

MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

THE PERMIT PLACE

Department Overview

Department Overview	V-2
Mission Statement	V-3
Goals and Responsibilities	V-4

Permits and Processes

Regulatory Programs	V-5
Glossary	V-8
Permit Checklist	V-11

DEPARTMENT OVERVIEW

MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

Mendocino County Air Quality Management District Offices:

Office: 306 E. Gobbi Street, Ukiah, CA 95482
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E-Mail: mcaqmd@co.mendocino.ca.us
Website: www.co.mendocino.ca.us/aqmd (application forms online)

Hours: Monday - Friday, 8:00 am to 5:00 pm (closed 12:00-1:00)

What Is The Mendocino County Air Quality Management District?

The Mendocino County Air Quality Management District (MCAQMD) is the agency that regulates stationary sources of air pollution within Mendocino County (including incorporated areas). The District's boundaries are coterminous with the County Boundary and include all lands except for federal trust lands. Local, State and Federal agencies are not exempt from District regulatory and permitting functions. The District's Board of Directors currently consists of the Mendocino County Board of Supervisors.

The District works cooperatively with other agencies including the local Fire Districts, CalFire, City and County Governments and various state agencies to achieve the goal of clean healthy air for all citizens of Mendocino County.

MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

MISSION STATEMENT

The mission of the Mendocino County Air Quality Management District is to protect air quality, an essential public resource upon which the health of the community depends. A secondary mission includes the protection of the quality of life, property and the economy. The California and Federal Clean Air Acts give the District the responsibility to achieve and maintain air quality that meets the state and Federal ambient air quality standards, and broad regulatory and enforcement authority. The District has primary responsibility for control of non-vehicular air pollution in the County. The District is also responsible for the implementation of the federal operating permits program and the hazardous air pollutants program of the Clean Air Act as amended in 1990 (Titles V and III of the Act, respectively).

Air quality in the District is generally good. The District is designated "attainment" (meaning we meet the air quality standards) for all the state and national ambient air quality standards except the state 24-hour standard for respirable particulate matter (PM-10). Typically the District has exceeded of the state PM-10 standard between 2 and 4 times a year at each of its PM-10 monitoring sites.

Among the District's greatest challenges is the maintenance of the District's attainment status for the state one-hour ozone standard in the face of continuing growth. Automobile use has been growing at a rapid rate throughout the state generally, and this includes Mendocino County. Although vehicles are growing cleaner as older cars are retired, this growing auto use has the strong potential to outstrip the reductions in emissions. A designation of non-attainment for Ozone also has economic and regulatory implications for business and industry and ordinary citizens of the County.

The District is not a County Department and uses no County General Fund money. Its revenues come from permit fees, other fees (including a per vehicle fee), the State and Federal governments. The District reimburses the County for indirect costs associated with support services for the District.

GOALS AND RESPONSIBILITIES

MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

PROTECT THE PUBLIC HEALTH BY-

1. Finding and identifying emissions from sources of air pollution.
2. Issuing annual permits for stationary sources of air pollution in conformance with federal, state and local regulations.
3. Conducting regular inspections of permitted sources.
4. Investigating complaints from the public and other agencies.
5. Monitoring air pollution in the District.
6. Participating in the environmental review and long range planning processes.
7. Enforcing the Federal Asbestos (NESHAP) regulations for building demolition and renovation as delegated by the US EPA.
8. Issuing Federal Title V permits (major facilities) as delegated by the US EPA.
9. Developing new regulations as directed by the District Board and new state and federal laws.
10. Regulating agricultural and non agricultural open burning vegetation.

REGULATORY PROGRAMS

MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

How is the District involved in the CEQA Process?

The District is frequently involved in the CEQA process as either a “Lead,” “Responsible” or “Trustee” agency. This means that they District may prepare its own CEQA document (Lead), use other agencies CEQA Documents in it own permitting process (Responsible) or may provide comments addressing the air quality impacts without needing to issue a permit (Trustee.). The District encourages agencies to consult with the District as early as possible and follow the District’s CEQA guidance to ensure air quality impacts are adequately addressed.

What rules does the District Enforce?

The District enforces the Federal Clean Air Act, California Air Quality Law and Regulations and District Regulations in Mendocino County. The District Regulations are divided into five sections -

- I- Regulation 1 - Stationary Sources (includes Fee schedules)
- II- Regulation 2 – Outdoor Burning
- III- Regulation 3 – Air Toxics
- IV- Regulation 4 – Area Sources
- V- Regulation 5 – Federal Title V Sources (large industrial sources)

Copies of the District’s Regulations are available online and at the District Office.

How does Air Quality ‘fit’ in the County Permitting Process?

As a separate agency the District’s permitting process it separate from the County and the Cities in its jurisdiction. Typically an applicant may contact the District early on in the process (which is encouraged), but they will receive their land use entitlement BEFORE they apply for an Air District permit. Other agencies should encourage applicants with projects that may be regulated by the District to contact the District as early as possible because District Regulations may impact their project design.

When Do I Need An Air Quality Permit?

Air quality permits, like building permits and other business permits, are a part of doing business in California.

Generally the District has two types of permits. An “Authority to Construct” (called an AC) is required before a source of air pollution is built or modified. An AC is the equivalent of a “building permit.” The second type of permit is a “Permit to Operate” (or a PTO). The PTO allows the continued operation of an existing source and they are renewed annually (like car registration).

District Permits are required:

- Before construction begins for a new source.
- Before a modification to permitted equipment.
- Before equipment is moved or relocated.

- Before disturbing more than 1 acre of soil or grading more than 1 mile of new unpaved road (except Agriculture and Public agencies).

Permits are required for:

- All new or modified plants, equipment, processes, operations or indirect sources which emit or have the potential to omit or control air pollution.
- Commercial uses, such as dry cleaners, or gasoline stations.
- Industrial uses, such as mills, mining and paint booths
- Stationary engines (generators).
- Any other source of air pollution determined by the Air Pollution Control Officer to need a permit (this is intentionally open-ended).

Under Federal Asbestos rules enforced by the District notification and clearance is required 10 days **before** the demolition or renovation of any structure except those that contain less than four dwelling units. Ten day advance notification is required even if asbestos is not present.

When in doubt – call the District and ask if you need a permit.

Why Do I Need An Air Quality Permit?

The District issues permits to ensure that all equipment and processes comply with federal and state laws and regulations, and District rules. Before any person builds, erects, alters, replaces, operates or uses anything that may cause emissions of air contaminants, he or she must obtain a permit to do so from the District (California Health and Safety Code, Section 42300 et seq.)

Issuing permits allows the District to work with businesses to ensure that their operations comply with applicable state, federal and District rules and allows the district to identify possible problems before they impact the public and/or the operation of business.

How Do I Apply For An Air Quality Permit?

Contact the District for permit application materials. These include an application form and instructions.

Applicants must then submit:

- A completed permit application;
- A detailed description of equipment; and
- Detailed information on the operation process and the materials used.

What Fees Are Charged?

Fees are charged after review and before the permit is issued. Fees are NOT due at the time of application. The District charges permit fees to cover the costs of reviewing applications, issuing permits and ensuring compliance. Fees for initial application are higher than annual renewal fees because of the additional time spent reviewing the submitted information.

Permit holders who don't submit requested information or pay the annual renewal fee will have their Permits revoked. Operating without a permit is a violation of District rules and state law, and involves serious penalties.

The District's fees are adjusted annually as allowed by state law – fees are initially set through the District's Regulatory adoption process (public hearings). Contact the District for the current fee schedule.

What happens if I don't apply for a permit, or I don't comply with permit conditions?

The District is a regulatory enforcement agency. Failure to apply for permits or to follow permit conditions will result in administrative fines, orders of abatement and civil penalties. Substantial violations are referred to the District Attorney.

What about woodstoves and Fireplaces?

Woodstoves, fireplaces and other forms of wood heating negatively impact air quality, particularly in residential neighborhoods. Because of the documented health impact, and negative impact on local air quality of wood burning devices the District adopted wood burning appliance regulation in 2006. This rule bans the installation of new "open" fireplaces (no EPA approved insert). The rule bans the installation of "outdoor wood boilers," a very polluting type of residential heater. The rule bans the installation of non-EPA approved devices except for pellet stoves. The rule requires that local building officials verify that any wood burning devices met the provisions of the regulation. The rule is very similar to rules adopted in much of California and other western states. Questions about the rule should be addressed to District staff.

GLOSSARY

MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

Air Contaminant	Any discharge, release, or other propagation into the atmosphere directly, or indirectly, caused by man and includes, but is not limited to, smoke, charred paper, dust, soot, grime, carbon, fumes, gases, odors, particulate matter, acid, or any combination thereof.
Ambient Air Quality Standard	The specific concentrations and duration of air pollutants which reflect the relationship between intensity and composition of pollution to undesirable effects.
Approved Combustibles	Brush, trees, native vegetation or other materials as approved by the Air Pollution Control Officer. Paper and cardboard are also defined as “approved combustibles” by the District. However, Mendocino County Ordinance 3746 prohibits the open burning of all nonvegetative mater including paper and cardboard.
Carbon monoxide	Produced by automobile exhaust, open burning and woodstoves. Heart disease patients are most sensitive to this pollutant. Short-term exposure can cause a decrease in exercise performance and a loss of alertness and perception. Carbon monoxide can also be fatal in high doses. All of these effects are the result of carbon monoxide’s interference with blood’s ability to deliver oxygen to the body.
Control Strategy	A combination of measures designed to reduce air contaminant emissions in accordance with the State Implementation Plan for the California North Coast Air Basin.
Criteria Pollutants	Pollutants for which an air quality standard has been established. The most common criteria pollutants are Particulates, Carbon Monoxide (CO), Ozone (O3), Nitrogen Dioxide (NO2), Lead (Pb) and Hydrogen Sulfide (H2S). The health effects of these pollutants are addressed in the Glossary.
District	The Mendocino County Air Quality Management District.
Dust	Minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, bagging, sweeping, etc
Emission	The act of passing into the atmosphere an air contaminant or gas stream which contains an air contaminant, or the air contaminant so passed into the atmosphere.
Fumes	“Fumes” means vapors, mists, and airborne liquid or solid particulate matter or any combination including these.

Hearing Board	The appellate review board of the District as provided for by Section 40800 of the California Health and Safety Code.
Indirect Source	A source of air pollution which results in air emissions not from its own actions, but as the result of impacting other sources. The typical example is a large commercial development, which has minimal emissions on it's own, but significant indirect emissions resulting from the automobile traffic it generates. Indirect sources are regulated by the District.
Modification	"Modification" means any change in the structure, location, operation, conditions of operation, process materials or fuel of any stationary source which may increase or decrease the amount of any air contaminant emitted into the atmosphere by that source, and which is not already specifically allowed by a permit to operate issued by the District. An increase in production rate or in hours of operation beyond limits set in the permit to operate from the District is a modification. Otherwise, an increase or decrease in production rate or in hours of operation is not a modification.
Net Increase In Emissions	The amount by which the sum of any increase in actual emissions from a particular physical change or change in method of operation at a stationary source, and any other increases and decreases in actual emissions at the source that are creditable in accordance with 40 Code of Federal Regulations, 52.21(b)(3) and (21), exceeds zero.
Nitrogen oxides	Formed in the atmosphere, in the presence of sunlight, from motor vehicle exhaust and stationary sources such as refineries and power plants. This pollutant affects the upper and lower lobes of the lungs. Upper airway narrowing and deep lung membrane damage are short-term effects associated with nitrogen dioxide. Long-term effects of nitrogen dioxide exposure can lead to cellular destruction and thickening of the alveolar walls, impairing the normal transfer of oxygen.
Operation	Any physical action resulting in a change in the location, form or physical properties of a material, or any chemical action resulting in a change in the chemical composition or the chemical or physical properties of a material.
Ozone	Formed in the presence of sunlight from hydrocarbons and nitrogen oxides that are emitted from the burning of fuels. Ozone is a strong oxidizer and directly attacks the lungs and mucous tissue. It is especially bad for asthmatics and people with other respiratory problems.
Particulate Matter	Any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.
Permit	Refers to either an Authority to Construct, Temporary Permit to Operate or Permit to Operate, whichever is legally in effect. For purposes of prevention of significant deterioration enforceability, the Permit to Operate will be considered a modified authority to construct.

Potential To Emit	The maximum capacity of a stationary source to emit an air contaminant under its physical and operational design, after considering physical and operational limitations that are enforceable by conditions imposed by the district in both the Authority to Construct and Permit to Operate. (Code of Federal Regulations, 52.21(b)(4))
PPM	Parts per million by volume expressed on a dry gas basis.
Significant	The potential of a new or modified source to emit air contaminants which would equal or exceed any emissions rates established by the District, ARB or US EPA
Stationary Source	A non-mobile source of air pollution which may be subject to regulation.

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MENDOCINO COUNTY
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Air Quality Permit Checklist

California Government Code 65850.2 (c)* prohibits local governments from issuing an occupancy permit to a business without clearance from the local air quality agency. This checklist is designed to determine what type of clearance is needed from the Mendocino County Air Quality Management District (MCAQMD).

Business Name: _____ Property Address: _____
City: _____ Zip code: _____
Owner or Contact: _____ Telephone: () _____
Applicant (print name): _____
Signature: _____

- Will the facility have any of the following equipment? Yes No
 - Outdoor commercial cooking (permanent or seasonal)
 - Dry cleaning equipment
 - Paint guns (indoors or outdoors)
 - Internal combustion engine greater than 50 HP (excluding motor vehicles)
 - Boiler/water heating equipment (greater than 500,000 BTU/hr. maximum input)
 - Abrasive blasting (indoors or outdoors)
 - Installation or modification to a Baghouse/cartridge-type dust filter/scrubber
 - Gasoline fuel storage and/or dispensing equipment

- Will any of the following operations be performed? Yes No
 - Production process involving the application of paints or adhesives (i.e. auto body)
 - Etching, plating, casting, or melting of metals
 - Mixing and blending of liquids and/or powders
 - Storage of acids, solvents, organic liquids, or fuels
 - Wood or other materials processing activities
 - Production process that generates, or may generate, fumes, dust, smoke, or strong odors

(This list is not inclusive of all activities that require a permit from the District, but represents the most common activities done only with a occupancy permit or business license. If you think you might need a permit please call)

If you answered ‘No’ to both questions, this checklist is your clearance from the District. If you answered ‘Yes’ to either question, you must contact the District to determine if air quality permits are required. If permits are needed, the District will assist you in submitting permit application(s) and then provide you with a clearance letter. You can call the District during business hours at (707) 463-4354.