

RESPONSE TO PUBLIC COMMENTS
August 28, 2007 - South County – SBCAPCD
August 29, 2007 - North County – Santa Maria Hearing Room
Letters Received as of September 26, 2007

NEW RULE 361 and PROPOSED AMENDED RULE 202

#	Comment from:	Comment	Staff Response
1	UCSB EH&S – Ali Aghayan	Why is tuning required 2 times per year?	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-NOx 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	Why not delay the CAC until October?	We are bringing this rule to the Board in December.
3	VAFB – John Gilliland	Section J.4.f. – One cannot always get a 30 minute test run. Any flexibility here? Sometimes cannot dump heat.	Site specific concerns such as this are dealt with via the Source Test Plan process.
4	UCSB EH&S – Ali Aghayan	Will the cost of permitting be like that of larger boilers?	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	What is the added emission reduction?	The CAP projects about 17 tons per year (0.0467 tons per day) NO _x reduction.

#	Comment from:	Comment	Staff Response
6	So Cal Gas – Jim Fox	We don't have to apply for permits until 2016?	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	What requirements will be in the permit when Rule 202 exemption goes away?	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 the unit operate 8760 hours per year at full load.
8	WSPA - Kevin Wright	Regarding the tuning procedure. What are the compliance implications? What if you find you are out of compliance?	Section F.4 provides the detailed process for achieving compliance. One can also apply for a variance, as necessary.
9	VAFB – John Gilliland	Section K.1. Do we have the list of APCD approved analyzers?	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. Boiler tuning. 24 hours per year is annual?	Section I.3 is an annual number.
11	VAFB – John Gilliland	When will the staff report be available?	It is currently being drafted and will be available after in-house and county counsel review.
12	VAFB – John Gilliland	What is a smoke spot test?	This test is only for liquid fueled units.
13	VAFB - John Gilliland	What about units that don't use utility natural gas?	See sections F.1 and F.2.

#	Comment from:	Comment	Staff Response
14	So Cal Gas – Jim Fox	Unsure of what will be required of existing units.	Only a Permit to Operate is required if no modifications or replacement is involved.
15	UCSB Housing – Mark Rousseau	Are facilities required to install fuel meter now?	No. See item 7 above.
16	Venoco - Laura Kranzler	Is there a compliance schedule available?	See Section K of the rule. The staff report will include a rule compliance schedule and a flow chart.
17	Greka – Al Wedderburn	Can units be retrofitted as opposed to be replaced to meet the rule requirements?	Yes, low NOx units are available for retrofit instead of replacing the entire unit.
18	ULA (at VAFB) – Rhonda Cardinal	What is the compliance schedule?	See item 16 above
19	ULA (at VAFB) – Rhonda Cardinal	What will be in the permit? Content, requirements?	See item 7 above.
20	Greka – Al Wedderburn	What about cogen units?	Cogeneration units that use fired boilers are subject to this rule.
21	Greka – Ramzi Chaabune	What about the replacement of old units with a new rule in progress? What happens with NEI?	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	We have an ATC into the APCD for non-installed units (totaling 4.5 MM Btu). Is the unit subject to Rule 361?	See item 21 above
23	VAFB – Kim Harding	What about units that have been purchased but not installed? We have several boilers in this size range in our warehouse(s).	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	Can EPA require stricter requirements?	Yes. We have received comments from EPA (and CARB) stating that they believe that the 2020 compliance deadline seems too

#	Comment from:	Comment	Staff Response
			long/extended.
25	VAFB – Kim Harding	Are fuel meters required for Section D.1 units?	No. See item 7 above .
26	ULA (at VAFB) – Rhonda Cardinal	What conditions will be in the PTO?	See item 7 above
27	VAFB – Dave Savinsky	How did we come up with the number 20 for Section J.1 (multiple units eligible for an alternative source test schedule for up to one half of the units every other year)?	We used draft Rule 333 as the basis. See item 41 below.
28	Entrix – Kevin Wright	Question regarding stacking of units.	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	Greka has 2 ATCs for external combustion units but the units have not been installed yet. If they are installed after Rule adoption would emission limits apply to them or would they be considered existing units?	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	If an application is submitted but an ATC has not been received yet would the unit be considered new or existing?	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	If a permitted unit is moved within a stationary source would it still be considered an existing unit?	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

#	Comment from:	Comment	Staff Response
			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	Make it clear that existing units must apply for a Permit to Operate upon rule adoption.	The compliance Section K has been revised to make this requirement clear.
33	ULA (at VAFB) – Harley Santos	Add additional compliance dates to Sections G through J.	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	Provide details regarding the permit conditions that will accompany SBCAPCD-issued Permits to Operate for existing units	See item 7 above.
35	VAFB – Dave Savinsky	At the 5 September 2007 meeting between VAFB and SBCAPCD, SBCAPCD stated that existing units or new units are not required to install fuel meters. Because the units are not metered, the emissions limits would be the potential to emit emissions	That is correct. See item 7 above.
36	VAFB – Dave Savinsky	Rule 361 defines a modified unit to mean any unit that has a burner or burners replaced or where the unit is replaced in its entirety on or after the rule adoption date. Modified units are considered new units. VAFB does not consider replacement of electrical systems, refractory linings, fasteners used to secure the burners, and other non-burner related parts to be a modification for the purposes of this rule.	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.
37	VAFB – Dave Savinsky	VAFB requests the SBCAPCD revise the Rule 361 12-month compliance requirement to be 18 months.	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.

#	Comment from:	Comment	Staff Response
38	VAFB – Dave Savinsky	VAFB requests the SBCAPCD remove the temperature and pressure corrected portion and revise the fuel meter requirement.	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	Rule 361 requires records be maintained for a period of five years. Revise to three years.	Five years was chosen for this rules 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	VAFB requests the remove all annual reporting requirements. Sources test reports are already required to be submitted to the District and VAFB is routinely inspected by the SBCAPCD. These records will be maintained by the applicable operator and made available upon request.	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	Rule 361 provides flexibility on a source test schedule for facilities with more than 20 boilers. VAFB requests the SBCAPCD lower this to ten (10) boilers. Source testing up to ten boilers in one year is challenging. Additionally, VAFB already is subject to other SBCAPCD rule and permit-required source testing schedules. Lowering the boiler total to ten provides VAFB operational flexibility to ensure rule compliance	This APCD has made the requested change.
42	VAFB – Dave Savinsky	Rule 361 requires “At a minimum, three 30 minute test runs be performed for compliance with Sections J.4.a and J.4.b”. VAFB requests the SBCAPCD revise to verbiage to state: “When operationally feasible, three 30 minute test runs shall be performed for compliance	Site specific source test issues are handled via the Source Test Plan process. See item 3 above.

