

(Adopted October 8, 1993)(Amended August 11, 1995)  
 (Amended November 14, 1997)(Amended November 5, 2010)  
 (Amended December 4, 2020)

**RULE 3001. APPLICABILITY**

(a) Phase One Title V Permits

Prior to December 4, 2020, operators of facilities that have, in 1992 or later, reported annual emissions equal to or greater than any of the threshold amounts shown in Table 1 shall submit initial Title V applications to the Executive Officer and obtain Title V permits in accordance with the timelines specified in Rule 3003 - Applications.

**TABLE 1**

Emission Threshold Levels for Facilities During Phase One

Based on Actual Reported Emissions in tons per year (tpy) per Facility Location

Pollutant	Actual Reported Emission Threshold Levels Per Facility Location		
	South Coast Air Basin (tpy)	Riverside County Portion of Salton Sea Air Basin (tpy)	Non-Palo Verde, Riverside County Portion of Mojave Desert Air Basin (tpy)
VOC	8	20	80
NO <sub>x</sub>	8	20	80
SO <sub>x</sub>	80	80	80
CO	40	80	80
PM-10	56	56	80
Single HAP	8	8	8
Combination of HAPs	20	20	20

(b) Phase Two Title V Permits

(1) Operators of facilities, not subject to the provisions of subdivision (a) of this rule, with the potential to emit any regulated air pollutant at, or greater than, any of the threshold amounts shown in Table 2 shall submit to the Executive Officer applications for initial Title V permits in accordance with the timelines specified in Rule 3003 - Applications, and obtain Title V permits

within five years after the effective date, as defined in paragraph (b)(8) of Rule 3000.

- (2) For the purpose of this subdivision, the potential to emit for a RECLAIM pollutant from a RECLAIM facility is the higher of:
  - (A) the starting allocation plus nontradeable credits; or
  - (B) RECLAIM Trading Credits (RTC) held in the allocation account after any trading.

RTCs held in the certificate account are not part of the allocation.

**TABLE 2**

Emission Threshold Levels for Facilities During Phase Two

Based on Potential to Emit in tons per year (tpy) per Facility Location

Pollutant	Potential to Emit Emission Threshold Levels Per Facility Location		
	South Coast Air Basin (tpy)	Riverside County Portion of Salton Sea Air Basin (tpy)	Non-Palo Verde, Riverside County Portion of Mojave Desert Air Basin (tpy)
VOC	10	10	100
NO <sub>x</sub>	10	10	100
SO <sub>x</sub>	100	100	100
CO	50	100	100
PM-10	70	70	100
Single HAP	10	10	10
Combination of HAPs	25	25	25

(c) **Additional Facilities Requiring Title V Permits**

In addition to subdivisions (a) and (b) of this rule, operators of the following facilities shall submit applications to the Executive Officer to obtain Title V permits in accordance with the timelines specified in Rule 3003 - Applications, or with federal regulations:

- (1) All new facilities that have a potential to emit any regulated air pollutant at, or greater than, any of the levels specified in Table 2 of subdivision (b) of

this rule, and for which applications for permits to construct and permits to operate are deemed complete after March 31, 2000;

- (2) All facilities initially not subject to Title V requirements, that after installation or modification of equipment would have a potential to emit any regulated air pollutant at, or greater than, any of the levels specified in Table 2 of subdivision (b) of this rule, and for which applications for permits to construct or permits to operate are deemed complete after March 31, 2000;
- (3) All "affected sources" as defined under the acid rain provisions of Title IV of the federal Clean Air Act and 40 CFR Part 70, Section 70.2;
- (4) Solid waste incineration units required to obtain a permit pursuant to Section 129(e) of the federal Clean Air Act;
- (5) All facilities subject to a standard, limitation, or other requirement of the New Source Performance Standards in 40 CFR Part 60 or National Emission Standards for Hazardous Air Pollutants in 40 CFR Part 61 or Part 63 that are specifically required by federal regulation to obtain a Title V permit; and,
- (6) All other facilities so designated by the EPA by future amendments to 40 CFR Part 70, Section 70.3.
- (7) All facilities that have obtained a District facility permit with a condition limiting facility emissions for the purpose of being exempt from Title V permit requirements pursuant to paragraph (d)(2) of this rule, and that have reported annual emissions, calculated in accordance with permit terms and conditions under normal operating conditions, equal to or greater than any of the threshold amounts specified in Table 2 of subdivision (b) of this rule.
- (8) On and after January 2, 2011, applicable requirements for greenhouse gases shall be included in Title V permits for any facility that is otherwise required, after that date, to obtain a new, renewed, or revised Title V permit pursuant to subdivision (a) of this rule.
- (9) On and after July 1, 2011, any facility with a potential to emit  $\geq 100,000$  tpy CO<sub>2</sub>e, on a CO<sub>2</sub>e basis (Global Warming Potential applied) and a Potential to Emit GHGs > 100 tpy GHGs on a mass basis (no Global Warming Potential applied) shall apply for a Title V permit within 180 days after July 1, 2011, unless a Title V permit has already been applied for.

(d) Exemptions

- (1) Notwithstanding subdivision (b) of this rule, facilities that would be required to obtain a Title V permit solely because they are subject to one or more of the following regulations are exempt from Title V permit requirements:
  - (A) 40 CFR Part 60, subpart AAA - Standards of Performance for New Residential Wood Heaters;
  - (B) 40 CFR Part 61, subpart M - National Emission Standard for Hazardous Air Pollutants for Asbestos, Section 61.145 - Standard for Demolition and Renovation.
- (2) Facilities subject to the requirements of subdivision (a) (b) or (c) of this rule, that demonstrate to the satisfaction of the Executive Officer that the facility's potential to emit has been reduced, either through a facility modification or by accepting an enforceable condition in the District facility permit, to less than the levels for all air contaminants specified in Table 2 of subdivision (a) of this rule, and the PTE is less than 100,000 tpy CO<sub>2</sub>e GHGs, are exempt from Title V permit requirements.

(e) Phase One Exclusions

- (1) Except in the case of an affected source under the acid rain program, an applicant may request, and the Executive Officer may grant an exclusion from subdivision (a) of this rule, Phase One Title V Permits, provided that the facility can demonstrate to the satisfaction of the Executive Officer that:
  - (A) the most recent, validated, reported emissions are less than the thresholds in subdivision (a); and
  - (B) a permanent change has occurred at the facility to explain the reduction in reported emissions.
- (2) All requests for exclusion shall be in a form specified by the Executive Officer, shall include copies of reported emissions data and are subject to approval by the Executive Officer.