Chromatography”.

7.0 Compliance Schedule

Persons subject to this rule shall be in compliance with this rule by the dates specified within the rule.