



air pollution control district  
SANTA BARBARA COUNTY

## MEMORANDUM

**DATE:** June 24, 2024

**TO:** Community Advisory Council (CAC) Members

**FROM:** Alex Economou, (805) 979-8333, [AJE@sbcapcd.org](mailto:AJE@sbcapcd.org)

**SUBJECT:** Proposed amendments to Regulation XIII – Part 70 Operating Permits

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On July 21, 2023, the United States Environmental Protection Agency (EPA) issued a final rule in the federal register that removed the emergency affirmative defense provisions from the EPA's Title V operating permit regulations. For those local agencies that have emergency affirmative defense provisions included in their federally-approved Title V program, the EPA requires the local agencies to revise their rule sets no later than August 21, 2024 to incorporate the recent changes. Hence, the Santa Barbara County Air Pollution Control District (District) is proposing to amend District Regulation XIII, Part 70 Operating Permit Program to:

- 1) Remove the Emergency Affirmative Defense provisions to align our District rules with the recently revised EPA Title V regulation, and
- 2) Include minor changes to definitions and compliance requirements consistent with the federal Clean Air Act (CAA).

There are currently 17 major stationary sources within the District that have Part 70 permits. None of the stationary sources have ever needed to use the Emergency Affirmative Defense provisions in the past 31 years, and the proposed amendments are anticipated to have negligible impacts on industry.

### **Recommendation:**

For the CAC meeting on July 8, staff will provide additional information and updates surrounding the project. Staff will then solicit input from the CAC on the proposed amendments to Regulation XIII and seek a recommendation to forward the amendments to the District Board of Directors for adoption. The proposed staff report and rules, as shown in Attachments A and B, would then be brought to the District's Board in August for additional public comment and consideration for approval.

In preparation for the July CAC meeting, please review the Attachments to this memo. The Attachments can also be accessed at [www.ourair.org/rules-under-development/](http://www.ourair.org/rules-under-development/). If there are

questions or concerns that you would like to discuss prior to the meeting, please contact me or Tim Mitro at (805) 979-8329 / e-mail: [Rules@sbcapcd.org](mailto:Rules@sbcapcd.org).

**Attachments:**

- A. Draft Staff Report
- B. Draft Rules (Track Changes)
  - 1. Rule 1301 – Part 70 Operating Permits – General Information
  - 2. Rule 1302 – Part 70 Operating Permits – Permit Application
  - 3. Rule 1303 – Part 70 Operating Permits – Permits