

Rule 361 FAQs (Ver. 2.0)

1. *The “Boiler or Steam Generator” definition reads in-part as follows “... means any combustion equipment permitted to be fired with liquid and/or gaseous and/or solid fossil fuel, used to produce steam or to heat water.” Does this definition also include biofuels?*

Yes, biofuels are included. In such cases, the District permit must specifically allow for such use. The permit will address any specific fuel requirements (e.g., sulfur content).

2. *In Section F.2 of Rule 361, the last sentence of this section states “After the third required compliance source test, the District may, at its discretion, allow the owner or operator of the unit to perform tune-ups in lieu of source testing per the requirements of Section I.” What criteria will the District use to allow the owner or operator of the unit to perform tune-ups in lieu of source testing per the requirements of Section I?*

We will evaluate each request on a case-by-case basis. Criteria will include a review of the consistency of each source test run and how consistent the results are from test to test. If the results do not provide a high level of consistency, then we will not approve the use of the tuning option. Other criteria will include requiring a “buffer” of compliance and will be looking for two specific things. First, we will look to see if all runs for each source test were below the emission standards and second, we will look to see if each source test result (the average of all three test runs) provides a compliance buffer of at least 10 percent (e.g., 27 ppmv at 3% O₂ for NO_x). Lastly, we will look at the historical overall compliance history for the operator. Operators that do not have an above average compliance history will not be afforded this option.

3. *Section F.3 requires startup and shutdown intervals to last no longer than necessary for a unit to reach stable conditions/temperatures. What does the term “stable” mean (as used in this section)?*

The District’s meaning of the term stable is the same as used in Section 5.3 of the San Joaquin Valley APCD’s Rule 4307. Specifically:

- For units not equipped with a NO_x exhaust control, the duration of each start-up and each shut down shall not exceed one hour, except as provided below.
- For units equipped with a NO_x exhaust control, the duration of each start-up and each shut down shall not exceed two hours, except as provided below.
- The emission control system shall be in operation and emissions shall be minimized insofar as technologically feasible during start-up or shut down.
- Notwithstanding the requirements above, the District may approve a longer start-up or shut down duration, if the operator submits an application to modify the Permit to Operate which provides a detailed engineering justification for the requested additional duration.

4. *Rule 361 allows natural gas fired units to demonstrate compliance with emission limits in section D.1 by using district-approved portable oxides of nitrogen (NO_x) analyzers. Has the District developed a list of approved NO_x analyzers?*

Yes. The list of District approved portable analyzers (for NO_x and CO) was posted on our webpage on January 24, 2008. See <http://www.sbcapcd.org/eng/boiler/analyzers.htm>.

5. *The last sentence of Section I.3 states “If test firing exceeds 24 hours per year, then tune-ups shall follow the requirements of Section I.1”. How exactly is this time frame measured?*

The records that the operator keeps to qualify for the exception from the tuning requirements must include: the startup time, the shut down time and the elapsed time for each test firing occurrence. The log shall also include the aggregate year to date time of all test firing.

6. *Section J.3 states “Source testing shall be performed by a source test contractor certified by the Air Resources Board. District required source testing shall not be performed by an owner or operator unless approved by the Control Officer”. Is the District trying to say that it may consider allowing an owner or operator to perform source testing?*

Yes, but only if that same owner/operator is certified by the Air Resources Board and the APCD approves the request.

7. *If a permitted unit is moved within a stationary source, would it still be considered an existing unit?*

The question at hand is not a permitting issue as Rule 202.D.13 already addresses that. Rule 202.D.13 allows such movement under specific conditions (e.g., existing location not assumed as part of an AQIA or HRA). The issue at hand is compliance with the requirement of Rule 361 itself and the intent behind the development of the rule. In Rule 361, existing units are defined as being “installed” prior to the date of rule adoption. The replacement of an existing unit under Rule 361 triggers the requirements for new/modified units (i.e., must meet the NO_x and CO emission standards). This requirement for replacement units does not distinguish where the replacement unit comes from. As such, moving an existing permitted unit to replace another permitted existing unit clearly is a “replacement” unit as envisioned in the context of Rule 361 and therefore the replacement unit is subject to the emission standards of the rule.

Further, taking a unit that is installed at an existing location and installing it at a new location that is part of a project that expands an existing process or is part of a new process (e.g., building a tank battery to recovery additional oil reserves or starting up an enhanced oil recovery project) would be considered a new installation for the purposes of Rule 361. The rationale is that such activities would otherwise require a new unit to perform these functions. The basic tenet of the Rule 361 rule development process was that new/modified units would have to meet the emission standards of Rule 361. As such, moving an existing uncontrolled unit (most likely a unit that not operated in years)

to perform the function of what a new unit should be doing is counter to the intention of the rule and is not allowed without complying with the emission standards.

There are cases where moving a unit within the stationary source can be done without being subject to or treated as a new/modified under Rule 361. These include moving the unit to a different location within a building due to remodeling or seismic upgrade activities and the unit continues to perform its original work after the building upgrades (albeit at a different location within the building). Another example includes relocating the unit within a tank battery to accommodate the installation of a new tank or piping. In both cases, the unit returns to performing its original work for the given process.

In summary, there are cases where moving an existing unit would be treated as new/modified under Rule 361 (i.e., replacements) and other cases where the unit remains within the realm of the same process but has moved for reasons unrelated to replacement and/or a new process. Based on the inventory of units in question, we see this question only arising at oilfields that have older permitted out-of-service units on hand for which replacement (dirty unit for dirty unit) is being sought. Such a request is fundamentally at odds with the approach taken with developing Rule 361.

8. *How will stacking (i.e., grouping or multi-packing) of units less than 2.0 MMBtu/hr be handled??*

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).

9. *What are the compliance implications if the tuning procedure finds the unit out of compliance?*

Section F.4 of Rule 361 provides the detailed process for achieving compliance. Section F.4 states:

“Any owner or operator of any unit found not to be in compliance with Section D.1 requirements as a result of the tune-up procedure shall notify the District in writing within 7 days. The notification shall include a copy of the Rule 361 Tune-Up Report, the actions taken to get the unit into compliance, and the next steps to achieve compliance. Failure to bring the unit into compliance with the requirements of Section D.1 within 15 days of the initial tune-up attempt shall constitute a violation of this rule.”

One can also apply for a variance, as necessary

10. *Can we use portable analyzer procedures other than those specified in ASTM Test Method D-6522-00 for required boiler tune-ups? Can the portable analyzer calibration specifications be changed if the manufacturer has different specifications?*

The portable analyzer sampling procedures and quality assurance specifications shall adhere to ASTM Test Method D-6522-00 (reapproved 2005) unless an alternative procedure is approved in writing by the APCD for a specific source. The APCD considers the South Coast Air Quality Management District “Combustion Gas Periodic Monitoring Protocol” (May 1, 2009) to be an acceptable alternative. Portable analyzer calibrations and readings shall be done in accordance with the procedure approved for the source. Calibrations must follow the approved procedure regardless of the manufacturer recommendations.

The analyzer readings and calibration records shall be submitted as part of the Rule 361 Tune-Up Report. The Rule 361 Tune-Up Report may be found on the APCD Boiler Webpage at <http://www.sbcapcd.org/eng/boiler/boiler.htm>.

11. *Can we use a Tuning Procedure that is different from Procedure A and Procedure B in the Attachment to Rule 361?*

Yes. Rule 361 states (see the Note on each Tuning Procedure):

“The owner or operator may propose an alternative tuning procedure that meets the same basic requirements of the procedure outlined above for review and approval by the Control Officer. The District may assess fees to reimburse its costs associated with the review of the alternative procedure using either Section I.C.d or Section III.C of Rule 210. Control Officer approval of the alternative tuning procedure must be obtained in writing prior to its use.”

12. *What are the New Source Review implications if I replace my boiler in order to comply with the requirements of the new Rule 361 emission standards?*

Operators that replace their existing permitted boiler with a new unit to comply with the new Rule 361 will not be subject to NSR requirements (i.e., an NEI “I” term will not be assessed). As this is a required emission control the operator will not be credited with an NEI “D” term or ERCs. This only applies to the initial replacement; future boiler replacements will be subject to the NSR requirements (i.e., “I” term for the new boiler). This also applies to burner replacements.