

RESPONSE TO PUBLIC COMMENTS
August 28, 2007 Public Hearing - –Santa Barbara
August 29, 2007 Public Hearing - Santa Maria
Letters Received as of December 19, 2007

NEW RULE 361 and PROPOSED AMENDED RULE 202

#	Comment from:	Staff Response
1	UCSB EH&S – Ali Aghayan	The APCD modeled this rule after the SCAQMD and Ventura rules. Both of these rules required source testing every 2 years for units subject to the low-NO _x emission standards and tuning twice per year for units qualifying for the low-use exemption. After meeting with UCSB and VAFB, the APCD decided to try a new approach that allows <i>(as an option)</i> for tuning twice a year in lieu of source once every two years if fueled by utility supplied natural gas. The APCD does not think it appropriate that a unit subject to the emission standards for the rule be subject to a less rigorous tuning schedule than required for units subject to the low use exemption.
2	VAFB – John Gilliland	We are bringing this rule to the Board in December.
3	VAFB – John Gilliland	Site specific concerns such as this are dealt with via the Source Test Plan process.
4	UCSB EH&S – Ali Aghayan	Permitting costs will follow the existing Rule 210 fee schedule. Specifically, an application filing fee per Schedule F.1 will be required for each permit being issued and a permit fee will be assessed per Schedule A.3 (Fuel Burning Equipment). These are the standard fees assessed for this category of equipment.
5	UCSB Housing – Mark Rousseau	The CAP projects about 17 tons per year (0.0467 tons per day) NO _x reduction.
6	So Cal Gas – Jim Fox	No. Existing units need to apply for a Permit to Operate within 90 days of rule adoption (Ref: Rule 202.E).
7	WSPA - Kevin Wright	The permit will follow the basic APCD permit structure and will include the emission, operational, monitoring, recordkeeping and reporting requirements. Emission and operational limits will be based on the potential to emit of the unit (unless otherwise requested). For these existing small units, the owner will be given three options to track fuel: (a) via use of a fuel meter, (2) via tracking of actual hours of operation through a centralized electronic monitoring system and assuming full load for each hour, or (3) by accepting the assumption that he unit operate 8760 hours per year at full load.
8	WSPA - Kevin Wright	Section F.4 provides the detailed process for achieving compliance. One can also apply for a variance, as necessary.

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9	VAFB – John Gilliland	The list will be posted on our website. In consultation with ARB, the APCD has defined a standard by which analyzers can qualify for inclusion on the list. This standard is ASTM D 6522. We have identified at least 8 units that have met this ASTM method. These analyzers, along with basic approval instructions, will be posted on the above-referenced webpage.
10	VAFB – John Gilliland	Section I.3 is an annual number.
11	VAFB – John Gilliland	It is currently being drafted and will be available after in-house and county counsel review.
12	VAFB – John Gilliland	This test is only for liquid fueled units.
13	VAFB - John Gilliland	See sections F.1 and F.2.
14	So Cal Gas – Jim Fox	Only a Permit to Operate is required if no modifications or replacement is involved.
15	UCSB Housing – Mark Rousseau	No. See item 7 above.
16	Venoco - Laura Kranzler	See Section K of the rule. The staff report will include a rule compliance schedule and a flow chart.
17	Greka – Al Wedderburn	Yes, low NOx units are available for retrofit instead of replacing the entire unit.
18	ULA (at VAFB) – Rhonda Cardinal	See item 16 above
19	ULA (at VAFB) – Rhonda Cardinal	See item 7 above.
20	Greka – Al Wedderburn	Cogeneration units that use fired boilers are subject to this rule.
21	Greka – Ramzi Chaabune	The applicability of Rule 361 for units that have already received an ATC permit will be determined based on the date of installation and not the date of rule adoption. Installation means that the unit is in place, hooked up and is ready for use. Existing units requiring a permit per the Rule 202 revision are exempt from NSR per Rule 801.B
22	Greka – Ramzi Chaabune	See item 21 above
23	VAFB – Kim Harding	If a unit is installed after the date of rule adoption, it is a new unit and needs to comply with this rule.
24	Greka – Al Wedderburn	Yes. We have received comments from EPA (and CARB) stating that they believe that the 2020 compliance deadline seems too long/extended.

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25	VAFB – Kim Harding	No. See item 7 above .
26	ULA (at VAFB) – Rhonda Cardinal	See item 7 above
27	VAFB – Dave Savinsky	We used draft Rule 333 as the basis. See item 41 below.
28	Entrix – Kevin Wright	The APCD will continue to apply its stacking policy when the exemption threshold is lowered to 2.0 MM Btu/hr. Stacking is a “permitting” issue only. If a company installs two 1.8 MM Btu/hr boilers and the system is designed such that both units may be operated concurrently (i.e., the design heat input is greater than 2.0 MM Btu/hr), then a permit is required. If the second unit is solely a backup unit and the design criteria for the system is less than 2.0 MM Btu/hr (at all times), then a permit will not be required. In either case, the boiler rule that applies is determined based on the size of the individual unit (in this case, all would be subject to Rule 360 standards).
29	Greka – Ramzi Chaabane	Any unit installed after the date of rule adoption would need to comply with the emission standards of Rule 361. As such, it would be treated as a new unit. See item 21 above.
30	Greka – Ramzi Chaabane	The unit would be considered new since a permit had not yet been issued nor had the unit been installed. See item 21 above.
31	Greka – Ramzi Chaabane	For the purposes of Rule 361, moving an existing unit and installing it at a new location within a source would require the unit to meet the emission standards of Rule 361. The key is that you will be installing the boiler at a new location. The intent of Rule 361 is to make sure that new or modified installations (including replacements) meet the emission standards. That is why we are allowing for a long lead time for existing units that remain in place.
32	ULA (at VAFB) – Harley Santos	The compliance Section K has been revised to make this requirement clear.
33	ULA (at VAFB) – Harley Santos	These sections refer to Sections D.1 and D.2, so we believe that they are clear. However, we have added additional language to the Exemption Section B to make it clear that unaltered existing units are not subject to the requirements of Rule 361 until March 2016.
34	VAFB – Dave Savinsky	See item 7 above.
35	VAFB – Dave Savinsky	That is correct. See item 7 above.
36	VAFB – Dave Savinsky	Normal routine required maintenance to the unit does not trigger the requirements of Rule 361 on existing units. Work on the boiler that extends the useful life of the unit may trigger the definition of being modified and will be determined on a case-by-case basis.

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37	VAFB – Dave Savinsky	The APCD believes that 12 months is more than enough time to achieve compliance for small units of this size. Further, VAFB's practice of warehousing backup units makes this requirement even more viable.
38	VAFB – Dave Savinsky	Temperature and pressure corrected meter readings provide accurate fuel volume data using the APCD's base temperature and pressure standards. This ensures that data used to assess compliance with the low use exemption threshold is correct and accurate.
39	VAFB – Dave Savinsky	Five years was chosen for this rule due to the emphasis of tuning (in lieu of source testing) as the main compliance tool. Given the limited amount of records required by this rule, we believe that this requirement is not onerous
40	VAFB – Dave Savinsky	From a District-wide perspective it is important that these records be provided to the APCD once per year. Not all facilities enjoy the inspection frequency that VAFB has. Review of these records is not limited to field inspectors and the submittal allows the APCD to fulfill its compliance review requirements.
41	VAFB – Dave Savinsky	This APCD has made the requested change.
42	VAFB – Dave Savinsky	Site specific source test issues are handled via the Source Test Plan process. See item 3 above.
43	VAFB – Dave Savinsky	That is correct.
44	VAFB – Dave Savinsky	The tune-up report is a critical component of the alternative source test option. See item 1 above. The APCD's prior experience with boiler tune up records is unfavorable. Given that this is a compliance based alternative to source testing, it is essential that records be maintained in the manner specified by the APCD.

Questions 1 – 16: APCD Workshop August 28, 2007

Questions 17 – 27: APCD Workshop August 29, 2007

Question 28: Entrix E-Mail September 6, 2007

Questions 29-31: Greka E-Mail September 4, 2007

Questions 32-33: ULA letter September 19, 2007

Questions 34-44: VAFB letter September 13, 2007