

Regulation I

Rule 104 – Prohibitions

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TABLE OF CONTENTS

- A. GENERAL LIMITATIONS
- B. VISIBLE EMISSIONS
- C. PARTICULATE MATTER
- D. FUGITIVE DUST EMISSIONS
- E. SULFUR OXIDE EMISSIONS
- F. SULFIDE EMISSION STANDARDS FOR KRAFT PULP MILLS
- G. GEOTHERMAL EMISSION STANDARDS
- H. REDUCTION OF ANIMAL MATTER
- I. ORCHARD, VINEYARD AND CITRUS GROVE HEATERS
- J. PETROLEUM LOADING AND STORAGE
- K. FEDERAL NEW SOURCE PERFORMANCE STANDARDS (NSPS)
- L. NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAPS)
- M. INCINERATOR BURNING

RULE 104 PROHIBITIONS

A. GENERAL LIMITATIONS:

1. **Public Nuisance:** No person shall discharge 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 health, comfort, repose or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.
2. **Circumvention:** A person shall not construct, erect, modify, operate or use any equipment which conceals an air contaminant emission, which would otherwise constitute a violation of these Rules and Regulations.

B. VISIBLE EMISSIONS:

1. **General Limitations:** No person shall discharge into the atmosphere from any source whatsoever any air contaminant in excess of forty (40) percent opacity or Ringlemann 2, for more than twelve (12) individual readings recorded during any one hour period. Opacity observations shall be taken and recorded as described in EPA Reference Method 9.
2. **Exceptions to General Limitations:** The provisions of Rule 104 Section (B)(1) do not apply to visible emissions caused by:
 - a. Failure of the emission to meet the requirements solely because of the presence of uncombined water.
 - b. Smoke from fires set pursuant to Regulation II of the District.
 - c. Use of any aircraft to distribute seed, fertilizer, insecticides, or other agricultural aids over lands devoted to the growing of crops or raising of fowl or animals.
 - d. Open outdoor fires used only for cooking of food for human beings or for recreational purposes.
 - e. Smoke emissions from burners used to produce energy and fired by forestry and agricultural residues with supplementary fossil fuels when the emissions result from startup or shutdown of the combustion process or from the malfunction of emission control equipment. This exception does not apply to emissions which exceed a period or periods of time aggregating more than 30 minutes in any 24-hour period, or which result from the failure to operate and maintain in good working order any emission control equipment.
3. **Source Specific Limitations:** No person shall discharge into the atmosphere from any source whatsoever any air contaminant which is in excess of twenty (20) percent opacity, or as dark or darker in shade as that designated as No. 1 on the Ringlemann Chart, calculated as a six (6) minute average. Opacity observations shall be taken and recorded as described in EPA Reference Method 9.

- 4. Exceptions to Source Specific Limitations:** The provisions of Section (B)(3) do not apply to visible emissions caused by:
- a. All of the emission sources listed in Section (B)(2) of this Rule.
 - b. A source or device which was owned and operated in the District prior to January 1, 2012 and after January 1, 2009 was subject to a Federal New Source Performance Standard [40 CFR Part 60], or a National Emission Standard for Hazardous Air Pollutants [40 CFR Part 63] which establishes a visible emission limitation for the source or device. This exemption shall cease to apply if the source or device is sold after January 1, 2012.
 - c. Residential heating appliances including but not limited to wood stoves, pellet stoves, fireplaces, and fireplace inserts. This exemption does not apply to any device fired by non-approved combustibles as defined in District Regulation II.
 - d. An emissions unit, operating under a valid District permit, for which the APCO has determined that it is not technically feasible to operate the device in compliance with Section (B)(3).

C. PARTICULATE MATTER:

- 1. **General Combustion Sources:** A person shall not discharge particulate matter into the atmosphere from any combustion source in excess of 0.46 grams per standard cubic meter (0.20 grains per standard cubic foot) of exhaust gas, calculated to 12 percent carbon dioxide; or in excess of the limitations established in applicable NSPS and NESHAP provisions set out in Sections (K) and (L).
- 2. **Steam Generating Units:** No person shall discharge particulate matter into the atmosphere from any steam generating unit, installed or modified after July 1, 1976, in excess of 0.23 grams per standard cubic meter (0.10 grains per standard cubic foot) of exhaust gas, calculated to 12 percent carbon dioxide; or in excess of the limitations established in applicable NSPS and NESHAP provisions set out in Sections (K) and (L).
- 3. **Steam Generating Utility Power Plants:** All steam generating power plants which produce electric power for sale to any public utility shall not discharge particulate matter into the atmosphere in excess of 0.10 pounds per million BTU heat input or any other specific applicable permit limitation, whichever is the more restrictive emission condition.
- 4. **Kraft Pulp Mills:**
 - a. **Recovery Furnaces:**
 - i. The emissions of particulate matter from any Kraft recovery furnace shall not exceed 0.23 grams per standard cubic meter (0.10 grains per standard cubic foot) of exhaust gas corrected to 8 percent oxygen or 4.0 pounds per ton of Kraft pulp mill production, whichever is the more restrictive condition.
 - ii. The emissions of particulate matter from any new or modified Kraft recovery furnace shall not exceed 0.025 grains per standard cubic foot of exhaust gas corrected to 8 percent oxygen.
 - b. **Lime Kiln:** The emissions of particulate matter from any lime kiln shall not exceed 0.46 grams per standard cubic meter (0.20 grains per standard cubic foot) of exhaust gas corrected to 10 percent oxygen or 1.0 pounds per ton of Kraft pulp mill production, whichever is the more restrictive condition.

c. Smelt Dissolvers:

- i. The emissions of particulate matter from any smelt dissolving tank shall not exceed 0.5 pounds per ton of Kraft pulp mill production.
- ii. The emissions of particulate matter from any new or modified smelt dissolving tank shall not exceed 0.20 pounds per ton of black liquor solids on a dry basis.
- d. The requirements of Rule 104 (3.4) shall be applied to all Kraft Pulp Mills, except where more restrictive NSPS, BACT, or permit conditions are required, and in this event the more restrictive standard shall apply.

5. Non-Combustion Sources: No person shall discharge or allow the discharge of particulate matter into the atmosphere from any non-combustion source in excess of 0.46 grams per actual cubic meter (0.20 grains per cubic foot) of exhaust gas or in total quantities in excess of the amount shown in Table I, whichever is the more restrictive condition.

Table 1 – Allowable Rate of Emission Based on Process Weight Rate

Process Weight Rate ¹		Emission Rate	Process Weight Rate ¹		Emission Rate
Lb/Hr	Kg/Hr	Lb/Hr	Lb/Hr	Kg/Hr	Lb/Hr
100	45	0.55	6,000	2,720	8.6
200	92	0.88	7,000	3,380	9.5
400	183	1.4	8,000	3,680	10.4
600	275	1.83	9,000	4,134	11.2
800	377	2.22	10,000	4,540	12.0
1,000	454	2.58	12,000	5,460	13.6
1,500	681	3.38	16,000	7,260	16.5
2,000	920	4.10	18,000	8,220	17.9
2,500	1,247	4.76	20,000	9,070	19.2
3,000	1,362	5.38	30,000	13,600	25.2
3,500	1,690	5.96	40,000	18,100	30.5
4,000	1,840	6.52	50,000	22,700	35.4
5,000	2,300	7.58	60,000 or more	27,200	40.0

1. Where the process weight per hour is between two listed figures, such process weight and maximum allowable particulate emission per hour shall be interpolated linearly. The total process weight of all similar process operations located at a single plant or of similar multiple plants located on a single premise, shall be used for determining the maximum allowable particulate emission from the combination of such operations.

6. Geothermal Well Drilling: Notwithstanding the provisions of Rule 104(C)(4), no person shall discharge or allow the discharge of particulates into the atmosphere from any geothermal steam source in excess of the quantity established by the following formula:

$$Y = .00069X + 1.4$$

Where Y is the particulate emission rate limitation in kilograms per hour (averaged over one hour) and X is the steam rate in kilograms per hour passing through a geothermal well drilling operation or any geothermal well being vented for clean out.

D. FUGITIVE DUST EMISSIONS:

1. No person shall allow handling, transporting, or open storage of materials in such a manner which allows or may allow unnecessary amounts of particulate matter to become airborne.
2. Reasonable precautions shall be taken to prevent particulate matter from becoming airborne, including, but not limited to, the following provisions:
 - a. Covering open bodied trucks when used for transporting materials likely to give rise to airborne dust.
 - b. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Containment methods can be employed during sandblasting and other similar operations.
 - c. Conduct agricultural practices in such a manner as to minimize the creation of airborne dust.
 - d. The use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land.
 - e. The application of asphalt, oil, water or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.
 - f. The paving of roadways and their maintenance in a clean condition.
 - g. The prompt removal of earth or other track out material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

E. SULFUR OXIDE EMISSIONS: No person shall discharge into the atmosphere from any single source of emissions whatsoever sulfur oxides, calculated as sulfur dioxide (SO₂) in excess of 1,000 ppm; or in excess of the specific source emission limitations established in applicable NSPS and NESHAP provisions set out in Rule 104 (K) and (L) of these Rules and Regulations.

F. SULFIDE EMISSION STANDARDS FOR KRAFT PULP MILLS:

1. **Kraft Recovery Furnace:** The emission of Total Reduced Sulfur (TRS), from any Kraft recovery furnace shall not exceed:
 - a. 10 ppm of TRS or 0.30 pound of TRS per ton of Kraft pulp mill production as a monthly arithmetic average, whichever is the more restrictive condition.
 - b. 15 ppm of TRS as a daily arithmetic average.
 - c. 40 ppm of TRS for more than 60 cumulative minutes in any one day.
 - d. The daily and monthly arithmetic averages for TRS shall be based upon the actual hours of operation of burning liquor in the recovery furnace(s) and calculated on a calendar month basis.
 - e. Effective February 1, 1989 the emission of TRS from any new or modified Kraft recovery furnace shall not exceed 3 ppm of TRS, measured and reported in accordance with 40 CFR 60.284.
2. **Lime Kiln:** The emission of TRS from any lime kiln shall not exceed 20 ppm of TRS or 0.10 pound of TRS per ton of Kraft pulp mill production as a daily arithmetic average, whichever is the more restrictive condition. Daily arithmetic averages shall be calculated from 7:00 a.m. to 7:00 a.m. of the following day.

3. **Other Kraft Mill Sources:** The emission of TRS from other Kraft mill sources shall not exceed 20 ppm of TRS or a cumulative value of 0.20 pound of TRS per ton of Kraft pulp mill production as a daily arithmetic average, whichever is the more restrictive condition. Daily arithmetic averages shall be calculated from 7:00 a.m. to 7:00 a.m. of the following day. Notwithstanding these emission limits for other Kraft mill sources, in no event shall the gases from any smelt dissolving tank shall not contain TRS in excess of 0.0084 g/kg black liquor solids (0.0168 lb/ton black liquor solids) calculated on a dry basis. This corresponds approximately to 0.025 lb TRS per ton pulp production.
4. **Kraft Mill Non-Condensable:** No person shall discharge any non-condensable compound into the atmosphere from any emission point, until said non-condensable compound has been treated in an air pollution abatement operation for removal, thermal oxidation or chemical destruction of the TRS compounds contained therein. The net emission of non-condensable compounds from any such air pollution abatement operation shall not exceed a TRS concentration of 5 parts per million by volume except during periods when switching from one control system to another; which period or periods shall not aggregate more than 30 minutes in any one day.
5. **Kraft Mill Monitoring:** Recording instruments to measure TRS emissions shall be provided, installed, maintained and continuously operated by the owner in the exhaust stack from the Kraft recovery furnace flue gas system, from the Kraft pulp mill lime kiln and from all other emission points releasing in excess of 100 pounds of TRS per day into the atmosphere. The recording section of such instruments shall be installed in a location subject to frequent operator surveillance or equipped with suitable alarm devices.
6. **Compliance Verification:** A summary of the data required to determine compliance with applicable provisions of this rule shall be submitted to the APCO once each calendar month no later than the fifteenth day of the following calendar month. This summary shall be presented in the manner and form as prescribed by the APCO.

G. GEOTHERMAL EMISSION STANDARDS:

1. **General Limits:** No person shall discharge into the atmosphere from any geothermal operation sulfur compounds, calculated as sulfur dioxide (SO₂), in excess of 1,000 ppm (v) by volume.
2. **Geothermal Well Emission Limits:** Notwithstanding Rule 104 (A)(2) and Rule 104 (G)(1) geothermal wells on standby bleed shall be authorized in writing by the APCO to exceed 1,000 ppm(v) (as measured in the bleeding steam) provided all the following conditions, which shall be annually verified, are satisfied:
 - a. The geothermal well on standby bleed will emit less H₂S in pounds /hour than if operated at or below 1000 ppm (v).
 - b. An air aspirator or other device(s) approved by the APCO is used to lower the emissions level to below 1,000 ppm (v) at the point of emissions exit.
 - c. All applicable emissions limitations in Regulation I are not exceeded.
 - d. The geothermal well on standby bleed, singularly or when combined with sources on the same well pad site or from adjacent well pad sites (within 33 meters), will not create a public nuisance.

3. Power Plant Emission Limits: No person shall discharge hydrogen sulfide (H₂S) into the atmosphere at a rate which exceeds those set forth in Table II and Table III as follows:

TABLE II

	GEOTHERMAL	POWER PLANTS	(NOTE *1 AND *3)
Effective Date (Note *2)	Initially operated on or before March 31, 1979, (includes PG&E Geysers Units 1-12).	Initially operated after March 31, 1979, but initially issued an Authority to Construct or Determination of Compliance by March 31, 1980, (Includes PG&E Geysers Units 14, 15, & 17 and NCPA #2).	Initially issued an Authority to Construct or Determination of Compliance after March 31, 1989, (includes all others).
	GEOTHERMAL	POWER PLANTS	(NOTE *1 AND *3)
January 1, 1979	For Units 3, 4, 5, 6, 11, & 12 emit no more than 10% of the H ₂ S in the supplied steam at full power plant load or 200 g/hr/GMW ave. using allocation (See Notes *7).		

TABLE III

January 1, 1980		100 g/hr/GMW	100 g/hr/GMW
July 15, 1981	10% of the H ₂ S in the supplied steam at full load operation for Units 3, 4, & 11		
	and		
	200 g/hr/GMW for Units 5, 6, & 12 (Comply as shown or per Note *8). Units 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, & 12:		
June 1, 1985	Each at 200 g/hr GMW (Comply as shown or per Note *8).	50 g/hr/GMW (Note * 8)	50/g/hr/GMW or 1 kg/hr (Note *10)
June 1, 1986	Units 1-12 each at 200 g/hr/GMW (Comply as shown or per Note *8).		

NOTES FOR TABLES II AND III

- NOTE 1** All geothermal emission sources, including new construction, must comply with all applicable future emission rate limits specified in these tables as they become effective.
- NOTE 2** H₂S emissions limitations for each category of emission source will become effective henceforth on the "Effective Date" set out at the left of the Table(s).
- NOTE 3** The term "g/hr/GMW" shall read "grams/hr per Gross Megawatt". The rates of emission may be equaled but not exceeded. Gross Megawatt refers to the source's full load gross generating capacity of the turbine generator as guaranteed by the turbine generator manufacturer. Compliance shall be verified by the source testing or protocol method approved by the APCO for the applicable emission source(s). (See also note *8.)
- NOTE 4** Individual well emissions shall be limited to 2.5 kg/hr/well unless a higher rate was determined by New Source Review or unless applicant provides data which subsequently can justify a re-determination of the emission rate by the APCO.
- NOTE 5** Small sources include continuous well and pipeline bleeds. Allowable emissions are those shown in Table III unless otherwise determined by the APCO.
- NOTE 6** "Reduce H₂S by 50%" shall mean "to emit no more than 50% of the H₂S normally found in the supplied steam at full power load". "Dual Units" shall refer to those "steam transmission lines associated with two power plant units located in the same building", and therefore such associated steam transmission lines shall be considered as one source.
- NOTE 7** Allocation method - If an emissions rate less than the required gm/hr/GMW is attained at one power plant unit, the excess reduction (in grams) can be credited to another power plant unit or apportioned to other power plant units. For instance, a 10 Megawatt plant can be allowed to emit 2,000 gm H₂S/hr, but if a credit of 500 gm H₂S were allocated from another unit, it can emit 2,500 gm H₂S/hr or 250 gm/hr/GMW. The allocation should be modified no more than quarterly and only if needed based on new data. (The major purpose of the allocation method is for individual power plant unit compliance verification and credit for greater H₂S reduction than required.)
- NOTE 8** Protocol Method - Each geothermal facility may be allowed to establish a protocol to be approved by the APCO which specifies the manner in which the facility will be operated to meet the emissions limitations set forth in Table II and Table III of this rule. Each protocol shall specify if applicable:
1. The frequency and method of sampling the incoming steam quality and flow rates;
 2. The frequency and method of adjusting chemical feed rate settings;
 3. The frequency and method of instrument and testing equipment calibration;
 4. The predicted relationship between incoming steam quality and flow rates, chemical feed rates, and H₂S emissions;
 5. The frequency and method of emissions source testing;
 6. Data logging requirements;
 7. The locations of all logs and source test records; and,
 8. The requirement that periodic source tests be performed.

Each operating protocol can be modified upon approval by the APCO. Changes in operating protocol(s) shall not take effect until copies of the revised protocol(s) are filed with the APCO and

the facility. Compliance with the operating protocol approved by the APCO shall be deemed compliance with the H₂S emissions limitations of this Rule.

The major purpose of the protocol method is to provide a practical means of compliance with the specified emissions limitations given variations in incoming steam quality, chemical abatement system performance, and emission source test accuracy. A form of transferable emissions credits or allocation (pound for pound) among specified power plants shall be allowed in the protocol(s) as long as the APCO determines that enforceability can be reasonably achieved and ambient air quality would not be substantially degraded.

NOTE 9 Stacking emission standards will be required of any steam transmission line or power plant which is expected to have on the average three (3) or more stacking events per year; the normal enforcement of equipment breakdown and procedures for the applicable stacking facility will be followed.

NOTE 10 The 1.0 kg H₂S/hr limit shall apply only to geothermal power facilities with an electrical generation capacity of 20 Megawatts or less, provided:

1. No more than one such facility is within a 1.0 km radius area from any existing power plant facility (as of Jan. 1, 1985), and no more than one such facility is within a 0.5 km radius area of another, or
2. The facility can provide a significant net annual H₂S emissions reduction.

NOTE 11 Load Curtailment Emission Requirements - Each steam transmission line has a minimum steam flow rate, defined as "E", which results in the emission levels of Column "A" (Column D for Units 1 and 2). Each power plant unit, after curtailment, operates at a steam transmission line flow rate, defined as "F".

1. If the curtailed steam flow rate, "F", is greater than the minimum flow rate, "E", then the supplier shall eliminate within 30 minutes curtailment emissions from the unit stacking facility.
 2. If the curtailed steam flow rate, "F", is less than the minimum flow rate, "E", then the supplier shall be allowed no more curtailment emissions from the unit stacking facility than that H₂S associated with the difference in steam flows, ("F"- "E"). In the event the curtailed power plant unit is part of a dual unit system, and the companion unit is operational at a level of 50% of full steam flow, then the supplier shall eliminate, within 1 hour, curtailment emissions from the unit stacking facility regardless of steam flow to the curtailed unit.
- 4. Stacking Avoidance:** Any geothermal power plant and associated steam transmission line, for which applications are submitted for Authority to Construct Permit processing after January 1, 1985 shall employ Best Available Control Technology for stacking event avoidance.
- 5. Recordkeeping & Reporting:** A summary of the data required to determine compliance with applicable provisions of this Section shall be submitted to the APCO. This summary shall be presented in the manner, frequency and form as prescribed by the APCO.

H. REDUCTION OF ANIMAL MATTER: No person shall operate or use any article, machine, equipment or other contrivance for the reduction of animal matter, unless all gases, vapors and gas-entrained effluents which contain odorous material are:

1. Incinerated at temperatures of not less than 1,200 degrees Fahrenheit for a period of not less than 0.3 second; or
2. Processed in such a manner determined by the APCO to be equally, or more effective for the purpose of air pollution control than (H)(1) above.
3. A person incinerating or processing gases, vapors, or gas entrained effluents pursuant to this Rule shall provide, install, maintain in calibration, and continuously operate instruments and monitoring devices, as specified by the APCO, for indicating temperature, pressure or other operating conditions.
4. For the purpose of this Section, "reduction" is defined as any heated process, including rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating.

I. ORCHARD, VINEYARD, AND CITRUS GROVE HEATERS:

1. No new orchard, vineyard or citrus grove heater produced or manufactured shall be sold for use against frost damage unless it has been approved by CARB. (H&SC 41860)
2. No person shall use any orchard, vineyard or citrus grove heater except where the heater is of a type from an approved listing by the CARB. (H&SC 41860)

J. PETROLEUM LOADING AND STORAGE:

1. All petroleum storage tanks in excess of 40,000 gallons capacity shall conform to the NSPS requirements of Rule 104(K).
2. No person shall install or maintain any stationary gasoline tank with a capacity of 250 gallons or more which is not equipped for loading through a permanent submerged fill pipe. (H&SC 41950)
 - a. For the purpose of this Section, "gasoline", means any petroleum distillate having a Reid Vapor Pressure of four pounds or greater.
 - b. For the purpose of this Section, "submerged fill pipe", means any fill pipe which has its discharge opening entirely submerged when the liquid level is six inches above the bottom of the tank. "Submerged fill pipe" when applied to a tank which is loaded from the side, means any fill pipe which has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the tank.
3. The requirements of Rule 104(J)(2) shall not apply:
 - a. To any stationary tank which is used primarily for the fueling of implements used in agricultural operations.
 - b. To any "pressure tank" which maintains working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere.

- c. To any tank equipped with a "vapor recovery system" consisting of a vapor gathering system capable of collecting the hydrocarbon vapors and gases discharged and a vapor disposal system capable of processing such vapors and gases so as to prevent their emission into the atmosphere, with all tank gauging and sampling devices gas tight except when gauging or sampling is taking place
- d. To any tank equipped with a "floating roof" which consists of a pontoon-type or double-deck-type roof, resting on the surface of the liquid contents and equipped with a closure seal, or seals, to close the space between the roof edge and tank wall. A floating roof tank shall not be used if the gasoline or petroleum distillate has a vapor pressure of 570 millimeters of mercury absolute (11.0 pounds per square inch absolute) or greater, under actual storage conditions. All tank gauging and sampling devices shall be gas tight except when gauging or sampling is taking place.

K. FEDERAL NEW SOURCE PERFORMANCE STANDARDS (NSPS): All new sources of air contaminants or modifications to existing sources shall comply with the rules, standards, criteria and requirements of Part 60, Chapter 1, Title 40, Code of Federal Regulations, which are adopted by reference and incorporated here in as a part of these Rules and Regulations as though set forth in their entirety. For the purpose of this Rule, the word "Administrator" as used in these federal NSPS shall mean the APCO of the District. Whenever any source is subject to more than one Rule, Regulation, provision, or requirement relating to the control of any air contaminant in cases of conflict or duplication, the most stringent rule, regulation provision, or requirement shall apply.

L. NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAPS): The provisions of Part 61, Chapter 1, Title 40, Code of Federal Regulations are adopted by reference and made a part of these Rules and Regulations. For the purpose of this Rule, the word "Administrator" as used in these national emission standards for hazardous air pollutants shall mean the APCO of the District. Whenever any source is subject to more than one rule, regulation, provision, or requirement relating to the control of any air contaminant, in cases of conflict or duplication, the most stringent rule, regulation, provision, or requirement shall apply.

M. INCINERATOR BURNING: No person shall burn combustible material in any incinerator within the District, except in a multiple-chamber incinerator as defined in Rule 101, or in equipment found by the APCO to be equally effective for the purpose of air pollution control as an approved multiple-chamber incinerator.