BOARD OF SUPERVISORS - COUNTY OF MARIPOSA

RESOLUTION NO. 71-107

IT IS HEREBY RESOLVED, that the Board of Supervisors of
the County of Mariposa, State of California, declares its in-
tention to adopt the Mariposa County Air Pollution Control
Rules, attached herein.

PASSED AND ADOPTED THIS 21st day of December, 1971 by the
following vote:

AYES: Davis, Long, Moffitt, Richardson, Hurlbert

NOES: None

ABSENT: None

NOT VOTING: None

[Signature]
Frank L. Long, Jr., Chairman of
the Board of Supervisors

ATTEST:

[Signature]
Gabrielle Wilson, County Clerk
and ex-officio Clerk of the
Board of Supervisors
Introduction:

Mariposa County, while a part of the San Joaquin Valley Air Basin, is not part of San Joaquin Valley. The County consists of 1455 square miles, its elevation varies from less than 500 feet to more than 7500 feet above mean sea level. The vast majority of the County, approximately (85%) is above 1500 feet. Prevailing winds in the County are normally from West to East causing air to flow up the canyons to higher elevations where it is readily dispersed, thereby eliminating the possibility of stagnation and the collection of pollutants to a very large extent. Visual evidence indicates that pollutants from the San Joaquin Valley tend to pile up against the lower foothills of Mariposa County but, to date, have rarely extended above the 1500 foot elevation. Above that elevation the air appears to be free of visible pollutants, however, no extensive testing has been done.

The population of Mariposa County is between 6000-7000 persons. There is little industry and, that that exists is small and of a type that does not contribute harmful pollutants to the atmosphere. Agriculture is restricted almost entirely to cattle raising operations with some small chicken and turkey ranches. There are some small mining operations and timber operations but none that involve the creation of quantities of smoke or other contaminants.

The County has one public air field, located near the town of Mt. Bullion, which caters to propeller driven aircraft of the small, private, variety and the primary activity within the County is recreation. Lake McClure, Yosemite National Park, numerous National Forest Campgrounds, and other recreation facilities are located within the County's boundaries. During summer months the tourist traffic creates a great increase in daily population figures and highway transportation, especially on major highways, increases accordingly.

Control Requirements:

While it is believed that Photochemical Oxidants, Carbon Monoxide, and Nitrogen Oxides, are not generated in excessive amounts in Mariposa County and those that are generated are normally readily dispersed by the air flows to higher elevations, it is possible that minor problems may exist from time to time with particulate matter from temporary installations of Asphalt Batch Plants and/or other similar operations. Therefore the County will from time to time, adopt regulations controlling such emissions. Those regulations will be appended to this Implementation Plan. The Rules and Regulations shall not apply to those operations in existence within the County on this date. This exception is included in support of earlier statements that there is currently no emission problem within the County and compliance by existing operations would be prohibitively expensive and unnecessarily punitive and serve no worthwhile purpose.

Rules and Regulations - Prohibitions

1. These Rules and Regulations shall be known as the "Rules and Regulations of the Mariposa County Air Pollution Control District".

2. Definitions

Except where otherwise specifically provided in these Rules and Regulations and, except where the context otherwise indicates, words used in these Rules and Regulations shall have the same meaning as in Chapter 2, Division 20,

a. Air Contaminant - "Air Contaminant" includes smoke, charred paper, dust, soot, grime, carbon, noxious acids, fumes, gases, odors, or particulate matter, or any combination thereof.

b. Atmosphere - "Atmosphere" means the air that envelopes, or surrounds, the earth.

c. Board - "Board" means the Air Pollution Control Board of the Air Pollution Control District of Mariposa County.

d. Combustible Refuse - "Combustible Refuse" is any solid or liquid combustible waste material containing carbon in a free or combined state.

e. Combustion Contaminants - "Combustion Contaminants" are particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.

f. Condensed Fumes - "Condensed Fumes" are minute, solid particles generated by the condensation of vapors from solid matter after valorization from the molten state, or generated by sublimation, distillation, calcination, or chemical reaction, when these processes create air-borne particles.

g. Control Officer - "Control Officer" means the Air Pollution Control Officer of the Air Pollution Control District of Mariposa County.

h. District - "District" is the Air Pollution Control District of Mariposa County.

i. Dusts - "Dusts" are minute, solid, particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, or other similar processes.

j. Emission - "Emission" is the act of passing into the atmosphere of an air contaminant, or gas stream which contains an air contaminant, or the air contaminant so passed into the atmosphere.

k. Emission Point - "Emission Point" is that place, located in a horizontal plane and vertical elevation, at which an emission enters the atmosphere.

l. Flue - "Flue" means any duct or passage for air, gases, fumes, or the like, such as a stack or chimney.

m. Hearing Board - "Hearing Board" means the Hearing Board of the Air Pollution Control Board of Mariposa County.

n. Installation - "Installation" means the placement, assemblage, or construction of equipment or control apparatus at the premises where the equipment or control apparatus will be used, and includes all preparatory work at such premises.
o. Operation - "Operation" is 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 physical or chemical properties of a material.

p. Orchard or Citrus Heater - "Orchard or Citrus Heater" is any article, machine, equipment, or other contrivance, burning any kind of fuel or material capable of emitting air contaminants, used, or capable of being used, for the purpose of giving protection from frost damage.

q. Owner - "Owner" includes, but is not limited to, any person who leases, supervises, or operates equipment, in addition to the normal meaning of ownership.

r. Particulate Matter - "Particulate Matter" is any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

s. Person - "Person" means any person, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user or owner, or any State, or local, governmental agency or public district, or any officer or employee thereof.

t. P.P.M. - "P.P.M." means parts per million by volume expressed on a gas basis.

u. Process Weight By Hour - "Process Weight" is the total weight of all materials introduced into any specific process which process may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. "Process Weight per Hour" will be derived by dividing the total process weight by the number of hours in any complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

w. Regulation - "Regulation" shall mean one of the major subdivisions of the Rules and Regulations of the Air Pollution Control District of Mariposa County.

x. Rule - "Rule" means of Rule of the Air Pollution Control District of Mariposa County.

y. Section - "Section" means a section of the California State Health and Safety Code unless some other statute is specifically mentioned.

z. Standard Conditions - "Standard Conditions" are a gas temperature of 60° fahrenheit and a gas pressure of 14.7 pounds per square inch absolute.

aa. Standard Cubic Foot of Gas - "Standard Cubic Foot of Gas" is the amount of gas that would occupy a column of one (1) cubic foot, if free of water vapor, at standard conditions.

bb. Total Reduced Sulphur - "Total Reduced Sulphur" (T.R.S.) contained in hydrogen sulphide, mercaptans, dimethyl sulphide, dimethyle disulphide, or other organic sulphide compounds, all expressed as hydrogen sulphide. (Sulphur dioxide, sulphur trioxide, or sulphuric acid are not to be included in the determination of T.R.S.)
3. **Enforcement**

These Rules and Regulation shall be enforced by the Mariposa County Air Pollution Control Officer and his regularly appointed deputies.

4. **Ringleman Chart:**

   No person shall discharge into the atmosphere from any single source whatsoever, any air contaminant, for a period, or periods, aggravating more than three (3) minutes in any one hour which is:

   a. As dark or darker in shade as that designated as No. 1 on the Ringleman Chart published by the U.S. Bureau of Mines; or

   b. Of such opacity as to obscure an observers view to a degree equal to, or greater than, the smoke described in subsection A of this regulation.

5. **Particulate Matter:**

   No person shall release or discharge into the atmosphere from any source of single processing unit whatsoever dust, fumes, or particulate matter emissions in excess of 0.1 grains per cubic foot of gas at standard conditions.

6. **Specific Contaminants:**

   No person shall discharge into the atmosphere from any single source of emission whatsoever any one or more of the contaminants in any state, or combination thereof, exceeding in concentration at the point of discharge:

   A. Sulphur compounds calculated as sulphur dioxide, 0.2% by volume;

   B. Combustion gases which contain more than 200 p.p.m. oxides of nitrogen, including, but not restricted to, nitric oxide, and nitrogen dioxide.

7. **Organic Solvents:**

   No person shall use any photochemical solvents for commercial purposes without first complying with Regulation 14, below:

8. **Storage of Petroleum Products:**

   No person shall place, store, or hold in any tank, reservoir or other container of more than 40,000 gallons capacity any gasoline or other petroleum distillate.

9. **Gasoline Loading Into Tanks:**

   No person shall load, or permit the loading, into any stationary tank with a capacity of 500 gallons or more from any tank truck or trailer except through a permanently submerged fill pipe, unless the tank is equipped with a vapor loss control device or is a pressure tank. (For the purpose of this rule, the term "submerged fill pipe" is defined as any fill pipe the discharge opening of which is entirely submerged when the liquid level is six (6) inches above the bottom of the tank. When a tank is loaded form the side, "submerged fill pipe" is defined as any fill pipe the discharge opening of which is entirely submerged when the liquid level is (18) inches above the bottom of the tank.

   The Provisions of this first paragraph of this rule shall not apply to the loading of gasoline into any tank which was installed prior to the date of adoption of this rule.
10. **Oil Effluent - Water Separator:**

No person shall use any compartment of any single, or multiple, compartment oil effluent - water separator which compartment receives effluent water containing 200 gallons per day or more of any petroleum product or mixture of petroleum products from any equipment handling, processing, treating, storing or refining kerosene or other petroleum product of similar or greater volatility than kerosene.

11. **Reduction of Animal Matter:**

No person shall operate or use any article, equipment, machine, or other contrivance for the reduction of animal matter.

12. **Orchard or Citrus Grove Heaters:**

No orchard or citrus grove heater shall be used in the County unless it has first been approved by the California State Air Resources Board.

13. **General Nuisance:**

No person shall discharge into the atmosphere from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a material tendency to cause, injury or damage to business or property.

14. **Permits Required**

No person shall build, alter, or replace any equipment, the use of which may cause the issuance of air contaminants, without first having been issued a special use permit by the Mariposa County Planning Commission. The Planning Commission shall not approve an application for a special use permit until it has been proven, by the applicant, that the Air Quality Standards set forth by the California Air Resources Board, or the U.S. Air Quality Board (whichever is more strict) and the Mariposa County Air Pollution Control Board, can, and will be complied with at all times while the equipment is in operation. Whenever specialized testing equipment, laboratory services, recording equipment, or other equipment, services, or devices are required, or deemed to be beneficial to the county, such equipment, services or devices shall be provided, or financed, by the person applying for and receiving the special use permit.

15. **Appeals:**

In the event a special use permit application is denied by the Planning Commission, the applicant may, within five days apply in writing for an appeal hearing by the Air Pollution Control Board.

16. **Posting of Permit:**

Every person issued a special use permit under these Rules and Regulations shall post said special use permit in a conspicuous place and manner on the premises on which the equipment, for which the permit was secured, is operating.

17. **Alteration of Permit:**

No person shall wilfully deface, alter, or change any permit issued under
these Rules and Regulations.

18. Revocation of Permit:

Failure to comply with the Air Quality Standards, as set forth in Rule 14, or the conditions defined on the Special Use Permit, will result in the immediate revocation of said permit by the enforcement officer. A person whose permit has been so revoked may appeal for a hearing by the Air Pollution Control Board at its next regularly scheduled meeting. If the revocation is upheld by the Board, the person requesting a permit must re-apply to the Planning Commission as set forth in Rule 14.

19. Restricted Industries or Activities:

The following industries are required to apply for, and be issued, a special use permit prior to any operation within the boundaries of Mariposa County. The provisions of Rules 14 15 16 17 18 above will apply.

1. Petroleum Refinery
2. Asphalt Saturater
3. Bulk loading facilities for tank vehicles
4. Asphalt paving manufacturing plants
5. Chemical plants reacting or producing organic liquids or gases
6. Chemical plants producing sulphuric acid, nitric acid, phosphoric acid or sulphur
7. Paint, laquer, or varnish manufacturing plants
8. Rubber tire manufacturing or rubber reclaiming plants
9. Automobile assembly plants
10. Glass or frit manufacturing plants
11. Fossil fuel fired system generating plants
12. Container manufacturing or container decorating plants
13. Large dry cleaning plants
14. Large printing plants
15. Other industries which may be added by the County Air Pollution Control Officer, or Board of Supervisors, at a later date.

20. Penalty: Every person who violates any provision of these Rules is guilty of a misdemeanor and is subject to a fine not to exceed $500.00 or imprisonment in the County Jail for a term not to exceed six (6) months, or by both such fine and imprisonment.