SACRAMENTO METROPOLITAN
AIR QUALITY MANAGEMENT DISTRICT

STATEMENT OF REASONS

Proposed New Rule 419, NOx FROM MISCELLANEOUS COMBUSTION UNITS

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TABLE OF CONTENTS

RULE JUSTIFICATION

Health Impacts

The District is currently designated as a nonattainment area for both the state and federal ozone standards. Ground level ozone is a secondary pollutant formed from photochemical reactions of nitrogen oxides (NOx) and volatile organic compounds (VOC) in the presence of sunlight. Ozone is a strong irritant that adversely affects human health and damages crops and other environmental resources. As documented by the U.S. Environmental Protection Agency (EPA) in the most recent science assessment for ozone[1], both short-term and long-term exposure to ozone can irritate and damage the human respiratory system, resulting in:

- reproductive and developmental effects, such as low birth weight from long to exposure to ozone;
- decreased lung function;
- development and aggravation of asthma;
- increased risk of cardiovascular problems such as heart attacks and strokes;
- central nervous system affects, such as memory and sleep patterns;
- increased hospitalizations and emergency room visits; and
- premature deaths.

The District is also designated as a nonattainment area for the federal health standards for PM2.5[2] and state PM10 health standards[3]. Health studies reviewed by the EPA have linked exposure to particulate matter, especially fine particles, to several significant health problems, including:

- increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing;
- decreased lung function;
- aggravated asthma;
- development of chronic bronchitis;
- irregular heartbeat;
- nonfatal heart attacks,
- premature death in people with heart or lung disease; and
- increased risk of cardiovascular and cerebrovascular events in post-menopausal women.

Since NOx is a precursor to both ozone and particulate matter, one of the strategies to control ozone, PM2.5, and PM10 pollution is to reduce NOx emissions from existing stationary sources.

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[1] "Integrated Science Assessment for Ozone and Related Photochemical Oxidants," U.S. EPA, February 2013, Table 2-1.

[2] In 2017, EPA found that the District attained the 2006 24 hour PM2.5 NAAQS by the attainment date of December 31, 2015 (82 FR 21711). However, EPA has not yet redesignated the area to attainment, pending submission and EPA approval of a Maintenance/Implementation Plan and Redesignation Request.

[3] Title 17, California Code of Regulations, Section 60205.

Background

There are several District Regulation 4 prohibitory rules that limit NOx emissions from specific combustion units, such as boilers, turbines, and internal combustion engines. However, there are other types of combustion units that are not subject to NOx emission limits contained in any current District rule. These miscellaneous combustion units include dehydrators, dryers, heaters, and ovens.

Staff is proposing Rule 419, NOx from Miscellaneous Combustion Units, to establish NOx and CO emission limits for these miscellaneous combustion units. The rule applies to units with a total rated heat input of 2 million British thermal units per hour (MMBtu/hr) or greater that are located at a major stationary source of NOx. The rule will require the owners or operators of subject units to demonstrate compliance with the emission limits within three months after the date of adoption of the rule.

The proposed standards have been shown to be feasible in the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD), the South Coast Air Quality Management District (SCAQMD), and the Ventura County Air Pollution Control District (VCAPCD).

Legal Mandates

Federal Mandates: The District is designated as a "severe" nonattainment area for the 2008 federal 8-hour ozone standard. The Clean Air Act (CAA), Section 172(c)(1), specifies that State Implementation Plans (SIPs) for nonattainment areas must include "reasonably available control measures" (RACM), including "reasonably available control technology" (RACT), for sources of emissions. EPA defines RACT as "the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility[4]." Section 182(b)(2)(C) of the CAA provides that for nonattainment areas classified as "moderate" or worse, states must revise their SIPs to include RACT for all major stationary sources of VOC. CAA Section 182(f)(1) extends the RACT requirements to all major stationary sources of NOx.

On March 23, 2017, the District's Board of Directors approved a plan document, known as a "RACT SIP[5]," that was subsequently submitted to EPA as a revision to the SIP. The RACT SIP is required to demonstrate that the District's rules implement RACT emission standards as they relate to the 2008 ozone air quality standard. The analysis identified a deficiency in the District's implementation of RACT at major stationary sources of NOx; namely, there is no District rule that establishes RACT emission limits for natural gas-fired ovens at such sources. To remedy this deficiency, the District committed to adopt a rule that meets the RACT requirements for natural gas-fired ovens at major stationary sources of NOx and submit the rule to EPA for approval into the SIP. Proposed Rule 419 will meet RACT and correct the District's RACT deficiency for major stationary sources of NOx.

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[4] 44 FR 53761, September 17, 1979.

[5] Sacramento Metropolitan Air Quality Management District. *Demonstration of Reasonably Available Control Technology for the 2008 Ozone NAAQS (RACT SIP)*. Sacramento, CA: January 23, 2017.

State Mandates: The District is designated "serious" nonattainment for the state ozone standard. The California Clean Air Act requires areas with this designation to adopt certain control measures, including:

- California Health and Safety Code (CHSC) Section 40919 requires districts designated serious nonattainment for ozone to adopt Best Available Retrofit Control Technology (BARCT) for all existing permitted sources. BARCT means an emission limitation that is based on the maximum degree of reduction achievable, taking into account environmental, energy, and economic impacts by each class or category of sources[6].
- CHSC Section 40914 requires a district to adopt "all feasible measures" if it is unable to achieve at least a 5% annual reduction in district wide emissions.
- Transport Mitigation Emission Control Requirements: Title 17, Section 70600 of the California Code of Regulations requires that districts within the areas of origin of transported air pollutants, as identified in Section 70500(c), include sufficient emission control measures (including "all feasible measures" and BARCT) in their attainment plans for ozone to mitigate the impact of pollution sources within their jurisdictions on ozone concentrations in downwind areas commensurate with the level of contribution. An upwind district must comply with the transport mitigation planning and implementation requirements set forth in this section regardless of its attainment status, unless the upwind district complies with the requirements of Section 70601[7].

Proposed Rule 419 will apply only to equipment located at major stationary sources of NOx and is intended to meet the federal RACT requirements. It is imperative that the District remedy the RACT deficiency in a timely manner to avoid adverse EPA actions. The proposed rule establishes emissions standards that are similar to those currently in effect in SJVUAPCD, SCAQMD, and VCAPCD.

The rules for miscellaneous combustion equipment in SJVUAPCD, SCAQMD, and VCAPCD also apply to units at non-major stationary sources and to additional equipment types. At a public workshop on June 5, 2018, Staff presented a proposal for Rule 419 with broader applicability that, in addition to the current proposal, would have included miscellaneous combustion equipment with a total rated heat input capacity of 5 million Btu per hour or greater when not located at a major stationary source of NOx. Staff received comments from the public workshop that raised technical issues with some of the equipment located at these smaller sources, and additional time will be needed to address these comments. Staff will consider future amendments to Rule 419 to meet the BARCT and all feasible measure mandates.

Other District's Regulations

Rules with emissions standards similar to proposed Rule 419 have been adopted by SCAQMD (Rule 1147), SJVUAPCD (Rule 4309), and VCAPCD (Rule 74.34).

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[6] CHSC §40406.

[7] The district must prepare a transport mitigation plan that shows the emissions from the source do not contribute to ozone violations in any downwind area, emission reductions from the sources are not needed to attain an ozone standard in any downwind area, the district is implementing an alternative emissions reduction strategy, or the most recent transport assessment shows that the transport impact is inconsequential.

SJVUAPCD Rule 4309 – Dryers, Dehydrators, and Ovens

SJVUAPCD Rule 4309 was adopted in December 2005 and applies only to units that have a total rated heat input of 5 MMBtu/hr or greater. The rule sets NOx and CO emission limits for gaseous and liquid fueled dryers, dehydrators, and ovens. The emission standards are shown in Table 1. NOx and CO concentration limits in Rule 4309 are given at 19% O_2. Table 1 also shows the equivalent concentrations at 3% O_2 so that they can be compared to Rule 419.

TABLE 1: SJVUAPCD Rule 4309 NOx and CO Limits

Equipment Category	**NOx Emission Limit ppmv @ 19% O_2 (ppmv @ 3% O_2)**		**CO Emission Limit ppmv @ 19% O_2 (ppmv @ 3% O_2)**	
	Gaseous Fuel Fired	Liquid Fuel Fired	Gaseous Fuel Fired	Liquid Fuel Fired
Asphalt Manufacturing Operation	4.3 (~40)	12.0 (~110)	42 (~390)	64 (~590)
Milk, Cheese, and Dairy Processing < 20 MMBtu/hr	3.5 (~32)	3.5 (~32)	42 (~390)	42 (~390)
Milk, Cheese, and Dairy Processing ≥ 20 MMBtu/hr	5.3 (~49)	5.3 (~49)	42 (~390)	42 (~390)
Other processes (dryers, dehydrators, or ovens) not described above	4.3 (~40)	4.3 (~40)	42 (~390)	42 (~390)

SCAQMD Rule 1147 – NOx Reductions from Miscellaneous Sources

SCAQMD Rule 1147, last amended in July 2017, applies to all permitted units regardless of the size of the equipment, but an exemption is provided for small units operating for a limited number of hours. The rule regulates NOx emissions from gaseous and liquid fueled combustion equipment that is subject to permit but is not subject to emission standards under any other SCAQMD rule. The emission standards are shown in Table 2.

TABLE 2: SCAQMD Rule 1147 NOx Limits

Equipment Category	**NOx Limit ppmv @ 3% O_2 (lb/MMBtu)**		
	Process Temperature		
	≤ 800 °F	> 800 °F & < 1200 °F	≥ 1200 °F
Asphalt Manufacturing Operation	40	40	-
Afterburner, Degassing Unit, Remediation Unit, Thermal Oxidizer, Catalytic Oxidizer, or Vapor Incinerator[1]	60 (0.073)	60 (0.073)	60 (0.073)
Crematory or Incinerator	60 (0.073)	60 (0.073)	60 (0.073)
Dual- or Multi-Chamber Burn-off Furnace, Burnout Oven, Incinerator or Crematory with Integrated Afterburner	60 (0.073)	60 (0.073)	60 (0.073)

TABLE 2: SCAQMD Rule 1147 NOx Limits

Equipment Category	NOx Limit ppmv @ 3% O_2 (lb/MMBtu)		
	Process Temperature		
	≤ 800 °F	> 800 °F & < 1200 °F	≥ 1200 °F
Evaporator, Fryer, Heated Process Tank, or Parts Washer	60 (0.073)	60 (0.073)	-
Metal Heat Treating, Metal Melting Furnace, Metal Pot, Tar Pot	60 (0.073)	60 (0.073)	60 (0.073)
Oven, Dehydrator, Dryer, Heater, Kiln, Calciner, Cooker, Roaster, Furnace, or Heated Storage Tank	30 (0.036)	30 (0.036)	60 (0.073)
Make-Up Air Heater or other Air Heater located outside of building with temperature controlled zone inside building	30 (0.036)	-	-
Tenter Frame or Fabric or Carpet Dryer	30 (0.036)	-	-
Other unit or process temperature	30 (0.036)	30 (0.036)	30 (0.036)
All liquid fuel-fired units	40 (0.053)	40 (0.053)	60 (0.080)

1 Emission limit applies to burners fueled by 100% natural gas that are used to incinerate air toxics, VOCs, or other vapors; or to heat a unit. The emission limit applies solely when burning 100% fuel and not when the burner is incinerating air toxics, VOCs, or other vapors. The unit must be tested or certified to meet emission limit while fueled with natural gas.

VCAPCD Rule 74.34 – NOx Reductions from Miscellaneous Sources

VCAPCD Rule 74.34 regulates NOx and CO emissions from dryers, furnaces, heaters, incinerators, kilns, ovens, and duct burners. The rule was adopted in December 2016 with an effective date of July 1, 2018. VCAPCD adopted Rule 74.34 as an "all feasible measure" to help attain the state ambient air quality standards. The rule applies to units with a total rated heat input of 5 MMBtu/hr or greater. The NOx emission standards of Rule 74.34 are shown in Table 3. CO emissions from any unit subject to this rule may not exceed 400 ppmv at 3% O_2 (0.30 lb/MMBtu heat input)

TABLE 3: VCAPCD Rule 74.34 NOx limits

Equipment Category	NOx Limit ppmv @ 3% O_2 (lb/MMBtu)
Asphalt Manufacturing (Dryer)	40 (0.048)
Sand and Gravel Processing (Dryers)	40 (0.048)
Paper Products Manufacturing (Hot Air Furnace, Duct Burner, Paper Dryer)	40 (0.048)
Metal Heat Treating/Metal Melting Furnace	60 (0.072)
Kiln	80 (0.096)

Equipment Category	**Process Temp < 1200 °F**	**Process Temp ≥ 1200 °F**
Oven, Dryer (besides asphalt, sand, or paper dryer), Heater, Incinerator, Other Furnaces, or Other Duct Burner (Not Listed Above)	30 (0.036)	60 (0.072)

Comparison with Proposed Rule 419

Table 4 compares the emission limits for units subject to proposed Rule 419 with the corresponding limits for the same equipment types in the other districts' rules.

TABLE 4: Comparison of Proposed Rule 419 With Other Districts' Rules
(Emission Limits in ppmv @ 3% O_2)

Proposed Rule 419		**SJVUAPCD Rule 4309**		**SCAQMD Rule 1147**		**VCAPCD Rule 74.34**	
Dehydrator, Dryer, Heater, or Oven		Corresponding Categories: Other Processes (Dryers, Dehydrators, or Ovens)		Corresponding Categories: Dehydrator, Dryer, Heater, or Oven		Corresponding Categories: Oven, Dryer (besides asphalt, sand, or paper dryer), or Heater	
NOx	CO	NOx	CO	NOx	CO	NOx	CO
Gaseous Fuel 30 (< 1200 °F); 60 (≥ 1200 °F) Liquid Fuel 40 (< 1200 °F); 60 (≥ 1200 °F)	400	~40	~390	Gaseous Fuel 30 (< 1200 °F); 60 (≥ 1200 °F) Liquid Fuel 40 (< 1200 °F); 60 (≥ 1200 °F)	No Limit	30 (< 1200 °F); 60 (≥ 1200 °F)	400
						Duct Burner	
						NOx	CO
						40	400

As shown in Table 4, the NOx limits in proposed Rule 419 are identical to the corresponding limits in the SCAQMD rule. The VCAPCD rule NOx limits are also identical to those in Rule 419, except the VCAPCD rule has no separate, higher limit for liquid fuel fired duct burners (which under Rule 419 can be considered heaters). The SJVUAPCD NOx limits are similar to those in Rule 419, except that the SJVUAPCD rule has no separate limits for units with process temperatures greater than or equal to 1200 °F.

SUMMARY OF PROPOSED RULE

Staff is proposing new Rule 419 to satisfy federal RACT mandates and reduce emissions of NOx from miscellaneous combustion units, such as dehydrators, dryers, heaters, and ovens, located at major stationary sources of NOx. Similar requirements for these types of equipment are in effect in SJVUAPCD, SCAQMD, and VCAPCD (see previous discussion under Other District's Regulations).

Proposed Rule 419 applies to miscellaneous combustion units with a total rated heat input capacity of 2 million Btu per hour or greater that are located at a major stationary source of NOx. The rule establishes NOx and CO emission limits for specific equipment categories. New or modified units with increased emissions are additionally subject to Rule 202, NEW SOURCE REVIEW, which requires units to install Best Available Control Technology (BACT).

The proposed emission standards have been shown to be feasible in SCAQMD, SJVUAPCD, and VCAPCD.

Rule Exemptions

An exemption from Rule 419 is provided for units that are subject to requirements in another prohibitory rule. The units that are exempt from Rule 419 under this provision include boilers, some process heaters, steam generators, stationary IC engines at major stationary sources of NOx, stationary gas turbines, and water heaters.

In addition, Rule 419 contains exemptions for the following:

- Units exempt from Rule 201, GENERAL PERMIT REQUIREMENTS;
- Air pollution control devices (e.g., afterburners, catalytic oxidizers, flares, thermal oxidizers, or vapor incinerators);
- Duct burners, when upstream of and controlled by a selective catalytic reduction (SCR) add-on NOx control device;
- Any unit that is used exclusively by an electric utility to generate electricity;
- Gas flares;
- Internal combustion engines;
- Cooking units;
- Crematories;
- Dryers used in asphalt manufacturing operations;
- Furnaces;
- Incinerators;
- Kilns; and
- Roasters.

Source Testing Requirements

Sections 402 and 403 establish the source testing frequency and testing protocols for Rule 419. The owner or operator of a miscellaneous combustion unit is required to conduct a source test once every second calendar year to demonstrate compliance.

Acceptable source test methods are identified in Section 501. These methods include ARB Method 100, and EPA Methods 3A, 7E, 10, and 19. Alternative test methods considered equivalent and that have been approved before the test in writing by the Air Pollution Control Officer (APCO), the California Air Resources Board (CARB), and EPA are also acceptable. The rule requirements for source testing specify that a unit should be tested in an as-found operating condition. The rule does not specify whether the unit should be operating with or without process material; however, the decision to test with or without materials should be specified by the owner or operator when submitting the source test plan pursuant to section 403. The source test runs must be conducted for three 40-minute runs unless prior written approval to conduct shorter test runs has been granted by the APCO. The APCO may grant such approval if the owner or operate demonstrates that the design of a unit prevents operation for 40 consecutive minutes.

As an alternative to source testing, a continuous emissions monitoring system (CEMS) may be used to demonstrate compliance with the emission limits. Requirements for the installation and operation of CEMS are included in Section 501.3.

Equipment Maintenance

Section 303 requires the owner or operator of any unit subject to Rule 419 to perform combustion system maintenance in accordance with the manufacturer's schedule and specifications as identified in the manual, or if these are not available, other written materials supplied by the manufacturer, distributor, installer, or maintenance company. Records of these maintenance activities must be maintained according to the requirements of Section 502.1.

Proposed Emission Limits

Table 5 shows the proposed NOx and CO emission limits for the miscellaneous combustion units subject to the rule.

TABLE 5: Proposed NOx and CO Emission Limits for Miscellaneous Combustion Units

Equipment Category	**NOx Limit ppmv @ 3% O_2 (lb/MMBtu)**		**CO Limit ppmv @ 3% O_2 (lb/MMBtu)**
	Effective (see Section 401)		
	Process Temperature		
Gaseous Fuel-Fired Equipment	< 1200 °F	≥ 1200 °F	
Dehydrator, Dryer, Heater, or Oven	30 (0.036)	60 (0.073)	400 (0.30)
Liquid Fuel-Fired Equipment	< 1200 °F	≥ 1200 °F	
All miscellaneous combustion units when liquid fuel-fired	40 (0.051)	60 (0.077)	400 (0.31)

Compliance Date(s) for the Proposed Emission Limits

For all new units, the owner or operator must conduct an initial source test and demonstrate compliance within 60 days after initial operation of the unit. New units are subject to New Source Review under Rule 202 and may be required to achieve BACT emission levels that will, at a minimum, meet the proposed rule standards. Typically, BACT emission limits are lower than those limits in source-specific prohibitory rules.

For existing units, the owner or operator must perform an initial source test and demonstrate compliance within three months after the date of adoption of the rule. Staff has identified six existing miscellaneous combustion units at a major stationary source of NOx that would become subject to the rule. These six units are permitted at compliant NOx and CO emissions limits. Two of the units have been issued Permits to Operate that do not require periodic source tests. The remaining four units have been installed under Authorities to Construct but have not yet been issued Permits to Operate. All six units would become subject to source testing requirements. The owner or operator of these units must submit a source test plan and conduct an initial source

test within three months after the date of adoption of the rule to demonstrate that these units are compliant, and once every second calendar year thereafter.

Recordkeeping

Section 502 contains the recordkeeping requirements. The owner or operator of each affected unit must maintain on-site records of maintenance and a copy of the manufacturer's maintenance schedule and specifications in a manual or other written materials supplied by the manufacturer, distributor, installer, or maintenance company. The owner of operator must keep copies of final source test reports and all CEMS data, as applicable. All records must be maintained on site for a continuous 5-year period, consistent with other District prohibitory rules.

A detailed description of each proposed section of Rule 419 is included in Appendix A.

EMISSIONS IMPACT

No emission reductions are expected from the proposed rule. The six miscellaneous combustion units that will become subject to the rule have permits with conditions that limit emissions to levels that comply with the proposed rule. The additional requirements to conduct maintenance and periodic source testing will not result in emission reductions.

ECONOMIC IMPACT

Cost Impact

CHSC §40703 requires that the District consider and make public its findings relating to the cost-effectiveness of implementing an emission control measure. The one source affected by the proposed rule operates six miscellaneous combustion units that are in compliance with the proposed NOx and CO emission limits. The source is not currently required to conduct periodic source testing for the two units for which Permits to Operate have been issued. The other four miscellaneous combustion units have been installed under Authorities to Construct but have not yet been issued Permits to Operate. No rule compliance costs were attributed to these four units because ongoing testing requirements are normally established at the time Permits to Operate are issued. The proposed rule will require the source to conduct an initial source test for the miscellaneous combustion units and conduct continued periodic source testing once every other calendar year.

Source Testing Costs: The one source affected by the proposed rule must conduct source testing to comply with the requirements. The calculated source testing compliance costs include the District source test observation fee ($1,864 – See Rule 301, Section 311) and the costs for the owner or operator to hire a third party to conduct source testing ($2,500 per unit[8]). The total source testing cost for the two units with Permits to Operate is $6,864 once every two years, or an average of $3,432 per year.

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[8] Kevin J. Williams, SMAQMD, phone conversation with Regan Best, Best Environmental. March 22, 2017.

Overall Cost-Effectiveness: No cost effectiveness was determined because no emission reductions are expected from the proposed rule.

Incremental Cost-Effectiveness

Pursuant to CHSC §40920.6(a)(3), the District is required to perform incremental cost-effectiveness analysis prior to adopting requirements for BARCT or a "feasible measure" requirement pursuant to CHSC §40914. The District is required to identify one or more potential control options that achieve the emission reduction objective for the regulation. The incremental cost-effectiveness is the difference in the dollar cost divided by the emissions reduction potential "between each progressively more stringent potential control option as compared to the next, less expensive control option."

No incremental cost-effectiveness was determined because the proposal does not adopt BARCT or a "feasible measure". An incremental cost effectiveness analysis will be prepared in the future when this source category is evaluated to meet BARCT and/or all feasible measure requirements.

Socioeconomic Impact

CHSC §40728.5 requires the District to perform an assessment of the socioeconomic impacts before adopting, amending, or repealing a rule that will significantly affect air quality or emission limitations. The District Board is required to actively consider the socioeconomic impacts of the proposal and make a good faith effort to minimize adverse socioeconomic impacts.

CHSC §40728.5 defines "socioeconomic impact" to mean the following:

1. The type of industry or business, including small business, affected by the proposed rule or rule amendments.
2. The impact of the proposed rule or rule amendments on employment and the economy of the region.
3. The range of probable costs, including costs to industry or business, including small business.
4. The availability and cost-effectiveness of alternatives to the proposed rule or rule amendments.
5. The emission reduction potential of the rule or regulation.
6. The necessity of adopting, amending, or repealing the rule or regulation to attain state and federal ambient air standards.

Type of industry or business, including small business affected by the proposed rule:
Rule 419 applies to dryers, dehydrators, heaters, and ovens with a total rated heat input of 2 MMBtu/hr or greater located at major stationary sources of NOx. There are two permitted miscellaneous combustion units in the District that will become subject to Rule 419. These units are located at a manufacturing business that produces carbon fiber. There are no small businesses affected by the rule.

Impact on employment and economy in the District of the proposed rule:
Two miscellaneous combustion units will become newly subject to the rule's emission standards. Staff has determined that both units are compliant with the proposed NOx and CO emission limits based on permit conditions.

The average annual cost for compliance with the rule in Sacramento County is approximately $3,432 per year. Based on publicly available information, the parent company of the affected source has annual revenues of at least $36 million. The impact of the compliance costs on employment and the regional economy is expected to be negligible. Source testing requirements may lead to an increase in revenue if the testing is performed by local businesses.

Range of probable costs, including costs to industry or business, including small business of the proposed rule:
Costs for the affected business include the initial source testing to demonstrate compliance with the emissions limits and periodic source tests that must be conducted once every second calendar year. Staff has estimated the annualized compliance cost to be $3,432 per year.

Availability and cost-effectiveness of alternatives to the proposed rule:
Three alternatives to the proposed rule are listed below.

1. Not adopt the rule: This alternative would result in no cost to businesses; however it would not address the federal RACT mandates.
2. Propose the emission limits without any testing requirements: This alternative also would result in no costs to businesses, because all existing units have permits with emission limits that comply with the proposed rule. However, there would be no verification of compliance, and some equipment may exceed emission limits due to lack of maintenance. In addition, the rule would not meet EPA's enforceability requirements for SIP approval.
3. Include non-major sources and additional equipment types: This option would expand the applicability of the rule to include non-major sources of NOx and more equipment types similar to rules in effect in SJVUAPCD, SCAQMD, and VCAPCD. Staff presented an earlier proposal for Rule 419 that incorporated this alternative at a public workshop on June 5, 2018. Staff estimated that it would result in NOx emission reductions of 5.6 tons per year at a cost effectiveness of $7.66 per pound of NOx reduced.

Alternatives 1 and 2 are not recommended because they would not correct the District's RACT deficiency and would result in sanctions imposed on District sources and withholding of federal highway funds.

The purpose of Rule 419, as proposed, is to remedy the District's RACT deficiency in a timely manner. Staff presented a proposal that included Alternative 3 at the aforementioned public workshop. Public comments on that proposal raised technical issues with some of the equipment located at smaller sources, and additional time will be needed to address these comments. Staff will consider Alternative 3 in future amendments to Rule 419 to meet the BARCT and all feasible measure mandates.

Emission reduction potential of the proposed rule:
The proposed rule will not achieve any emission reductions.

Necessity of adopting the rule:
Proposed Rule 419 meets the District's federal mandates to adopt RACT for major stationary sources.

PUBLIC OUTREACH/COMMENTS

Staff held a public workshop to discuss the proposed rule on June 5, 2018. A notice for the workshop was mailed (via email and letter) to all identified, affected sources and an email notice was sent to approximately 2,400 interested parties. The notice was also published as a legal notice in the Sacramento Bee and posted on the District's web site. The draft rule and Statement of Reasons were made available for public review at that time.

At the workshop, Staff presented a proposal for Rule 419 that applied to all sources, not just major stationary sources of NOx, and to a greater number of equipment types. A proposal to amend Rule 414 – Water Heaters, Boilers and Process Heaters Rated Less Than 1,000,000 BTU Per Hour, was also included in the workshop. Staff received comments on the Rule 419 proposal that raised technical issues with some of the equipment located at smaller sources, and additional time will be needed to address these comments. Because it is imperative that the District adopt a rule that meets RACT, thereby preventing EPA sanctions, Staff is now proposing a new Rule 419 that applies only to major stationary sources of NOx. Staff will continue to address the comments received on the workshop proposal, and will work toward amendment of both Rules 414 and 419 later this year to adopt requirements similar to those proposed at the workshop. The additional time will allow Staff to consider the technical comments on the workshop proposal. All comments and responses are included in Appendix C.

ENVIRONMENTAL REVIEW

California Public Resources Code Section 21159 requires an environmental analysis of the reasonably foreseeable methods of compliance. Proposed Rule 419 establishes the requirements, including NOx and CO emission limits, for miscellaneous combustion units located at major stationary sources of NOx.

Staff identified one major stationary source of NOx with six miscellaneous combustion units that will be subject to the proposed rule. These units already comply with the proposed NOx and CO limits. Compliance with the proposed rule will be demonstrated through periodic source testing of the units. Staff has concluded that there will be no environmental impacts from compliance with the proposed rule.

Staff finds that the proposed rule is exempt from the California Environmental Quality Act (CEQA) as an action by a regulatory agency for the maintenance or protection of the environment (Class 8 Categorical Exemption, §15308 State CEQA Guidelines) and because it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment (§15061(b)(3), State CEQA Guidelines).

FINDINGS

The California Health and Safety Code (CHSC), Division 26, Air Resources, requires local districts to comply with a rule adoption protocol as set forth in §40727 of the Code. This section contains six findings that the District must make when developing, amending, or repealing a rule. These findings and their definitions are listed in the following table.

Finding	Finding Determination
Authority: The District must find that a provision of law or of a state or federal regulation permits or requires the District to adopt, amend, or repeal the rule. [CHSC Section 40727(b)(2)].	The District is authorized to adopt Rule 419 by CHSC Sections 40001, 40702, and 41010.
Necessity: The District must find that the rulemaking demonstrates a need exists for the rule, or for its amendment or repeal. [CHSC Section 40727(b)(1).]	The proposed rule establishes NOx emission limits that are necessary to meet the RACT requirements for major stationary sources of NOx in Sections 182(b)(2) and 182(f) of the Clean Air Act.
Clarity: The District must find that the rule is written or displayed so that its meaning can be easily understood by the persons directly affected by it. [CHSC Section 40727(b)(3)].	Staff has reviewed the proposed rule and determined that the rule can be understood by the affected parties. In addition, the record contains no evidence that people directly affected by the rule cannot understand the rule.
Consistency: The rule is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations. [CHSC Section 40727(b)(4)].	The proposed rule does not conflict with, and is not contradictory to, existing statutes, court decisions, or state or federal regulations.
Non-Duplication: The District must find that either: 1) The rule does not impose the same requirements as an existing state or federal regulation; or (2) that the duplicative requirements are necessary or proper to execute the powers and duties granted to, and imposed upon the District. [CHSC Section 40727(b)(5)].	The proposed rule does not duplicate any existing state or federal regulations.
Reference: The District must refer to any statute, court decision, or other provision of law that the District implements, interprets, or makes specific by adopting, amending or repealing the rule. [CHSC 40727(b)(6).]	In adopting the proposed rule, the District is implementing the requirements of Clean Air Act Section 182(b)(2) and (f).
Additional Informational Requirements: In complying with HSC Section 40727.2, the District must identify all federal requirements and District rules that apply to the same equipment or source type as the proposed rule or amendments. [CHSC Section 40727.2].	No other District or federal rules apply to the same equipment or source type. BACT for this source category is based on SCAQMD Rule 1147, SJVUAPCD Rule 4309, and VCAPCD Rule 74.34. A comparison of Rule 419 with BACT requirements is included in Appendix B.

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APPENDIX A
LIST OF PROPOSED RULE PROVISIONS

Proposed New Rule 419 – NOx from Miscellaneous Combustion Units

SECTION NUMBER	PROPOSED PROVISIONS
101	Set the purpose of the rule to limit the emission of nitrogen oxides (NOx) and carbon monoxide (CO) from gaseous and liquid fuel-fired miscellaneous combustion equipment located at a major stationary source of NOx. The purpose of the proposed rule is to satisfy the RACT deficiency identified in the RACT SIP.
102	Set the applicability to any miscellaneous combustion unit with a total rated heat input of 2 million BTU/hr or greater located at a major stationary source of NOx. The rule applicability covers all miscellaneous combustion units currently located at major stationary sources of NOx in the District, and will correct the RACT deficiency.
103	Add the severability language consistent with other District rules.
110	Add an exemption for operations subject to other District regulation 4 prohibitory rules, including Rule 411 – NOx FROM BOILERS, PROCESS HEATERS AND STEAM GENERATORS, Rule 412 – STATIONARY IC ENGINES AT MAJOR STATIONARY SOURCES OF NOX, Rule 413 – STATIONARY GAS TURBINES, and Rule 414 – WATER HEATERS, BOILERS AND PROCESS HEATERS RATED LESS THAN 1,000,000 BTU PER HOUR. Any unit that is subject to any requirement, including administrative or recordkeeping requirements, in the above listed rules is not subject to Rule 419. For example, boilers that are subject to an emission limit in Rule 411 are not subject Rule 419.
111	Add an exemption for units not subject to District permit. Rule 419 does not apply to any unit that is exempt from permitting requirements pursuant to District Rule 201, such as food processing equipment used in eating establishments and equipment used in the growing of agricultural crops.
112	Add an exemption from the rule for units whose primary function is to operate as an air pollution control device. These devices may operate as a combustion device but are not intended to be subject to the proposed rule, consistent with the rules in SJVUAPCD and VCAPCD.
113	Add an exemption from the rule for “duct burners.” Rule 419 does not apply to duct burners that are operating upstream of and controlled by a selective catalytic reduction (SCR) add-on NOx emission control unit. Duct burners upstream of an SCR emission control unit are controlled to a much more stringent emission standard than the proposed emission limits.
114	Add an exemption from the rule for “specific combustion units.” Some specific types of miscellaneous combustion units are exempt from Rule 419. Some of these types of units will be addressed in a future amendment to Rule 419.
114.1	Add an exemption from the rule for “electric utility boilers,” which are exempt from Rule 411 – NOx from Boilers, Process Heaters and Steam Generators.
114.2	Add an exemption from the rule for “gas flares.” Gas flares are exempt from all requirements of the rule, consistent with other air district rules.

SECTION NUMBER	PROPOSED PROVISIONS
114.3	Add an exemption from the rule for “internal combustion engines”. Rule 412 – Stationary IC Engines Located at Major Stationary Source of NOx applies only to major stationary sources of NOx. Rule 419 does not set emission limits for IC engines that are exempt or not subject to Rule 412, consistent with other air district rules.
114.4	Add an exemption from the rule for cooking units. This type of unit is not located at any major stationary source of NOx in the District and is exempt from the rule. It will be considered in a future amendment to Rule 419.
114.5	Add an exemption from the rule for crematories. This type of unit is not located at any major stationary source of NOx in the District and is exempt from the rule. It will be considered in a future amendment to Rule 419.
114.6	Add an exemption from the rule for dryers used in asphalt manufacturing operations. This type of unit is not located at any major stationary source of NOx in the District and is exempt from the rule. It will be considered in a future amendment to Rule 419.
114.7	Add an exemption from the rule for furnaces. This type of unit is not located at any major stationary source of NOx in the District and is exempt from the rule. It will be considered in a future amendment to Rule 419.
114.8	Add an exemption from the rule for incinerators. This type of unit is not located at any major stationary source of NOx in the District and is exempt from the rule. It will be considered in a future amendment to Rule 419.
114.9	Add an exemption from the rule for kilns. This type of unit is not located at any major stationary source of NOx in the District and is exempt from the rule. It will be considered in a future amendment to Rule 419.
114.10	Add an exemption from the rule for roasters. This type of unit is not located at any major stationary source of NOx in the District and is exempt from the rule. It will be considered in a future amendment to Rule 419.
200	Add definitions section.
201	Add definition “British thermal unit (Btu)” consistent with Rule 411. The abbreviation for Btu is used throughout the rule.
202	Add definition “cooking unit” as any oven or dryer used for preparing food, or products for making human beverages for human consumption. This definition is consistent with SCAQMD Rule 1153.1, Cooking units could be considered a subset of miscellaneous combustion units but are specifically exempt from the proposed rule for clarity.
203	Add definition “crematory” as a unit that reduces human or animal remains to bone fragments or ashes. Crematories are could be considered a subset of miscellaneous combustion units but are specifically exempt from the proposed rule for clarity.
204	Add definition “dehydrator” as a unit that drives water from products such as food. Dehydrators are subject to Rule 419.
205	Add definition “dryer” as a unit in which material is dried or cured in direct contact with the products of combustion. Dryers are subject to Rule 419.
206	Add definition “duct burner” as a unit used for further heating exhaust gases on ductwork. Duct burners are exempt from the rule pursuant to Section 113 when

SECTION NUMBER	PROPOSED PROVISIONS
	operating upstream of and controlled by a properly working SCR add-on NOx control unit. This is consistent with VCAPCD Rule 74.34.
207	Add definition “furnace” as a unit with an enclosed chamber in which heat is produced by a combustion source, typically used for metallurgy, pyrolysis, ashing, calcining, sintering, and other high temperature processes. Furnaces could be considered a subset of miscellaneous combustion units but are specifically exempt from the proposed rule for clarity.
208	Add definition “gas flare” as a unit used for burning off flammable gas released by pressure relief valves, or to control emissions of gas from landfills, sewage treatment digesters, and oilfields. This definition is necessary to define the exemption for gas flares.
209	Add definition “heater” as a unit that transfers heat from combusted fuel to materials or air contained in the unit. Heaters are subject to Rule 419.
210	Add definition “heat input” as the heat of combustion released by fuels burned in a unit based on the higher heating value of the fuel, consistent with Rule 414.
211	Add definition “higher heating value” consistent with Rule 411.
212	Add definition of “incinerator” as a unit used to combust waste or oxidize contaminants to less harmful forms. Incinerators could be considered a subset of miscellaneous combustion units but are specifically exempt from the proposed rule for clarity.
213	Add definition of “internal combustion engine” consistent with Rule 412. This definition is necessary to define the exemption for internal combustion engines.
214	Add definition of “kiln” consistent with VCAPCD Rule 74.34. Kilns could be considered a subset of miscellaneous combustion units but are specifically exempt from the proposed rule for clarity.
215	Add definition “major stationary source of NOx” as any stationary source with a potential to emit of 25 tons per year or greater of nitrogen oxides. Rule 419 applies to miscellaneous combustion units with a rated heat input of 2 MMBtu/hr or greater when located at a major stationary source of NOx.
216	Add definition “miscellaneous combustion unit” to define the units that are covered by the proposed rule. Miscellaneous combustion units are dehydrators, dryers, heaters, or ovens that require a permit to operate and that are not specifically required to comply with requirements of any other District regulation. This definition is phrased to prevent units such as boilers and IC engines from being considered a miscellaneous combustion unit.
217	Add definition “oven” consistent with SJVUAPCD Rule 4309. Ovens are subject to Rule 419.
218	Add definition “process temperature” consistent with VCAPCD Rule 74.34. The process temperature is used to determine the appropriate NOx emissions limit for a particular unit.
219	Add definition “rated heat input capacity” consistent with Rule 411. The applicability of the rule is determined by the rated heat input capacity of miscellaneous combustion units.

SECTION NUMBER	PROPOSED PROVISIONS
220	Add definition “roaster” consistent with SCAQMD Rule 1153.1. Roasters could be considered a subset of miscellaneous combustion units but are specifically exempt from the proposed rule for clarity.
221	Add definition “shutdown” consistent with Rule 411. Shutdown period is limited to two hours. No compliance determinations can be established during shutdown pursuant to Section 501.
222	Add definition “startup” consistent with Rule 411. Startup period is limited to a maximum of two hours or until a unit is brought to operating temperature and pressure. No compliance determinations can be established during startup pursuant to Section 501.
223	Add definition “stationary source” consistent with Rule 202. This definition of stationary source is used when determining which sources are considered major stationary sources for the purposes of this rule.
300	Add standards section.
301	Add NOx and CO emission limits for miscellaneous combustion units. The NOx emission limit varies depending on the process temperature of the unit. Units currently operating in the District and subject to the proposed rule are all fired on natural gas. To prevent fuel switching to avoid rule emissions limits, NOx and CO emission limits are proposed for liquid fuel-fired equipment.
302.1	Add section to provide an option to demonstrate compliance with an emission limit expressed as pounds per million Btu instead of ppmv @ 3% O_2. This option requires an owner or operator to install a fuel meter for each fuel type.
302.2	Add section to specify that fuel meters that require electric power must be provided a permanent supply of electric power that cannot be unplugged, switched off, or reset except by the main power supply circuit for the building. This is consistent with SCAQMD Rule 1147 to prevent circumvention of fuel monitoring.
303	Add section requiring owner or operator of any unit subject to rule to perform combustion system maintenance in accordance with manufacturers schedule as identified in the manual or other written materials supplied by the manufacturer, distributor, installer, or maintenance company. Records of maintenance activity are required as provided in Section 502.1.
400	Add administrative requirements section.
401	Add “compliance schedule” section to set the effective date of the NOx and CO emission limits.
401.1	Any units installed after the date of adoption must demonstrate compliance with the rule requirements within 60 days after initial operation of the unit. New units are subject to BACT standards and may be required to meet more stringent limits than the rule.
401.2	Any units installed on or before the date of adoption must demonstrate compliance with the rule requirements within three months after the date of adoption. Only six existing units are subject to the proposed Rule 419. These units are compliant with the proposed NOx and CO emissions limits but currently are not required to conduct source testing. The owner or operator of these units must conduct an initial source test within three months after the date of adoption

SECTION NUMBER	PROPOSED PROVISIONS
	and conduct periodic source testing (as specified in section 402) to demonstrate continued compliance. Three months for an initial source test provides the source with time to submit a source test plan and conduct the testing.
402	Add "source testing frequency" section to require an initial source test for units subject to emission limits prior to the compliance date of the unit. Additional emissions source tests are required once every second calendar year.
402.1	Add section to require annual accuracy testing for a unit equipped with a continuous emissions monitoring system (CEMS). Units equipped with a CEMS are allowed to use the CEMS to demonstrate compliance without conducting source testing.
403	Add "source test protocol" section to require an owner or operator to submit a source test plan, seven-day notification, and a final source test report to the Air Pollution Control Officer within the specified time limits.
500	Add monitoring and recordkeeping section.
501	Add test methods section.
501.1a	Add gaseous emission source test methods for all units. The testing must occur in the as-found operating condition and while operating as close as physically possible to the unit's rated heat input capacity. Compliance demonstration cannot be established during unit startup or shutdown. Each source test must be conducted for three 40-minute runs. An alternative to the 40-minute run time is provided if an owner or operator requests and receives written approval from the Air Pollution Control Officer to conduct a shorter test period. The owner or operator must demonstrate that the design of a unit prevents operation for 40 consecutive minutes. The list of source test methods for determining compliance with rule requirements include ASTM, EPA, and SCAQMD test methods. Alternative test methods may also be used if approved in writing prior to a source test.
501.1b	Add section to prevent source testing from being discontinued solely due to the failure of one or more units to meet applicable standards.
501.1c	Add section to allow compliance to be determined using two of three source test runs under specific circumstances. The reasons for allowing this to occur are specified in Sections 501.1c.1 through 501.1c.4. The APCO may determine that there are other circumstances beyond the owner's or operator's control beyond what is explicitly listed.
501.1d	Add section to allow the District to reject source tests and test reports when proper test methods are not used.
501.2	Add compliance method for owners or operators who choose to comply with emission limits expressed as pounds per million Btu emission limit. The reference procedure for calculating NOx emissions in pounds per million Btu of heat input is located in EPA Method 19.
501.3	Add section to require continuous emissions monitoring systems (CEMS) to meet federal requirements as specified in the CFR.
501.4	Add section to specify the methods used to determine the higher heating value of fuels if HHV is not provided by the fuel supplier.

SECTION NUMBER	PROPOSED PROVISIONS
501.5	Add provision that when one test method or set of test methods is specified for any testing, a violation may be established by any of the test methods.
502	Add recordkeeping section.
502.1	Add requirement that for all units subject to maintenance requirement of Section 303, the owner or operator must maintain on-site records of maintenance and a copy of the manufacturer's maintenance schedule and specifications in a manual or other written materials supplied by the manufacturer, distributor, installer, or maintenance company.
502.2	Add requirement for the owner or operator to keep copies of all CEMS data and final source test reports as applicable.
502.3	Add requirement to maintain records on site for a continuous 5-year period and make them available for review on request. The 5 year requirement is consistent with other District rules and EPA guidelines.

APPENDIX B
COMPARISON OF PROPOSED RULE REQUIREMENTS WITH OTHER AIR POLLUTION CONTROL REQUIREMENTS

California Health and Safety Code (CHSC) §40727.2 requires air districts to provide a written analysis to: 1) identify all existing federal air pollution control requirements, including Best Available Control Technology (BACT) for new or modified equipment, that apply to the same equipment or source type as the proposed rule, and 2) identify any of the District's existing or proposed rules that apply to the same equipment or source type. The analysis shall compare the following elements:

- Averaging provisions, units, and any other pertinent provisions associated with emission limits.
- Operating parameters and work practice requirements.
- Monitoring, reporting, and recordkeeping requirements, including test methods, format, content, and frequency.
- Any other element that the air district determines warrants review.

There are no other proposed or existing District rules that apply to this source category. Table B-1 contains the required analysis identifying federal BACT air pollution control requirements.

Comparison with BACT: See comparison in Table B-1.

Comparison with existing federal air pollution control requirements:
There are no existing federal air pollution control requirements that apply to this source category.

Table B-1:
40727.2 Matrix for Proposed Rule 419 NOx from Miscellaneous Combustion Units

Comparative Requirements		
Elements of Comparison	Proposed Rule 419	Best Available Control Technology (BACT)/ Lowest Achievable Emission Rate (LAER)
Applicability	The rule is applicable to any miscellaneous combustion unit with a rated heat input capacity of 2 MMBtu/hr or greater located at a major stationary source of NOx.	Various BACT determinations exist for miscellaneous NOx combustion units, including dehydrators, dryers, heaters, and ovens.
Exemptions	Units subject to other district rules Units not subject to permit Air pollution control devices Duct burners Units used by an electrical utility to generate electricity Gas flares Internal combustion engines Cooking units Crematories Dryers used in asphalt manufacturing Furnaces Incinerators Kilns Roasters	N/A

Comparative Requirements		
Elements of Comparison	Proposed Rule 419	Best Available Control Technology (BACT)/ Lowest Achievable Emission Rate (LAER)
NOx Emission Limits	See Table 5. Units are in ppmvd @ 3% O_2 or lb/MMBtu.	SMAQMD BACT guidelines Commercial laundry dryer: 30 ppmvd @ 3% O_2 Drying oven: 20 ppmvd @ 3% O_2 SCAQMD BACT guidelines: Tenter frame fabric dryer: 60 ppmvd @ 3% O_2 Other dryers and ovens: 30 ppmvd @ 3% O_2 SJVUAPCD BACT guidelines Various dryers for food processing: 20 - 70 ppmvd @ 3% O_2
Averaging Provisions	None	N/A
Operating parameters & Work Practice Requirements	Perform combustion system maintenance in accordance with the manufacturers schedule and specifications	
Monitoring/ Testing	Initial source test and source test once every second calendar year thereafter	N/A
Monitoring/ Recordkeeping	• Keep records of maintenance and manufacturer's, distributor's, installer's, or maintenance company's written maintenance schedule and instructions. • Keep source test reports and CEMS data as applicable. • Maintain records on site for a continuous five-year period.	N/A

APPENDIX C
COMMENTS AND RESPONSES

Public Workshop for Rules 414 and 419
June 5, 2018, 1:00 p.m.

Attendees:

John Conboy, American River Ag
Becky Wood, A. Teichert & Son
John Lane, A. Teichert & Son
Candice Longnecker, Granite Construction
Vince Montoya, Los Rios Community College District
G. Pyka, Blue Diamond Growers
George Rodriguez, Forterra Pipe
Greg Stevenson, H.C. Muddox
David Vasquez. Quikrete

Oral Comments from the Public Workshop

Question #1: Can you come in and out of the low usage exemption in Rule 419?

Response: The modified proposed Rule 419 no longer includes a low usage exemption. This comment will be addressed in the future amendment of Rule 419.

Question #2: Will source tests be required for units that haven't been operating?

Response The modified proposed Rule 419 requires testing for units that haven't been operating. The six units subject to proposed Rule 419 are in operation and therefore this provision has not been added. This comment will be addressed in the future amendment to Rule 419.

Question #3: The NOx limit for kilns in Ventura County APCD Rule 74.34 is 80 ppmv. In Rule 419, your proposed NOx limits for kilns are 30 ppmv for units operating at less than 1200 °F and 60 ppmv for units operating at 1200 °F or greater. Why are your proposed limits lower than the VCAPCD limit?

Response: The modified proposed Rule 419 is not applicable to kilns. This comment will be addressed in the future amendment of Rule 419.

Question #4: My company's soybean roaster (American River Ag) can't meet the 400 ppmv limit for CO.

Response: The modified proposed Rule 419 is not applicable to soybean roasters. This comment will be addressed in the future amendment of Rule 419.

Question #5: What are the differences between units that are subject to Rule 411 (NOx from Boilers, Process Heaters and Steam Generators) and the units that will be subject to Rule 419?

Response: Rule 411 applies to boilers, process heaters, and steam generators where the heating of the process fluid is indirect – that is, there is no contact between the products of combustion and the material being heated. Proposed Rule 419 will apply to dryers, dehydrators, heaters, and ovens where the material being heated comes into direct contact with the combustion products from the burners.

Question #6: How many major sources will be subject to this rule?

Response: There are 15 major sources in Sacramento County, but only one has miscellaneous combustion units that will be subject to Rule 419. The rated heat input capacities of the gas-fired ovens at this facility are greater than the 2 MMBtu/hr threshold proposed in Rule 419.

Question #7: Is a source test required every 24 months, always in the same month of the year as the previous test?

Response: No. The rule requires a source test to be performed "once every second calendar year." The source test may be performed at any time during the year it is required.

Question #8: Will a 30-day notice be required prior to a scheduled source test?

Response: Yes. At least 30 days prior to the scheduled source test date, the owner or operator must submit a source test plan to the District.

Question #9: When does Rule 419 take effect? Is it when EPA approves it into the SIP?

Response: The rule will take effect immediately upon adoption by our Board of Directors. Sources will have 3 months from that date of adoption to conduct the initial source test to demonstrate compliance with the proposed emission limits.

<u>Written Comments from Greg Stevenson, H.C. Muddox (June 13, 2018)</u>

Question #1: Ventura County APCD's Rule 74.34 identifies kilns as requiring bespoke emissions standards because of their unique design, materials and production processes. I would encourage the SMAQMD to consider the incorporation of similar limits if required. Based on ARB emissions data, HCM is not a Major Source, or a top ten NOx emitter.

Response: The modified proposed Rule 419 is not applicable to kilns. This comment will be addressed in the future amendment of Rule 419.