

**MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT  
REGULATION II  
PERMITS**

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**RULE 216. PERMIT REQUIREMENTS FOR WASTEWATER AND SEWAGE  
TREATMENT FACILITIES**

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*(Adopted 10-29-86; Revised 01-21-87, 06-14-89, and 10-16-02.)*

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**PART 1 GENERAL**

**1.1 Purpose**

The purpose of this Rule is to provide that the projected served population of a Wastewater or Sewage Treatment facility is consistent with the Air Quality Plan as approved by the Monterey Bay Unified Air Pollution Control District Board of Directors for addressing the current State Implementation Plan requirements for

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attaining and maintaining federal ambient air quality standards and consistent with the Plan to attain and maintain the State Ambient Air Quality Standards.

1.2 Applicability

The provisions of this Rule shall apply to any person seeking to obtain an Authority to Construct or a Permit to Operate for a Wastewater or Sewage Treatment facility.

1.3 Exemptions

Reserved.

1.4 Effective Dates

This Rule, as most recently revised, is effective on October 16, 2002.

1.5 References

Other related or referenced District rules or regulations include: Rule 101 (Definitions); Rule 200 (Permits Required); Rule 201 (Sources not Requiring Permits); Rule 207 (Review of New or Modified Sources).

PART 2 DEFINITIONS

2.1 Anthropogenic Pollutant

Air pollution which results directly or indirectly from human activities.

2.2 Indirect Source

Any structure, building, facility, equipment, installation or operation (or aggregation thereof) which is located on one or more bordering properties within the District and which is owned, operated or under shared entitlement to use by the same person.

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2.3 Modification

means any physical change in, change in method of, or addition to an existing facility, any change in the direct or indirect growth inducing capacity of the subject facility including, but not limited to, changes in population projections used in prior Nonattainment Plan consistency determinations, except that routine maintenance or repair shall not be considered to be a physical change

2.4 Population Projections

Population forecasts contained in the latest Air Quality Management Plan as approved by the MBUAPCD Board of Directors.

**PART 3 REQUIREMENTS**

3.1 Permit

A governmental agency or district, including joint powers agencies or organizations shall not initiate, modify, construct or operate any wastewater or sewage treatment facility or conveyance mechanism or pipeline which will directly or indirectly through population or industrial growth inducement cause the emission of any anthropogenic air pollutant for which there is a State or national ambient air quality standard without first obtaining an Authority to Construct or a Permit to Operate from the Air Pollution Control Officer.

3.2 Application Content

Before granting or denying an Authority to Construct or a Permit to Operate for any new facility or modification thereto subject to the requirements of this rule, the Air Pollution Control Officer shall:

- 3.2.1 Require the applicant to submit information sufficient to specifically describe the nature and amounts of emissions, location, design, construction and operation of the facility, emitted directly or indirectly through population, industrial growth and/or the induced expansion of existing emission sources;

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- 3.2.2 Require the applicant to submit the projected expansion plans for the facility for the ten-year period subsequent to the date of the application for the permit;
- 3.2.3 Require an analysis of the new facility or modification on air quality. Such analysis shall consider expected air contaminant emissions and the impact on air quality in the vicinity of the facility, or modification as well as within the total Air Basin; and
- 3.2.4 Require that the projected served population of the facility, or modification, related indirect growth of industry and induced growth external to the service area to be fully consistent with the Population Projections.

**PART 4 ADMINISTRATIVE REQUIREMENTS**

**4.1 Permit Denial**

The Air Pollution Control Officer shall deny a permit for any new wastewater or sewage treatment facility or conveyance mechanism or pipeline or modification which he determines will cause a violation or contribute to the continued violation of any State or national ambient air quality standard.

**4.2 Permit Conditions**

The Air Pollution Control Officer shall impose conditions on the permit as necessary to ensure the subject facility or modification will be operated in the manner assumed in making analysis required by this rule.

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