

When ISR is Required

RULE 9510 INDIRECT SOURCE REVIEW (ISR) (Adopted December 15, 2005)

1.0 Purpose

The purposes of this rule are to:

- 1.1 Fulfill the District's emission reduction commitments in the PM10 and Ozone Attainment Plans.**
- 1.2 Achieve emission reductions from the construction and use of development projects through design features and on-site measures.**
- 1.3 Provide a mechanism for reducing emissions from the construction of and use of development projects through off-site measures.**

2.0 Applicability

- 2.1 This rule shall apply to any applicant that seeks to gain a final discretionary approval for a development project, or any portion thereof, which upon full build-out will include any one of the following:**
 - 2.1.1 50 residential units;**
 - 2.1.2 2,000 square feet of commercial space;**
 - 2.1.3 25,000 square feet of light industrial space;**
 - 2.1.4 100,000 square feet of heavy industrial space;**
 - 2.1.5 20,000 square feet of medical office space;**
 - 2.1.6 39,000 square feet of general office space;**
 - 2.1.7 9,000 square feet of educational space;**
 - 2.1.8 10,000 square feet of government space;**
 - 2.1.9 20,000 square feet of recreational space; or**
 - 2.1.10 9,000 square feet of space not identified above.**
- 2.2 This rule shall apply to any transportation or transit project where construction exhaust emissions equal or exceed two (2.0) tons of NOx or two (2.0) tons of PM10.**



San Joaquin Valley Air Pollution Control District



Frequently Asked Questions Regarding Indirect Source Review

Q: What is the purpose of Indirect Source Review (ISR)?

A: As land development and population in the San Joaquin Valley continues to increase, so will indirect air emissions that negatively effect air quality. The emissions are called indirect because they don't come directly from a smokestack, like traditional industry emissions, but rather the emissions are indirectly caused by this growth in population. As a consequence, the San Joaquin Valley Air Pollution Control District (District) adopted Indirect Source Review (Rule 9510) to reduce the impacts of growth in emissions from all new land development in the San Joaquin Valley.

Q: When is a project subject to ISR?

A: A project is subject to ISR if all of the following are applicable:

- The project received its **final discretionary approval** from the land use agency on or after **March 1, 2006**.
- The project meets or exceeds the following District applicability thresholds:

- | | | |
|---|---------------------------------------|--|
| - 2,000 square feet commercial | - 25,000 square feet light industrial | - 100,000 square feet heavy industrial |
| - 20,000 square feet medical office | - 39,000 square feet general office | - 9,000 square feet educational |
| - 10,000 square feet governmental | - 20,000 square feet recreation space | - 50 residential units |
| - 9,000 square feet of space not included in the list | | |

- The project's primary functions are not subject to District Rule 2201 (New and Modified Stationary Source Review Rule), or District Rule 2010 (Permits Required).

For more information on the applicability of ISR regarding a specific project, please contact the District at (559) 230-6000 or visit the District's website at <http://www.valleyair.org/ISR/ISRHome.htm>.

Q: For the purposes of Rule 9510, what is final discretionary approval?

A: A decision by a public agency that requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular development project, as distinguished from situations where the public agency merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations. Examples of discretionary approvals include Tentative Tract Maps, Site Plans, and Conditional Use Permits. A building permit would be an example of a ministerial approval.

Q: What pollutants does ISR target?

A: The ISR rule looks to reduce the growth in NO_x and PM₁₀ emissions associated with the construction and operation of new development projects in the San Joaquin Valley. The rule requirement is to reduce construction NO_x and PM₁₀ emissions by 20% and 45%, respectively, as well as reducing operational NO_x and PM₁₀ emissions by 33.3% and 50%, respectively, when compared to unmitigated projects.

Q: What are NO_x and PM₁₀?

A: Nitrogen oxide (NO_x) is an ozone precursor, or principal component of ozone. Ozone is a colorless, odorless reactive gas comprised of three oxygen atoms. It is found naturally in the earth's stratosphere, where it absorbs the ultraviolet component of incoming solar radiation that can be harmful to life. Ozone is also found near the earth's surface, where pollutants emitted from society's activities react in the presence of sunlight to form ozone. Hot sunny weather with stagnant wind conditions favors ozone formation, so the period from May through September is when high ozone levels tend to occur in the San Joaquin Valley Air Basin.

Particulate matter (PM) is a generic term used to describe a complex group of air pollutants that vary in composition. PM₁₀ particles have a diameter of 10 microns (micrometers) or less. The sources of PM can vary from wind blown dust particles to fine particles directly emitted from combustion processes, or may be formed from chemical reactions occurring in the atmosphere.

Q: What is URBEMIS?

A: URBEMIS (Urban Emissions) is a computer modeling program that estimates construction, area source and operational emissions of NO_x and PM₁₀ from potential land uses. This program uses the most recent approved version of relevant Air Resources Board (ARB) emissions models and emission factors.

Q: How can a project's emissions be reduced to lessen the impact on air quality (On-site emissions reductions)?

A: A project's emissions can be reduced by incorporating District approved mitigation measures. These include, but are not limited to, the following:

- Bicycle lanes throughout the project
- Proximity to existing or planned bus stops
- Proximity to existing or planned local retail
- Eliminate woodstoves and fireplaces from the project
- Cleaner fleet construction vehicles
- Energy efficiency beyond Title 24 requirements

For more information on additional measures that help reduce emissions, please contact the District at (559) 230-6000 or by visiting the District's website at <http://www.valleyair.org/ISR/ISROnSiteMeasures.htm>

Q: What will I receive from the District once the Air Impact Assessment (AIA) has been approved?

A: When the AIA is approved the applicant will receive an approval letter, along with the following:

- Off-site emissions estimator worksheet (see below)
- Fee estimator worksheet (see below)
- Monitoring and Reporting Schedule (MRS), if applicable
- Project invoice, if applicable

Q: What is the Off-site Emissions Estimator Worksheet?

A: This Excel worksheet uses the project's total tons of NO_x and PM₁₀ as calculated using URBEMIS and compares the unmitigated emissions against the mitigated emissions, determining whether the reduction in emissions is sufficient to satisfy the rule. If the reduction is not sufficient, the required off-site emission reductions are calculated using the District's off-site emission reduction equations, which can be found on the District's website at <http://www.valleyair.org/rules/currnrules/r9510.pdf> (Sections 7.0 through 7.1.2.2)

Q: What is the Fee Estimator Worksheet?

A: The Fee Estimator is an Excel worksheet used to calculate the total dollar amount of off-site fees that must be paid to the District in order to cover the District's cost of obtaining the required off-site emission reductions, and therefore fulfill the rule requirement. This fee amount is derived by multiplying the total tons of off-site reductions by the applicable rate.

Q: Why are mitigation fees collected, and how are they used by the District?

A: When a development project cannot reduce its NO_x and PM₁₀ emissions to the level required by the rule, then the difference must be mitigated through the payment of a fee. The monies collected from this fee will be used by the District to reduce emissions in the San Joaquin Valley on behalf of the project, with the goal of offsetting the emissions increase from the project by decreasing emissions elsewhere. More specifically, the fees received by the District are used in the District's existing Emission Reduction Incentive Program (ERIP) to fund emission reduction projects.

Q: How can additional information on the Indirect Source Review Program be found?

A: Additional information can be found by visiting the District's website at <http://www.valleyair.org/ISR/ISRHome.htm> or by calling the District at (559) 230-6000.

ISR Processing Flow Chart

