

## **SECTION 550 - PREVENTING PARTICULATE MATTER FROM BECOMING AIRBORNE**

- 550.1 It shall be unlawful for any person or operation to cause or permit material to be handled, transported or stored without using Reasonably Available Control Technology to prevent the release of fugitive particulate matter to the ambient air.
- 550.2 It shall be unlawful for any person to cause or permit a building or its appurtenances to be constructed, altered, repaired or demolished, or conduct abrasive blasting, without using Reasonably Available Control Technology to prevent the release of fugitive particulate matter to the ambient air.
- 550.3 It shall be unlawful for any person to cause or permit the release of fugitive particulate matter to the ambient air from public or private lots, roadways, or open areas without using Reasonably Available Control Technology.
- 550.4 It shall be unlawful for any person to cause or permit the emission of particulate matter which becomes deposited upon the property of others in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property.

PASSED: January 8, 1969 AMENDED: February 14, 1973, August 9, 1978, October 14, 1987, April 14, 1993, November 12, 1999, July 14, 2005

## **SECTION 560 - STORAGE OF ORGANIC LIQUID**

- 560.1 A person shall not place, store or hold in any stationary tank, reservoir or other container of more than 40,000 gallons, any petroleum liquids or a tank greater than 6,000 gallons capacity or greater containing other organic liquids or solvents having a True Vapor Pressure of 1.5 pounds per square inch or greater under actual storage conditions, unless such tank, reservoir or other container is a pressure tank maintaining working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere, or is designed and equipped with one of the following vapor loss control devices, properly installed, in good working order and in operation:
- 560.11 A floating roof, consisting of a pontoon type or double-deck type roof, resting on the surface of the liquid contents and equipped with a closure seal, or seals, to close the space between the roof edge and tank wall. The control equipment provided for in this paragraph shall not be used if the gasoline or petroleum distillate has a True Vapor Pressure of 11.1 pounds per square inch or greater under actual storage conditions. All tank gauging and sampling devices shall be gas-tight except when gauging or sampling is taking place.

- 560.12 A vapor recovery system, consisting of a vapor gathering system capable of collecting the hydrocarbon vapors and gases discharged and a vapor disposal system capable of processing such hydrocarbon vapors and gases so as to prevent their emission to the atmosphere and with all tank gauging devices gas-tight except when gauging or sampling is taking place.
- 560.13 Other equipment of equal efficiency, provided such equipment is submitted to and approved by the Control Officer.

PASSED: February 14, 1973 AMENDED: August 8, 1978, April 14, 1993

## **SECTION 570 - ASBESTOS CONTROL STANDARDS**

570.1 The Board of Directors of the Northwest Clean Air Agency recognize that asbestos is a serious health hazard. Any asbestos fibers released into the air can be inhaled and can cause lung cancer, pleural mesothelioma, peritoneal mesothelioma or asbestosis. The Board has, therefore, determined that any asbestos emitted to the ambient air is air pollution. Because of the seriousness of the health hazard, the Board of Directors has adopted this regulation to control asbestos emissions from asbestos removal projects in order to protect the public health. In addition, the Board has adopted these regulations to coordinate with the EPA asbestos NESHAP, the OSHA asbestos regulation, the Washington Department of Labor and Industries asbestos regulations, the Washington Department of Ecology Dangerous Waste regulation, and the solid waste regulations of Island, Skagit and Whatcom Counties.

### 570.2 DEFINITIONS

- a) AHERA BUILDING INSPECTOR means a person who has successfully completed the training requirements for a building inspector established by EPA Asbestos Model Accreditation Plan; Interim Final Rule (40 CFR Part 763, Appendix C to Subpart E, I.B.3) and whose certification is current.
- b) AHERA PROJECT DESIGNER means a person who has successfully completed the training requirements for an abatement project designer established by EPA regulations (40 CFR 763.90(g)) and whose certification is current.
- c) ASBESTOS means the asbestiform varieties of actinolite, amosite (cummingtonite-grunerite), tremolite, chrysotile (serpentinite), crocidolite (riebeckite), or anthophyllite.
- d) ASBESTOS-CONTAINING MATERIAL means any material containing more than one percent (1%) asbestos as determined using the

method specified in EPA regulations Appendix A, Subpart F, 40 CFR Part 763, Section I, Polarized Light Microscopy.

- e) ASBESTOS-CONTAINING WASTE MATERIAL means any waste that contains or is contaminated with asbestos-containing material. Asbestos-containing waste material includes asbestos waste from control equipment, materials used to enclose the work area during an asbestos project, asbestos-containing material collected for disposal, asbestos-contaminated waste, debris, containers, bags, protective clothing, or HEPA filters. Asbestos-containing waste material does not include samples of asbestos-containing material taken for testing or enforcement purposes.
- f) ASBESTOS PROJECT means any activity involving the abatement, renovation, demolition, removal, salvage, clean up, or disposal of asbestos-containing material, or any other action that disturbs or is likely to disturb any asbestos-containing material. It includes the removal and disposal of stored asbestos-containing material or asbestos-containing waste material. It does not include the application of duct tape, rewettable glass cloth, canvas, cement, paint, or other non-asbestos materials to seal or fill exposed areas where asbestos fibers may be released.
- g) ASBESTOS SURVEY means a written report describing an inspection using the procedures contained in EPA regulations (40 CFR 763.86), or an alternate method that has received prior written approval from the Control Officer, to determine whether materials or structures to be worked on, renovated, removed, or demolished (including materials on the outside of structures) contain asbestos.
- h) COMPETENT PERSON means a person who is capable of identifying asbestos hazards and selecting the appropriate asbestos control strategy, has the NWCAA to take prompt corrective measures to eliminate them, and has been trained and is currently certified in accordance with the standards established by the Washington State Department of Labor & Industries, the federal Occupational Safety & Health Administration, or the United States Environmental Protection Agency (whichever agency has jurisdiction).
- i) COMPONENT means any equipment, pipe, structural member, or other item covered or coated with, or manufactured from, asbestos-containing material.
- j) DEMOLITION means wrecking, razing, leveling, dismantling, or burning of a structure, making the structure permanently uninhabitable or unusable.
- k) FRIABLE ASBESTOS-CONTAINING MATERIAL means asbestos-containing material that, when dry, can be crumbled, disintegrated,

or reduced to powder by hand pressure or by the forces expected to act upon the material in the course of demolition, renovation, or disposal. Such materials include, but are not limited to, thermal system insulation, surfacing material, and cement asbestos products.

- l) LEAK-TIGHT CONTAINER means a dust-tight and liquid-tight container, at least 6-mil thick, that encloses asbestos-containing waste material and prevents solids or liquids from escaping or spilling out. Such containers may include sealed plastic bags, metal or fiber drums, and sealed polyethylene plastic.
- m) NONFRIABLE ASBESTOS-CONTAINING MATERIAL means asbestos-containing material that, when dry, cannot be crumbled, disintegrated, or reduced to powder by hand pressure or by the forces expected to act on the material in the course of demolition, renovation, or disposal.
- n) OWNER-OCCUPIED, SINGLE-FAMILY RESIDENCE means any non-multiple unit building containing space for uses such as living, sleeping, preparation of food, and eating that is currently used by one family who owns the property as their domicile. This term includes houses, mobile homes, trailers, detached garages, houseboats, and houses with a "mother-in-law apartment" or "guest room". This term does not include rental property or multiple-family units, nor does this term include any mixed-use building, structure, or installation that contains a residential unit.
- o) PERSON means any individual, firm, public or private corporation, association, partnership, political subdivision, municipality, or government agency.
- p) RENOVATION means altering a facility or a component in any way, except demolition.
- q) SURFACING MATERIAL means material that is sprayed-on, troweled-on, or otherwise applied to surfaces including, but not limited to, acoustical plaster on ceilings, paints, fireproofing materials on structural members, or other materials on surfaces for decorative purposes.
- r) SUSPECT ASBESTOS-CONTAINING MATERIAL means material that has historically contained asbestos including, but not limited to, surfacing material, thermal system insulation, roofing material, fire barriers, gaskets, flooring material, and siding.
- s) THERMAL SYSTEM INSULATION means material applied to pipes, fittings, boilers, tanks, ducts, or other structural components to prevent heat loss or gain.

### 570.3 ASBESTOS SURVEY REQUIREMENTS

#### a) Requirements for Renovations

It shall be unlawful for any person to cause or allow a renovation unless the property owner or the owner's agent determines whether there are suspect asbestos-containing materials in the work area and obtains an asbestos survey of any suspect asbestos-containing materials by an AHERA building inspector. An AHERA building inspector is not required for asbestos surveys associated with the renovation of an owner-occupied, single-family residence.

- 1) If there are no suspect materials in the work area, this determination shall either be posted at the work site or communicated in writing to all contractors involved in the renovation.
- 2) It is not required that an AHERA building inspector evaluate any material presumed to be asbestos-containing material.
- 3) Except for renovations of an owner-occupied, single-family residence, only an AHERA building inspector may determine that a suspect material does not contain asbestos.
- 4) A summary of the results of the asbestos survey shall either be posted by the property owner or the owner's agent at the work site or communicated in writing to all persons who may come into contact with the material.

#### b) Requirements for Demolitions

It shall be unlawful for any person to cause or allow any demolition unless the property owner or the owner's agent obtains an asbestos survey by an AHERA building inspector of the structure to be demolished.

- 1) It is not required that an AHERA building inspector evaluate any material presumed to be asbestos-containing material.
- 2) Only an AHERA building inspector may determine that a suspect material does not contain asbestos.
- 3) A summary of the results of the asbestos survey shall either be posted by the property owner or the owner's agent at the work site or communicated in writing to all persons who may come into contact with the material.

### 570.4 NOTIFICATION REQUIREMENTS

#### a) General Requirements

It shall be unlawful for any person to cause or allow any work on an asbestos project or demolition unless a complete notification, including the required fee and any additional information requested by the Control Officer, has been submitted to the NWCAA on approved forms, in accordance with the advance notification period requirements contained in 570.4(d) of this Regulation.

- 1) The duration of an asbestos project shall be commensurate with the amount of work involved.
- 2) Notification is not required for asbestos projects involving less than 10 linear feet or 48 square feet (per structure, per calendar year) of any asbestos-containing material.
- 3) Notification is not required for removal and disposal of the following nonfriable asbestos-containing materials: caulking, window glazing, or roofing. All other asbestos project and demolition requirements remain in effect except as provided by Section 570.
- 4) Notification is required for all demolitions of structures with a greater than 120 square feet footprint even if no asbestos-containing material is present. All other demolition requirements remain in effect.
- 5) The written notification shall be accompanied by the appropriate nonrefundable fee as set forth in 570.4(d) of this Regulation unless prior arrangements for payment have been made with the NWCAA.
- 6) A copy of the notification, all amendments to the notification, the asbestos survey, and any Order of Approval for an alternate means of compliance shall be available for inspection at all times at the asbestos project or demolition site.
- 7) Notification for multiple asbestos projects or demolitions may be filed by a property owner on one form if all the following criteria are met:
  - A) The work will be performed continuously by the same contractor; and
  - B) A work plan is submitted that includes: a map of the structures involved in the project including the site address for each structure; the amount and type of asbestos-containing material in each structure; and the schedule for performing asbestos project and demolition work. For projects where a detailed work schedule cannot be provided the asbestos contractor and/or the demolition contractor shall participate in the NWCAA's work schedule

fax program and will continue to participate in the program throughout the duration of the project.

8) Annual Notification

A property owner may file one annual notification for asbestos projects to be conducted on one or more structures, vessels, or buildings during each calendar year if all of the following conditions are met:

- A) The annual notification shall be filed with the NWCAA before commencing work on any asbestos project included in an annual notification;
- B) The total amount of asbestos-containing material for all asbestos projects from each structure, vessel, or building in a calendar year under this section is less than 260 linear feet on pipes or less than 160 square feet on other components; and
- C) The property owner submits quarterly written reports to the Control Officer on NWCAA-approved forms within 15 days after the end of each calendar quarter.

b) Amendments

1) Mandatory Amendments

An amendment shall be submitted to the Control Officer for the following changes in a notification:

- A) Increases in the project type or job size category that increase the fee or change the advance notification period;
- B) Changes in the type of asbestos-containing material that will be removed; or
- C) Changes in the start date, completion date, or work schedule, including hours of work. Asbestos contractors or property owners participating in the NWCAA work schedule fax program are not required to submit amendments for work schedule changes occurring between the start and completion dates.

c) Emergencies

The Control Officer may waive the advance notification period, if the property owner submits a written request that demonstrates to the Control Officer that an asbestos project or demolition must be conducted immediately because of any of the following:

- 1) There was a sudden, unexpected event that resulted in a public health or safety hazard;
- 2) The project must proceed immediately to protect equipment, ensure continuous vital utilities, or minimize property damage;
- 3) Asbestos-containing materials were encountered that were not identified during the asbestos survey; or
- 4) The project must proceed to avoid imposing an unreasonable burden.

d) Notification Period and Fees

Project	Size or Type	Notification Period	Fee
Owner-Occupied, Single Family Residence (asbestos project and/or demolition)	All	Prior Notice	\$25
All Other Demolitions with no asbestos project	All	10 days	\$0
Asbestos Project*	10-259 linear ft. 48-159 square feet.	3 days	\$150
Asbestos Project	260-999 linear ft. 160-4,999 sq. ft.	10 days	\$300
Asbestos Project	> 1,000 linear ft. > 5,000 sq. ft.	10 days	\$500
Emergency	570.4(c)	Prior Notice	\$0
Amendment	570.4(b)	Prior Notice	\$0
Alternate Means of Compliance (demolitions or friable asbestos-containing materials)	570.7(a) or (c)	10 days	Add'l fee equal to project fee
Alternate Means of Compliance (non-friable asbestos-containing materials)	570.7(b)	10 days	Add'l fee equal to project fee
Annual	570.4 (a)(8)	Prior Notice	\$500

\*Demolitions with asbestos projects involving less than 10 linear feet or less than 48 square feet may submit an asbestos project notification under this project category and will be eligible for the 3-day notification period.

The Control Officer may waive the asbestos project fee and notification period, by written authorization, for disposal of unused and intact or abandoned (without the knowledge or consent of the property owner) asbestos-containing materials. All other asbestos project and demolition requirements remain in effect.

#### 570.5 ASBESTOS REMOVAL REQUIREMENTS PRIOR TO RENOVATION OR DEMOLITION

##### a) Removal of Asbestos Prior to Renovation or Demolition

Except as provided in 570.7(c) of this Regulation, it shall be unlawful for any person to cause or allow any demolition or renovation that may disturb asbestos-containing material or damage a structure so as to preclude access to asbestos-containing material for future removal, without first removing all asbestos-containing material in accordance with the requirements of this regulation. Asbestos-containing material need not be removed from a component if the component can be removed, stored, or transported for reuse without disturbing or damaging the asbestos.

##### b) Exception for Hazardous Conditions

Asbestos-containing material need not be removed prior to a demolition, if the property owner demonstrates to the Control Officer that it is not accessible because of hazardous conditions such as: structures or buildings that are structurally unsound and in danger of imminent collapse, or other conditions that are immediately dangerous to life and health. The property owner must submit the written determination of the hazard by an authorized government official or a licensed structural engineer, and must submit the procedures that will be followed for controlling asbestos emissions during the demolition or renovation and disposal of the asbestos-containing waste material.

#### 570.6 PROCEDURES FOR ASBESTOS PROJECTS

##### a) Training Requirements

It shall be unlawful for any person to cause or allow any work on an asbestos project unless it is performed by persons trained and certified in accordance with the standards established by the Washington State Department of Labor and Industries, the federal Occupational Safety and Health Administration, or the United States

Environmental Protection Agency (whichever agency has jurisdiction) and whose certification is current. This certification requirement does not apply to asbestos projects conducted as part of a renovation in an owner-occupied, single-family residence performed by the resident owner of the dwelling.

b) Asbestos Removal Work Practices

Except as provided in 570.7(c) of this Regulation, it shall be unlawful for any person to cause or allow the removal of asbestos-containing material unless all the following requirements are met:

- 1) The asbestos project shall be conducted in a controlled area, clearly marked by barriers and asbestos warning signs. Access to the controlled area shall be restricted to authorized personnel only.
- 2) If a negative pressure enclosure is employed it shall be equipped with transparent viewing ports, if feasible, and shall be maintained in good working order.
- 3) Absorbent, asbestos-containing materials, such as surfacing material and thermal system insulation, shall be saturated with a liquid wetting agent prior to removal. Any unsaturated, absorbent, asbestos-containing materials exposed during removal shall be immediately saturated with a liquid wetting agent.
- 4) Nonabsorbent, asbestos-containing materials, such as cement asbestos board or vinyl asbestos tile, shall be continuously coated with a liquid wetting agent on any exposed surface prior to and during removal. Any dry surfaces of nonabsorbent, asbestos-containing materials exposed during removal shall be immediately coated with a liquid wetting agent.
- 5) Metal components (such as valves, fire doors, and reactor vessels) that have internal asbestos-containing material are exempt from the requirements of 570.6(b)(3) and 570.6(b)(4) if all access to the asbestos-containing material is welded shut or the component has mechanical seals, which cannot be removed by hand, that separate the asbestos-containing material from the environment.
- 6) Except for surfacing materials being removed inside a negative pressure enclosure, asbestos-containing materials that are being removed, have been removed, or may have fallen off components during an asbestos project shall be carefully lowered to the ground or a lower floor, not dropped, thrown, slid, or otherwise damaged.

- 7) All asbestos-containing waste material shall be sealed in leak-tight containers as soon as possible after removal but no later than the end of each work shift.
- 8) All absorbent, asbestos-containing waste material shall be kept saturated with a liquid wetting agent until sealed in leak-tight containers while saturated with a liquid wetting agent. All nonabsorbent, asbestos-containing waste material shall be kept coated with a liquid wetting agent until sealed in leak-tight containers while coated with a liquid wetting agent.
- 9) The exterior of each leak-tight container shall be free of all asbestos residue and shall be permanently labeled with an asbestos warning sign as specified by the Washington State Department of Labor and Industries or the federal Occupational Safety and Health Administration.
- 10) Immediately after sealing, each leak-tight container shall be permanently marked with the date the material was collected for disposal, the name of the waste generator, and the address at which the waste was generated. This marking must be readable without opening the container.
- 11) Leak-tight containers shall not be dropped, thrown, slid, or otherwise damaged.
- 12) The asbestos-containing waste material shall be stored in a controlled area until transported to an approved waste disposal site.

c) Method of Removal for Nonfriable Asbestos-Containing Roofing Material

The following asbestos removal method shall be employed for asbestos-containing roofing material that has been determined to be nonfriable by a Competent Person or an AHERA Project Designer:

- 1) The nonfriable asbestos-containing roofing material shall be removed using methods such as spud bar and knife. Removal methods such as sawing or grinding shall not be employed;
- 2) Dust control methods shall be used as necessary to assure no fugitive dust is generated from the removal of nonfriable asbestos-containing roofing material;
- 3) Nonfriable asbestos-containing roofing material shall be carefully lowered to the ground to prevent fugitive dust;

- 4) After being lowered to the ground, the nonfriable asbestos-containing roofing material shall be immediately transferred to a disposal container; and
- 5) Each disposal container shall have a sign identifying the material as nonfriable asbestos-containing roofing material.

#### 570.7 COMPLIANCE WITH OTHER RULES

Other government agencies have adopted rules that may apply to asbestos projects regulated under these rules including, but not limited to, the U.S. Environmental Protection Agency, the Occupational Safety and Health Administration, and the Department of Labor and Industries. Nothing in the Agency's rules shall be construed as excusing any person from complying with any other applicable local, state, or federal requirement.

#### 570.8 DISPOSAL OF ASBESTOS-CONTAINING WASTE MATERIAL

- a) Except as provided in 570.8(c) of this Regulation, it shall be unlawful for any person to cause or allow the disposal of asbestos-containing waste material unless it is deposited within 10 days of removal at a waste disposal site authorized to accept such waste.

- b) Waste Tracking Requirements

It shall be unlawful for any person to cause or allow the disposal of asbestos-containing waste material unless the following requirements are met:

- 1) Maintain waste shipment records, beginning prior to transport, using a form that includes the following information:
  - A) The name, address, and telephone number of the waste generator;
  - B) The approximate quantity in cubic meters or cubic yards;
  - C) The name and telephone number of the disposal site operator;
  - D) The name and physical site location of the disposal site;
  - E) The date transported;
  - F) The name, address, and telephone number of the transporter; and
  - G) A certification that the contents of the consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition to transport by highway

according to applicable international and government regulations.

- 2) Provide a copy of the waste shipment record to the disposal site at the same time the asbestos-containing waste material is delivered.
- 3) If a copy of the waste shipment record, signed by the owner or operator of the disposal site, is not received by the waste generator within 35 calendar days of the date the waste was accepted by the initial transporter, contact the transporter and/or the owner or operator of the disposal site to determine the status of the waste shipment.
- 4) If a copy of the waste shipment record, signed by the owner or operator of the disposal site, is not received by the waste generator within 45 days of the date the waste was accepted by the initial transporter, report in writing to the Control Officer. Include in the report, a copy of the waste shipment record and a cover letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts.
- 5) Retain a copy of all waste shipment records, including a copy of the waste shipment record signed by the owner or operator of the designated waste disposal site, for at least 2 years.

c) Temporary Storage Site

A person may establish a facility for the purpose of collecting and temporarily storing asbestos-containing waste material if the facility is approved by the Control Officer and all the following conditions are met:

- 1) Accumulated asbestos-containing waste material shall be kept in a controlled storage area posted with asbestos warning signs and accessible only to authorized persons;
- 2) All asbestos-containing waste material shall be stored in leak-tight containers and the leak-tight containers shall be maintained in good condition;
- 3) The storage area must be locked except during transfer of asbestos-containing waste material; and
- 4) Storage, transportation, disposal, and return of the waste shipment record to the waste generator shall not exceed 90 days.

d) Disposal of Asbestos Cement Pipe

Asbestos cement pipe used on public right-of-ways, public easements, or other places receiving the prior written approval of the Control Officer may be buried in place if the pipe is covered with at least 3 feet or more of non-asbestos fill material. All asbestos cement pipe fragments that are 1 linear foot or less and other asbestos-containing waste material shall be disposed of at a waste disposal site authorized to accept such waste.

PASSED: November 12, 1998 Amended: July 14, 2005, November 8, 2007

## **SECTION 580 - VOLATILE ORGANIC COMPOUND CONTROL**

580.1 The Board of Directors has noted the measurement of ozone concentrations (one hour ave.) nearing the Federal ambient standard at the northern and southern boundaries of the NWCAA jurisdiction. The expanding population and the presence of four large refineries contribute volatile organic compound (VOC) emissions to the atmosphere. Photochemically reactive VOC's are precursors to ozone formation. In order to maintain the current attainment status for ozone, the Board has adopted specific measures to control VOC emissions. Reasonable Available Control Technology (RACT) is required for existing refinery operations, gasoline marketing, and in the use of cutback asphalt. RACT is defined as the lowest emission limit that a particular source is capable of meeting by the application of control that is reasonably available considering technological and economic feasibility.

## **SECTION 580 - DEFINITIONS**

BOTTOM LOADING - means the filling of a tank through a submerged fill line.

BULK GASOLINE PLANT - means a gasoline storage and transfer facility that receives more than ninety percent of its annual gasoline throughput by transport tank, and reloads gasoline into transport tanks. See also "gasoline station" and "gasoline loading terminal."

CERTIFIED VAPOR RECOVERY SYSTEM - means a stage II vapor recovery system which has been certified by the California Air Resources Board.

CLOSED REFINERY SYSTEM - means a disposal system that will process or dispose of those VOC collected from another system.

CUTBACK ASPHALT - means an asphalt that has been blended with more than seven percent petroleum distillates by weight.

DISPOSAL SYSTEM - means a process or device that reduces the mass quantity of the uncontrolled VOC emissions by at least ninety percent.

GASOLINE - Means a petroleum distillate having a true vapor pressure greater than 28.0 kilopascals (kPa) (4 pounds per square inch absolute -p.s.i.a.) - at 20 degrees

Celsius (20 C) temperature, that is a liquid at standard conditions of 102.9 Kpa (14.7 psi) and 20 C, and is used as a fuel for internal combustion engines.

GASOLINE STATION - means any facility dispensing gasoline into fuel tanks of motor vehicles, from stationary storage tanks. See also "bulk gasoline plant" and "gasoline loading terminal."

GASOLINE LOADING TERMINAL - means a gasoline transfer facility that receives more than ten percent of its annual gasoline throughput solely or in combination by pipeline, ship or barge, and loads gasoline into transport tanks. See also "bulk gasoline plant" and "gasoline station."

LEAK FREE - means a liquid leak of less than four drops per minute.

PETROLEUM REFINERY - means a facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, asphalt, or other products by distilling crude oils or redistilling, cracking, extracting or reforming unfinished petroleum derivatives.

PROCESS UNIT - means all the equipment essential to a particular production process.

PROPER ATTACHMENT FITTINGS - means connecting hardware for the attachment of fuel transfer or vapor lines which meets or exceeds industrial standards or specifications and the standards of other agencies or institutions responsible for health and safety.

REID VAPOR PRESSURE - means the true vapor pressure of volatile organic compounds at 37.8 degrees Celsius (100 degrees Fahrenheit) temperature.

STAGE II - means gasoline vapor recovery during motor vehicle refueling operations from stationary tanks.

SUBMERGED FILL LINE - means a pipe, tube, fitting or other hardware for loading liquid into a tank either a discharge opening flush with the tank bottom; or with a discharge opening entirely below the lowest normal operating drawoff level or that level determined by a liquid depth two and one half times the fill line diameter when measured in the main portion of the tank, but not in sumps or similar protrusions.

SUBMERGED LOADING - means the filling of a tank with a submerged fill line.

SUITABLE CLOSURE or SUITABLE COVER - means a door, hatch, cover, lid, pipe cap, pipe blind, valve or similar device that prevents the accidental spilling or emitting of VOC. Pressure relief valves, aspirator vents or other devices specifically required for safety and fire protection are not included.

TRANSPORT TANK - means a container with a capacity greater than one thousand liters (260 gallons) used for transporting gasoline, including but not limited to, tank truck, tank trailer, railroad car, and metallic or nonmetallic tank or cell conveyed on a flatbed truck, trailer or railroad car.

THROUGHPUT - means the amount of material passing through a facility.

TRUE VAPOR PRESSURE - means the equilibrium partial pressure of an organic liquid (determined with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss from Floating Roof Tanks," 1962).

TURNAROUND or PROCESS UNIT TURNAROUNDS - means the shutting down and starting up of process units for periodic major maintenance and repair of equipment, or other planned purpose.

UPGRADED - means the replacement or modification gasoline storage tank(s) and/or piping system(s) that exceeds 50% of the replacement cost.

VAPOR BALANCE SYSTEM - means a combination of pipes or hoses which create a closed system between the vapor spaces of an unloading tank and receiving tank such that the vapors displaced from the receiving tank are transferred to the tank being unloaded.

VAPOR BALANCING - means use of a vapor balance system.

VAPOR RECOVERY SYSTEM - means a process which prevents emission to the atmosphere of volatile organic compounds released by the operation of any transfer, storage, or process equipment.

VOLATILE ORGANIC COMPOUND or VOC - means an organic compound that participates in atmospheric photochemical reactions. This excludes all compounds determined to have negligible photochemical reactivity by the U.S. Environmental Protection Agency and listed in 40 CFR 51.100(s).

WAXY, HEAVY POUR CRUDE OIL - means a crude oil with a pour point of 10 C or higher (determined by the American Society for Testing and Materials Standard D97-66, "Test for Pour Point of Petroleum Oils").

PASSED: December 13, 1989 AMENDED: April 14, 1993, October 13, 1994,  
February 8, 1996

## SECTION 580.2 - Petroleum Refineries

- 580.21 This section shall apply to all petroleum refineries with a crude oil or feed stock capacity greater than three hundred eighteen thousand liters (2,000 barrels) per day.

- 580.22 It shall be unlawful for any person to cause or allow the disposal of VOC from the vacuum producing systems covered under this subsection except as follows:
- 580.221 Noncondensable VOC shall be piped to an appropriate firebox, incinerator or to a closed refinery system.
  - 580.222 Hot wells associated with contact condensers shall be tightly covered and the collected VOC introduced into a closed refinery system.
- 580.23 It shall be unlawful for any person to cause or allow the operation of a wastewater separator with annual VOC emissions estimated by the NWCAA to exceed 25 tons, when such operation does not comply as follows:
- 580.231 Wastewater separator forebays shall incorporate a floating pontoon or fixed solid cover with all openings sealed totally enclosing the compartmented liquid contents, or a floating pontoon or a double deck-type cover equipped with closure seals between the cover edge and compartment wall. Collected vapors shall not be discharged to the atmosphere.
  - 580.232 Accesses for gauging and sampling shall be designed to minimize VOC emissions during actual use. All access points shall be closed with suitable covers when not in use.
- 580.24 It shall be unlawful for any person to cause or allow a process unit turnaround which does not comply with the following conditions:
- 580.241 The VOC contained in a process unit to be depressurized for turnaround shall be introduced to a closed refinery system, combusted by a flare, or vented to a disposal system.
  - 580.242 The VOC pressure in a process unit following depressurization for turnaround shall be less than five pounds per square inch gauge (psig) before venting to the ambient air.
  - 580.243 The owner or operator shall keep a record of each process unit turnaround not in compliance with 580.242.
  - 580.244 The owner or operator shall keep a record of each process unit turnaround listing the date the unit was shut down, the estimated vessel VOC concentration when the VOC was first emitted, and the estimated total quantity of VOC emitted.
- 580.25 Equipment for the reduction, collection or disposal of VOC shall be maintained and operated in a manner commensurate with accepted industrial practices.

580.26 Any petroleum refinery process unit, storage facility or other operation (including drains) subject to federal VOC or HAP standards (NSPS, Benzene Waste NESHAP, Petroleum Refinery NESHAP, etc.) is exempt from the requirements of NWCAA 580.3 through NWCAA 580.10. Such exemption shall take effect upon the date of required compliance with the federal standard.

PASSED: December 13, 1989 AMENDED: February 8, 1996

### 580.3 High Vapor Pressure Volatile Organic Compound Storage Tanks

580.31 Subsections 580.32 through 580.37 shall apply to all tanks which store volatile organic compounds with a true vapor pressure as stored greater than 10.5 kilopascals (Kpa) 1.5 pounds per square inch (psia), but less than 77.7 Kpa (11.1 psia) at calendar-month average storage temperatures and have a capacity greater than one hundred fifty thousand liters (40,000 gallons).

580.32 It shall be unlawful for any person to cause or allow storage of volatile organic compounds as specified in Section 580.31 unless each storage tank or container:

580.321 Meets the equipment specifications and maintenance requirements of the Federal Standards of Performance for New Stationary Sources -Storage Vessels for Petroleum Liquids (40 CFR 60, subpart Kb); or

580.322 Is retrofitted with a floating roof or internal floating cover using a metallic seal or a nonmetallic resilient seal at least meeting the equipment specifications of the Federal standards referred to in 580.321 of this subsection, or its equivalent; or

580.323 Is fitted with a floating roof or internal floating cover meeting the manufacturers equipment specifications in effect when it was installed.

580.33 All seals used with equipment subject to this section are to be maintained in good operating condition and the seal fabric shall contain no visible holes, tears or other openings.

580.34 All openings not related to safety are to be sealed with suitable closures.

580.35 Tanks used for the storage of gasoline in bulk gasoline plants and equipped with vapor balance systems as required in 580.52 shall be exempt from the requirements of this section.

580.36 All tanks not exempted by subsection 580.26 shall meet the monitoring, recordkeeping and reporting requirements of 40 CFR 60

Subpart Kb, with the exception of the monitoring report submittal requirements of 60.115b(b)(2). Compliance with subsection 580.36 shall be no later than December 31, 1999.

580.37 All tanks exempt by subsection 580.26 and all tanks subject to Section 580.3 or 580.9 shall be exempt from Section 560 of this Regulation.

580.38 All tanks storing volatile organic compounds with a true vapor pressure greater than 77.7 kPa (11.1 psia) shall be equipped with a vapor recovery system.

PASSED: December 13, 1989 AMENDED: May 14, 1998, November 12, 1998

#### 580.4 Gasoline Loading Terminals

580.41 Section 580.42 shall apply to all gasoline loading terminals with an annual gasoline throughput greater than twenty-seven million three hundred thousand liters (7,200,000 gallons).

580.42 It shall be unlawful for any person to cause or allow the loading of gasoline into any transport tank unless all the following conditions are met:

580.421 The loading terminal shall employ submerged loading or bottom loading and be equipped with a vapor control system.

580.422 All loading lines and vapor lines shall be equipped with vapor-tight fittings which close automatically upon disconnect. The point of closure shall be on the tank side of any hose or immediate connecting line.

580.423 All vapor return lines shall be connected between the transport tank and the vapor control system such that all displaced volatile organic compounds are vented to the vapor control system.

580.424 The vapor control system shall prevent the emission of at least 90 percent by weight of the volatile organic compounds and shall limit the emission of volatile organic compounds to no more than 10 milligrams per liter of gasoline transferred. Compliance shall be demonstrated biennially by conducting emission testing according to EPA Method 25 or another method approved by the Control Officer. Thirty days advance notification is required.

580.425 The vapor control system shall be equipped with an appropriate alarm system to alert personnel when the system is not in

compliance with 580.424. Prior approval by the Control Officer is required.

- 580.426 All loading arms shall be designed, maintained and operated to prevent overflow, prevent fugitive liquid or vapor leaks, and prevent excess gasoline drainage during disconnect in accordance with the requirements of 580.10.

PASSED: December 13, 1989 AMENDED: June 14, 2001

## 580.5 Bulk Gasoline Plants

580.51 Section 580.5 shall apply to all gasoline bulk plants.

- 580.511 It shall be unlawful for any person to cause or allow the storage of gasoline in tanks with a capacity of two thousand one hundred liters (550 gallons) or greater unless such storage is in tanks meeting the following conditions:

580.5111 Each storage tank shall be equipped with a submerged fill line.

- 580.512 It shall be unlawful for any person to cause or allow transfer of gasoline between a storage tank and a transport tank except under the following condition:

580.5121 All transport tanks shall be submerged filled or bottom loaded.

580.52 Section 580.52 shall apply to all bulk gasoline plants with an annual gasoline throughput greater than seven million six hundred thousand liters (2,000,000 gallons).

- 580.521 It shall be unlawful for any person to cause or allow the storage of gasoline in tanks with a capacity of two thousand one hundred liters (550 gallons) or greater unless such storage is in tanks meeting the following conditions.

580.5211 Each storage tank shall be equipped for vapor balancing of gasoline vapors with transport tanks during gasoline transfer operations.

580.5212 The vapor line fittings on the storage tank side of break points with the transport tank vapor connection pipe or hose shall be equipped to close automatically upon planned or unintentional disconnect.

580.5213 The pressure relief valves on storage tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.

- 580.522 Except as provided in 580.523 of this section, it shall be unlawful for any person to cause or allow the transfer of gasoline into or out of any transport tank at a bulk gasoline plant unless said transfer is in compliance with the following conditions:
- 580.5221 The transport tank shall be equipped with the proper attachment fittings to make vapor-tight connections for vapor balancing with storage tanks; and
  - 580.5222 The vapor line fittings on the transport tank side of break points with the storage tank connection pipe or hose shall be equipped to close automatically upon planned or unintentional disconnect; and
  - 580.5223 The pressure relief valves on transport tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.
- 580.523 The vapor line fittings on the storage tank side of break points with the transport tank vapor connection pipe or hose shall be equipped to close automatically upon planned or unintentional disconnect.
- 580.5231 The transport tank is used exclusively for the delivery of gasoline into storage tanks of a facility exempt from the vapor balance requirements of 580.6; and
  - 580.5232 The transport tank has a total capacity less than fifteen thousand liters (4,000 gallons) and is of a compartmented design and construction requiring the installation of four or more separate vapor balance fittings.
- 580.524 The pressure relief valves on storage tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.
- 580.5241 The loading of all transport tanks, exempted under 580.523 of this section, shall be performed such that at least ninety percent by weight of the gasoline vapors displaced during filling are prevented from being released into the ambient air; providing that emissions from pressure relief valves shall not be included in the controlled emissions. This emission limitation will be met by vapor balancing in compliance with all provisions of this section.
- 580.525 It shall be unlawful for any person to cause or allow continued transfer of gasoline at any transfer point following occurrence of failure or leakage in any part of the vapor balance system, provided that occurrence of failure or leakage during loading or

unloading of a transport tank shall not prevent the complete loading or unloading of the tank.

- 580.526 It shall be unlawful for any person to cause or permit the operation of a bulk gasoline plant or a transport tank without taking reasonable necessary measures to prevent the spilling, discarding in sewers, storing in open containers or handling of gasoline in a manner on the plant site that will result in evaporation to the ambient air.
- 580.53 Except as provided in 580.54 of this section, it shall be unlawful for any person to cause or allow the transfer of gasoline into or out of any transport tank at a bulk gasoline plant unless said transfer is in compliance with the following conditions:
- 580.531 The transport tank shall be equipped with the proper attachment fittings to make vapor-tight connections for vapor balancing with storage tanks; and
- 580.532 The vapor line fittings on the transport tank side of break points with the storage tank connection pipe or hose shall be equipped to close automatically upon planned or unintentional disconnect; and
- 580.533 The pressure relief valves on transport tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.
- 580.54 Transport tanks used for gasoline shall be exempt from the requirement to be equipped with any attachment fitting for vapor balance lines, provided the following conditions are met:
- 580.541 The transport tank is used exclusively for the delivery of gasoline into storage tanks of a facility exempt from the vapor balance requirements of 580.6; and
- 580.542 The transport tank has a total capacity less than fifteen thousand liters (4,000 gallons) and is of a compartmented design and construction requiring the installation of four or more separate vapor balance fittings.
- 580.55 It shall be unlawful for any person to cause or allow transfer of gasoline between a storage tank and a transport tank except under the following conditions:
- 580.551 The loading of all transport tanks, except those exempted under 580.54 of this section, shall be performed such that ninety percent by weight of the gasoline vapors displaced during filling are prevented from being released into the ambient air; providing that emissions from pressure relief valves shall not be

included in the controlled emissions. This emission limitation will be met by vapor balancing in compliance with all provisions of this section.

580.56 It shall be unlawful for any person to cause or allow continued transfer of gasoline at any transfer point following occurrence of failure or leakage in any part of the vapor balance system, provided that occurrence of failure or leakage during loading or unloading of a transport tank shall not prevent the complete loading or unloading of the tank.

580.57 It shall be unlawful for any person to cause or permit the operation of a bulk gasoline plant or a transport tank without taking reasonable necessary measures to prevent the spilling, discarding in sewers, storing in open containers or handling of gasoline in a manner on the plant site that will result in evaporation to the ambient air.

PASSED: February 14, 1990

## 580.6 Gasoline Stations

580.61 Section 580.62 shall apply to:

580.611 All gasoline stations with a total annual gasoline throughput greater than seven hundred and fifty-seven thousand liters (200,000 gallons) and

580.612 All gasoline stations installed or reconstructed after January 1, 1990 with a nominal total gasoline storage capacity greater than thirty-eight thousand liters (10,000 gallons).

580.62 It shall be unlawful for any person to cause or allow the transfer of gasoline from any transport tank into any stationary storage tank except as provided in 580.63 of this section unless the following conditions are met:

580.621 Such stationary storage tank is equipped with a permanent submerged fill pipe and approved vapor recovery system, and

580.622 Such transport tank is equipped to balance vapors and is maintained in a vapor-tight condition in accordance with Section 580.10 and

580.623 All vapor return lines are connected between the transport tank and the stationary storage tank and the vapor recovery system is operating.

580.63 Notwithstanding the requirements of 580.61 of this regulation, the following stationary gasoline storage tanks are exempt from the requirements of 580.62:

580.631 All tanks with a capacity less than seven thousand five hundred liters (2,000 gallons) installed before January 1, 1990.

580.632 All tanks with offset fill lines installed before January 1, 1990.

580.633 All tanks with a capacity less than one thousand liters (260 gallons).

580.64 It shall be unlawful for any person to cause or allow the transfer of gasoline from a stationary tank into a motor vehicle fuel tank except as provided in WAC 173-491.

PASSED: February 14, 1990 AMENDED: April 14, 1993, October 13, 1994, March 13, 1997, May 14, 1998, November 12, 1998

#### 580.7 Cutback Asphalt Paving

580.71 After June 1, 1990, it shall be unlawful for any person to cause or allow the use of cutback asphalt in paving during the months of June, July, August and September, except as provided for in 580.72 of this section.

580.72 The following paving uses and applications of cutback asphalts are permitted during all months of the year;

580.721 As a penetrating prime coat on aggregate bases prior to paving.

580.722 The manufacture of patching mixes used exclusively for pavement maintenance and needed to be stockpiled for times longer than one month.

580.723 All paving uses when the temperature during application is below 10 °C (50 °F).

PASSED: December 13, 1989 AMENDED: April 14, 1993

#### 580.8 Petroleum Refinery Equipment Leaks

580.81 This section shall apply to all components (pump seals, compressor seals, pipeline valves and relief valves) handling volatile organic compounds at petroleum refinery process units and loading sites which utilize butane or lighter hydrocarbons as a primary feedstock. The process units shall include alkylation, polymerization, and LPG loading. This section does not apply to systems or facilities in which or to which natural gas or refinery fuel gas are supplied.

580.82 It shall be unlawful to install or operate a sample point at the end of a pipe or line containing VOC unless the pipe or line is sealed with a second suitable closure. Exceptions to this requirement are the ends

of a pipe or line connected to pressure relief valves, aspirator vents or other devices specifically required to be open for safety protection. The sealing device shall be removed only when a sample is being taken or during maintenance operations.

580.83 It shall be unlawful for any person to cause or allow the operation of a petroleum refinery unless such person conducts a fugitive leak detection and repair program for process units specified in 580.81 and 580.82 consistent with the provisions of 40 CFR 60.591-60.593. Where compliance with 40 CFR 60.591-60.593 results in any expansion of a facilities current LDAR program or modification of an existing facility, the date of applicability for the new portion of the program shall be August 31, 1998.

580.84 Pressure relief devices that are connected to an operating flare header, vapor recovery device, inaccessible valves, storage tank valves and valves that are not externally regulated are exempt from the monitoring requirements of this Section.

PASSED: December 13, 1989 AMENDED: March 13, 1997

#### 580.9 High Vapor Pressure Volatile Organic Compound Storage in External Floating Roof Tanks

580.91 This section shall apply to all VOC storage vessels equipped with external floating roofs, having capacities greater than 150,000 liters (40,000 gallons). Compliance with this section shall be achieved by December 31, 1999.

580.92 This section does not apply to storage vessels that:

580.921 Are used to store waxy, heavy pour crude oil;

580.922 Have capacities less than 1,600,000 liters (420,000 gallons) and are used to store produced crude oil and condensate prior to lease custody transfer;

580.923 Contain a volatile organic compound with a true vapor pressure of less than 10.5 kPa (1.5 psia);

580.924 Contain a volatile organic compound with a true vapor pressure less than 27.6 kPa (4.0 psia), are of welded construction, and presently possess a metallic-type shoe seal, a liquid-mounted foam seal, a liquid-mounted liquid fill type seal, or other equivalent closure device approved by the Control Officer; or

580.925 Are of welded construction, equipped with a metallic-type shoe primary seal and have a shoe-mounted secondary seal.

- 580.93 It shall be unlawful for any person to store a volatile organic compound in a vessel subject to this section unless the vessel has been fitted with a rim-mounted secondary seal or an equivalent closure device approved by the Control Officer.
- 580.94 All seals or closure devices required by 580.93 shall meet the following requirements:
- 580.941 There must be no visible holes, tears, or other openings in the seal or seal fabric;
  - 580.942 The seal shall be intact and uniformly in place around the circumference of the floating roof between the roof and the tank wall; and
  - 580.943 For vapor mounted primary seals, the accumulated area of gaps exceeding 0.32 cm (1/8 inch) in width between the secondary seal and the tank wall shall not exceed 21.2 cm<sup>2</sup> per meter of tank diameter (1.0 in 2 per foot of tank diameter).
- 580.95 All openings in the external floating roof, except for automatic bleeder vents, rim space vents, and leg sleeves shall be:
- 580.951 Equipped with covers, seals, or lids in the closed position except when the openings are in actual use; and
  - 580.952 Equipped with projections into the tank which remain below the liquid surface at all times.
- 580.96 Automatic bleeder vents shall be closed at all times except when the roof is floated off or landed on the roof leg supports;
- 580.97 Rim vents shall be set to open when the roof is being floated off the leg supports or at the manufacturer's recommended setting;
- 580.98 Emergency roof drains shall be provided with slotted membrane fabric covers or equivalent which cover at least ninety percent of the area of the opening.
- 580.99 Routine inspections shall be performed as follows:
- 580.991 Conduct a semi-annual visual inspection of the secondary seal gap;
  - 580.992 Measure the secondary seal gap annually if the floating roof is equipped with a vapor-mounted primary seal; and
  - 580.993 Maintain records of the types of petroleum liquids stored, the maximum true vapor pressure of the liquid as stored, and the results of any inspections performed for period of two years after the date on which the record was made.

580.994 A person proposing to measure the seal fit of a storage vessel in order to comply with this section shall notify the Control Officer of the intent to measure not less than five working days before the measurement so the Control Officer may at his option observe the measurement.

580.100 It shall be unlawful for any person to store a volatile organic compound in a vessel with an external floating roof exempted from this section by 580.924, but containing a volatile organic compound with a true vapor pressure greater than 10.5 kPa (1.5 psia) unless records of the average monthly storage temperature, the type of liquid and the maximum true vapor pressure of such liquids are maintained.

PASSED: December 13, 1989

#### 580.10 Leaks From Gasoline Transport Tanks and Vapor Control Systems

580.101 Applicability This Section shall apply to all gasoline transport tanks and all facilities subject to 580.4, 580.5, and 580.6 of the Northwest Clean Air Agency Regulation.

580.102 Transport Tanks (also referred to as cargo tanks) It shall be unlawful for any person to cause or allow the transfer of gasoline between a facility subject to the requirements of this Section and a gasoline transport tank unless:

580.1021 a current (within 365 days) vapor tightness test certification for the transport tank is on file with the facility or is available in the transport vehicle.

(a) The vapor tightness test shall be conducted annually in accordance with the procedures specified in 40 CFR 63.425(e) and;

(b) The complete vapor tightness certificate shall be on a form approved by the Northwest Clean Air Agency.

580.1022 It is loaded and unloaded in such a manner that the concentration of gasoline vapors is below the lower explosive limit (expressed as propane) at all points a distance of 2.5 cm (1 inch) or greater from any potential leak source. Any transport tank which fails to meet the requirements of this subparagraph shall be repaired and retested in accordance with 40 CFR 63.422(c) prior to reloading.

580.103 Vapor Control Systems It shall be unlawful for any person to cause or allow the operation of any facility subject to this Section unless the

vapor control system and the gasoline loading equipment is operated during all loading and unloading of gasoline such that:

- 580.1031 The concentrations of gasoline vapors is below the lower explosive limit (expressed as propane) at all points a distance of 2.5 cm (1 inch) or greater from any potential leak source; and
- 580.1032 There are no liquid leaks in excess of three drops per minute and there is no more than 10 ml of liquid drainage per disconnect.

PASSED: December 13, 1989 AMENDED: November 12, 1999

#### SECTION 580.11 Scope, Registration, Reporting and Notice of Construction

- 580.111 The owner or operator of a stationary emission source of VOC shall notify the NWCAA and register the source in compliance with Sections 300, 320, 321, 324.
- 580.112 The owner or operator of a registered stationary emission source of VOC shall furnish, upon request of the Control Officer, such data as the NWCAA may require to calculate the emission of the source and evaluate the emission control program; and such other data at times as may be required by the Control Officer. The data shall be supplied not later than (60) sixty days following the request, in a form and according to instructions received from the Control Officer.
- 580.113 Owners or operators of stationary emission sources of VOC, as defined in Section 580, shall demonstrate compliance with these regulations, using procedures approved by the Control Officer. These procedures shall comply with established EPA/DOE/CARB Reference Testing Methods. Where source sampling is required, procedures shall be used as specified in Section 180 of the NWCAA Regulation.
- 580.114 The owner or operator of any source of VOC emissions subject to the provisions of Section 580 shall:
  - 580.1141 Install, operate, and maintain, process and/or control equipment, monitoring instruments or procedures as necessary to comply with paragraph 580.113 of this section; provided that use of Monitoring instruments or procedures is required only as specified in EPA/DOE/CARB Documents cited in subsection 580.113.
  - 580.1142 Maintain, in writing, records and/or reports relating to monitoring instruments or procedures which will, upon review, document the compliance status of the VOC emission source or control equipment to the satisfaction of the Control Officer. Reports shall be forwarded to the Control Officer as required by

procedures cited in 580.113. For sources subject to 580.6 and 580.7, no records or reports are required.

580.1143 The provisions of the NWCAA Regulation regarding Notices of Construction shall apply to new or altered VOC emission source, and no person shall construct, install, or establish a new or altered VOC emission source except in compliance therewith.

PASSED: December 13, 1989 AMENDED: March 13, 1997

## **SECTION 590 – PERCHLOROETHYLENE DRY CLEANERS**

590.1 Applicability. This section applies to all dry cleaning systems using perchloroethylene.

590.2 Definitions.

AREA SOURCE - Any perchloroethylene dry cleaning facility that does not have the potential to emit more than 10 tons per year of perchloroethylene to the atmosphere.

BIWEEKLY - Any 14-day period of time.

CARBON ADSORBER - A bed of activated carbon into which an air-perchloroethylene gas-vapor stream is routed and which adsorbs the perchloroethylene on the carbon.

DESORPTION - Regeneration of a carbon adsorber by removal of the perchloroethylene adsorbed onto the carbon.

HALOGENATED HYDROCARBON DETECTOR - A portable device capable of detecting vapor concentrations of perchloroethylene of 25 parts per million by volume and indicating a concentration of 25 parts per million by volume or greater by emitting an audible or visual signal that varies as the concentration changes.

PERCEPTIBLE LEAKS - Any perchloroethylene vapor or liquid leaks that are obvious from:

- a. The odor of perchloroethylene; or
- b. Visual observation, such as pools or droplets of liquid; or
- c. The detection of gas flow by passing fingers over the surface of equipment.

PERCHLOROETHYLENE GAS ANALYZER - A flame ionization detector, photoionization detector, or infrared analyzer capable of detecting vapor concentrations of perchloroethylene of 25 parts per million by volume.

RECONSTRUCTION - For the purpose of Section 590, means the replacement of any components of a dry cleaning system to such an extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new dry cleaning system.

RESIDENCE - Any dwelling or housing in which people reside excluding short-term housing that is occupied by the same person for a period of less than 180 days (such as a hotel room).

VAPOR LEAK - A perchloroethylene vapor concentration exceeding 25 parts per million by volume (50 parts per volume as methane) as indicated by a halogenated hydrocarbon detector or perchloroethylene gas analyzer.

### 590.3 Machine Design.

- a. It shall be unlawful for any person to cause or allow the operation of a perchloroethylene dry cleaning system unless all the air-perchloroethylene gas-vapor stream is vented through a carbon adsorber or refrigerated condenser. Dry cleaning machines installed between September 21, 1993 and December 21, 2005 shall use a refrigerated condenser, and shall comply with 590.41(a).
- b. The owner or operator of each dry cleaning system installed after December 21, 2005, at an area source shall route the air-perchloroethylene gas-vapor stream contained within each dry cleaning machine through a refrigerated condenser and pass the air-perchloroethylene gas-vapor stream from inside the dry cleaning machine drum through a non-vented carbon absorber or equivalent control device immediately before the door of the dry cleaning machine is opened. The carbon absorber must be desorbed in accordance with manufacturer's instructions.
- c. All dry cleaning machines shall use a refrigerated condenser and a carbon adsorber as described in 590.2(b), and shall comply with 590.41(b) by July 28, 2008.

590.4 General Operation and Maintenance Requirements. It shall be unlawful for any person to cause or allow the operation of any perchloroethylene dry cleaning system unless all of the following conditions are met:

#### 590.41 Leak Detection and Repair

- a. Conduct a visual inspection of the dry cleaning system at least once a week for perceptible leaks while the system is operating.
- b. An inspection must include an examination of these components for condition and perceptible leaks
  1. Hose and pipe connections, fittings, couplings, and valves;

2. Door gaskets and seats;
  3. Filter gaskets and seats;
  4. Pumps;
  5. Solvent tanks and containers;
  6. Water separators;
  7. Muck cookers;
  8. Stills;
  9. Cartridge filter housings.
- c. Conduct vapor leak inspections monthly while the dry cleaning system is running using a halogenated hydrocarbon detector or perchloroethylene gas analyzer that is operated according to the manufacturer's instructions. The operator shall place the probe inlet at the surface of each component interface where leakage could occur and move it slowly along the interface periphery. Any inspection conducted according to this paragraph shall satisfy the requirements to conduct an inspection for perceptible leaks as described in 590.41(a).
  - d. All perchloroethylene dry cleaning systems shall be in compliance with 590.41(c) by July 28, 2008.
  - e. All perceptible and/or vapor leaks shall be repaired within 24 hours of detection. If repair parts must be ordered to repair a leak, the parts shall be ordered within 2 working days of detecting the leak, and the repair parts shall be installed within 5 working days after receipt.
- 590.42 Drain cartridge filters in their housing or other sealed container for at least 24 hours before discarding the cartridges;
- 590.43 Close the door of each dry cleaning machine except when transferring articles to or from the machine;
- 590.44 Store all perchloroethylene, and wastes containing perchloroethylene, in a closed container; and
- 590.45 Operate and maintain the dry cleaning system according to the manufacturer's specifications and recommendations.
- 590.46 Keep a copy on-site of the design specifications and operating manuals for all dry cleaning equipment.
- 590.47 Keep a copy on-site of the design specifications and operating manuals for all emission control devices.

590.5 Requirements for Refrigerated Condensers. It shall be unlawful for any person to cause or allow the operation of any perchloroethylene dry cleaning system using a refrigerated condenser unless all of the following conditions are met:

590.51 The air temperature at the outlet of the refrigerated condenser installed on a dry-to-dry machine must reach 45°F (7°C) or less during the cool-down period. Compliance shall be determined by continuously monitoring the outlet temperature during the cool-down period using a permanently installed temperature sensor that is accurate to within 2°F (1°C);

590.52 The difference between the air temperature at the inlet and outlet of a refrigerated condenser installed on a washer must be greater than or equal to 20°F(11°C). Compliance shall be determined by continuously monitoring the inlet and outlet temperatures during the cool-down period using permanently installed temperature sensors that are accurate to within 2°F(1°C);

590.53 The refrigerated condenser shall be operated so that air drawn into the dry cleaning machine does not pass through the refrigerated condenser when the door of the machine is open; and

590.54 The refrigerated condenser shall not vent the air-perchloroethylene gas-vapor stream while the dry cleaning machine drum is rotating.

590.6 Requirements for Carbon Adsorbers. It shall be unlawful for any person to cause or allow the operation of any perchloroethylene dry cleaning system using a carbon adsorber unless all of the following conditions are met:

590.61 The concentration of perchloroethylene at the exhaust of the carbon adsorber shall not exceed 100 ppm while the dry cleaning machine is venting to the carbon adsorber at the end of the last dry cleaning cycle prior to desorption of the carbon adsorber; and

590.62 Compliance shall be determined by weekly measurements of the concentration of perchloroethylene at the outlet of the carbon adsorber using a halogenated hydrocarbon detector or perchloroethylene gas analyzer that is accurate to within 25 ppm.

590.7 Recordkeeping. Each dry cleaning facility shall have an Operation and Maintenance Plan and the following records which shall be kept on-site and available for inspection upon request by the NWCAA.

590.71 A record of dates and results of all monitoring, inspections, and repair of the dry cleaning system.

590.72 If a refrigerated condenser is used on a dry-to-dry machine, a weekly record of the air temperature measured at the outlet of the

refrigerated condenser during the cool-down period to verify compliance with Subsection 590.51.

590.73 If a carbon adsorber is used on a dry cleaning system, a weekly record of outlet perchloroethylene concentration to verify compliance with 590.61.

590.74 A record of the volume of perchloroethylene purchased each month including receipts of perchloroethylene purchases and a calculation of the amount of perchloroethylene purchased over the previous 12 months. All receipts of perchloroethylene purchases must be retained for 5 years.

590.8 Prohibitions.

- a. It shall be unlawful to operate a multi-machine dry cleaning operation in which washing and drying are performed in different machines (transfer system) after December 31, 1999.
- b. After July 27, 2006 it shall be unlawful to install or reconstruct a dry cleaning system in a building with a residence.
- c. After December 21, 2020, it shall be unlawful to operate a dry cleaning system that is located in a building with a residence.

590.9 Major Source Requirements. If the dry cleaning system is located at a facility that emits 10 tons or more of perchloroethylene annually, the facility must meet the additional requirements set forth in 40 CFR Part 63, Subpart M.

590.10 New sources subject to Section 590 that begin operation after October 1, 2007 shall notify the NWCAA within thirty (30) days of start-up. This notice shall include the name and address of the facility, its owner and or operator, and a statement on the facility's status of compliance with this section.

PASSED: February 8, 1996 AMENDED: July 14, 2005, November 8, 2007