

## RULE 220

### Exemption Net Increase in Emissions

- (a) Upon petition of the owner or operator of a source, and after notice and hearing in accordance with the procedures provided in Health and Safety Code Sections 40826 and 40807, the District Hearing Board may exempt a source from any prohibitory rule of Regulation IV if the Board makes a finding that installation of controls and/or process changes required to achieve compliance with the subject prohibitory rule will result in a net adverse impact on air quality.
- (b) In granting an exemption hereunder, the Hearing Board shall require the person seeking the exemption to install, as a condition to its permit to operate, alternative controls and/or process changes which will result in the greatest practical net emission reduction.
- (c) In making the finding set forth above, the District Hearing Board shall consider secondary emissions including, but not limited to, incremental electrical power generation emissions.
- (d) Provisions of this rule shall not apply to those sources with primary emissions of one pound per hour or more of the air contaminant which the rule from which the exemption is sought is designed to control.
- (e) The Air Pollution Control Officer may apply to the Hearing Board to request that the exemption granted be revoked if he determines that conditions have changes such that there is no longer a net air quality benefit.

[SIP: Not SIP]