UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
SIP APPROVABILITY CHECKLIST-ENFORCEABILITY

SIP Package No. _____	Date Rec. _____ (For USEPA Use Only)	Date Due _____

District: _El Dorado County_____ Rule No.: ___523_____ Date ~~Adopted or~~ Amended: _November 20, 2001___

Rule Title: __New Source Review_____

Enforceability Analysis	District Response	EPA Requirement	Approvability (Approvable or Not) (For EPA Use Only)
1. Applicability			
a. What sources are being regulated?	Sec 523.1 B.	Clarity	
b. What are criteria for exemption?	Sec 523.1 C. - H.	Clarity	
c. Is calculation procedure for exemption clearly specified?	Not Applicable	Example calculation or clear explanation of how to determine exemption (line by line, etc.)	
d. Is emission inventory listed in the background document of the attainment demonstration?	Not Applicable	Inventory including allowable and actual emissions in source category should be included, for enforcement purposes and independent of any Clean Air Act requirements, in the attainment demonstration if such data is necessary for determining baselines in regulations.	

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e. Is the averaging time(s) used in the rule different from that of the ambient standard?	Not Applicable	The averaging time in the rule must be consistent with protecting the ambient standard in question. Normally, it should be equal to or shorter than the time associated with the standard. Longer term averaging is available only in limited instances provided that the ambient standard is not compromised.	
f. What are the units of compliance (lbs VOC per gallon of solids applied less water, grains per standard cubic foot?)	Sec 523.3	Clearly stated in the rule.	
g. Is bubbling or averaging of any type allowed? If yes, state criteria. Could a U.S. EPA inspector independently determine if the criteria were met? Does EPA have to approve each case?	No	Explicit description of how averaging, bubbling, or equivalency is to be determined. VOC equivalency must be on a "solids applied" basis. Any method must be independently reproducible. Provision must be explicit as to whether EPA case-by-case approval is required. If provision intended to be "generic" then EPA bubble policy must be met.	

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h. If there is a redesignation, will this change the emission limitations? If yes, which ones and how?	No	Regulation may not automatically allow for self nullification upon redesignation of area to attainment. New maintenance demonstration required in order to drop regulation.	
2. Compliance Dates			
a. What is the compliance date?	Not Applicable	Must not be later than approved or about to be approved date of attainment unless emission reductions not necessary for attainment. In some cases, it will be necessary for the regulation to specify dates in compliance schedules that are required to be submitted by source to state.	
b. What is the attainment date?	2005		
3. Specificity of Conduct			
a. What test method is required?	Not Applicable	Test method must be explicitly stated.	
b. What is the averaging time in compliance test method?	Not Applicable	Averaging time and application of limit must be explicit.	

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c. Is a compliance calculation or evaluation required? (i.e., daily weighted average for VOC).	Not Applicable		
d. If yes to "c", list the formula, period of compliance, and/or evaluation method.		Formula must be explicit.	
4. Incorporation by Reference			
a. What is state authority for rulemaking?	California Health and Safety Code Section 39601 et seq		
b. Are methods/rules incorporated by reference in the right manner.	Yes		
5. Recordkeeping			
a. What records are required to determine compliance?	Sec 523.5	Clarity.	
b. In what form or units (lbs/gal, gr/dscf, etc.) must the records be kept? On what time basis (instantaneously, hourly, daily)?	Units: ppmv Nox, g/liter VOC, or lbs/hr	Records to be kept must be consistent with units of compliance in the performance requirements, including the applicable time period.	
c. Does the rule affirmatively require the records be kept?	Sec 523.5	There must be a clear, separately enforceable provision that requires records to be kept.	
6. Exemptions			

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a. List any exemptions allowed.	Sec 523.1 C. through H.	Must be clearly defined and distinguishable from what constitutes a violation.	
b. Is the criteria for application clear?	Yes		
7. Malfunction Provisions	Not Applicable	Rule must specify what exceedances may be excused, how the standard is to be applied, and who makes the determination.	