

Frequently Asked Questions (Ver. 1.4)¹ for the Reg. II, Rule 333 Project

Frequently Asked Questions Rule 202 - Exceptions to Rule 201

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Temporary Equipment

[Existing FAQ on Our Web Site]

Q: Please clarify the temporary equipment exemption. What is the distinction between the 60 day period limit and the consecutive 12 month period? For adding up the emissions for a source to comply with the 1 ton limit, do we total all the temporary equipment emissions or do we treat each emissions unit separately with its own emission limit?

A: The 60 day period applies to individual emission units and limits any one unit from operating under the exemption for any time period exceeding 60 days. This 60 day period must be within a consecutive time frame and is not intended to allow for sporadic use through out the year. The 12 month consecutive time period ensures that the intent of the exemption is maintained by disallowing use of the same emission unit for a 120 day period if the calendar year basis was used. The 1 ton limit applies all emission units within a consecutive 12 month period.

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Temporary Equipment – Short Term Use

[Existing FAQ on Our Web Site]

Q: Does the Temporary Equipment exemption (Section D.5) include short term operation of permitted equipment in a way that is not permitted, say a short term trial of equipment limits, or a "fault finding" search to determine why equipment can't quite meet BACT requirements under certain conditions?

A: No. The exemption is for new equipment only. Testing, shake-down and debugging activities for compliance with BACT standards is why the APCD has a Source Compliance Demonstration Period during the construction phase (i.e., with ATC permit issuance). Once the source has a Permit to Operate, they may seek administrative relief via APCD Regulation V (Variances).

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¹ Upon adoption of the proposed amended Rule 202, the APCD intends to place these proposed FAQs on the APCD Web Page (i.e., the Web Page at: http://www.sbcapcd.org/eng/nsr/faq_202.htm#201-1). To provide a comprehensive overview of the existing and proposed FAQs, this document includes the existing FAQs that interrelate to proposed new FAQs.

Temporary Equipment – Examples

[Existing FAQ on Our Web Site]

Q: *Examples of temporary activities that qualify for the temporary equipment exemption (202.D.5) include, but are not limited to:*

A:

- ICE's from cranes, welders, jack hammers, etc. used during the demolition of a source or part of a source.
- Replacement or use of equipment during a breakdown situation.
- Demonstration equipment being used to determine feasibility (not lab test equipment).
- Any short-term, one-time project that requires equipment that pollutes is eligible if it meets the 1 ton criteria of all affected pollutants. The Portable Equipment Registration Rule is intended to handle portable equipment that emits more and is used for longer periods of time.
- While written notification is required, the project may commence as soon as notification is made without waiting for approval from the APCD. However, if a project commences with equipment that is later found not eligible for the exemption, the commencement will constitute a violation of the APCD's Rules and Regulations



Temporary Equipment – Method for Determination Compliance with the 60-day and 1 ton per 12 Months Provision

[Reference Proposed Amended Rule 202.D.5]

Q: *Can the APCD clarify how the 60-day provision works in practice? That is, how compliance with the rule's 60 days and 1 ton per 12 months provisions are determined.*

A: The 60 day time period is a continuous period starts the first day the equipment is used. Once started, the 60 day period is not stopped and re-started. The equipment may be used any time within the 60 day period and may leave and return to the site. Compliance with 60 day requirement is based on the start date. Compliance with the 1 ton is based on a compilation of the rolling 12-month emissions as provided in the company's written exemption requests.



Equipment “Stacking”

[Reference Proposed Amended Rule 202.D.15]

Q1: *How is it determined that equipment is “stacked” or “used in the same process”?*

A1: The APCD uses the engineering basis and system demands to determine that equipment is “stacked” or “used in the same process.” Such analysis will involve looking at the equipment's or system's maximum energy needs or demands under a worst-case scenario.

- Example 1: A design basis is such that ten 1 million British thermal units per hour (MMBtu/hr) boilers can be required at any one time. For this case, we would consider that equivalent to a single 10 MMBtu/hr boiler.
- Example 2: A source installs two 4 MMBtu/hr boilers that are fired exclusively on natural gas. One is for primary use and one is standby. The design heat demand is 4 MMBtu/hr. Thus, the boilers in this configuration are not considered to be used in the same process (stacking).
- Example 3: An electric generator has two 30 brake horsepower internal combustion engines that drive a single shaft concurrently. The power demands are such that both engines typically need to run simultaneously. The configuration is considered to be used in the same process and a total rating of 60 brake horsepower would be used for determining permitting applicability (but Rule 333 would not be applicable).

Q2: *A source is not sure if its existing equipment configuration constitutes “equipment stacking” and may require permitting. How can the source get an SBCAPCD determination about the configuration and its exemption/permitting status?*

A2: The source should complete an APCD Form - 38, "Request for Written Determination of Permit Exemption," and submit it along with the fee.

Q3: *Will stacked equipment be subject to the requirements of the prohibitory rules and other regulations?*

A3: Stacked equipment is subject to NSR provisions (e.g., BACT) for all units as one. For control measures such as Rule 342 and Rule 333, each unit is individually assessed for rule applicability.

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Construction

[\[Existing FAQ on Our Web Site\]](#)

Q: *In Section F.3 (IC Engines), does the 25 ton limit include fugitive dust emissions associated with the construction operation?*

A: Yes. The 25 ton threshold applies to all pollutants emitted during the construction process. Also, the 25 ton threshold applies to each pollutant, and is not aggregated.

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Construction – Projected Actual Emissions and Offsets

[\[Reference Proposed Amended Rule 202.D.16\]](#)

Q1: *How are fugitive dust emissions calculated when mitigation techniques are used?*

A1: The potential to emit is determined taking into account the dust mitigation techniques. These assessments are done on a case-by-case basis using the best available emission calculations tools.

Q2: *At what point would the 25 tons per year offset requirement for construction equipment be necessary?*

A2: Offsets are required prior to exceeding the 25 tpy projected actual emissions threshold. That is why the term "projected" is used.

Q3: *There is a concern that an interpretation might be made that includes all construction projects within a stationary source for the 25 ton total. For example, industry does not believe that a water line project and/or construction of a building within a large stationary source, not requiring an ATC, are subject to this 25 ton cap. This is analogous with other construction projects occurring in Santa Barbara County (e.g., Housing developments, large parking structures, or UCSB construction projects).*

A3: The method for determining that a construction activity may be subject to offsets under the proposed new Rule 202.D.16 provision will be the same method used for the current Rule 202.F.3 provision. Only construction projects involving ATC permits are subject to this requirement.

Q4: *Can the offset provisions be applied on a project or facility basis?*

A4: No. Current Rule 202.F.3 specifies the requirement is for construction equipment used to construct a stationary source that requires an ATC. The proposed new Rule 202.D.16 text is essentially the same as current Rule 202.F.3. Stationary sources may opt to tally the total stationary source construction emissions on a project or facility basis, but the offset requirement is triggered on a stationary source basis; not on a project or facility basis.

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Construction Engines

[\[Reference PAR 202.D.16 and Current Rule 202.F.2\]](#)

Q: *Who is responsible to get the permit or a PERP for a construction engine, the contractor or the source?*

A: Ultimately the stationary source will be held accountable for the permitting or registering in the PERP of construction engines. The APCD recommends that sources put something in their request for bids or contracts requiring that all construction engines be registered in the PERP or be permitted.



Derated Engines - Permitting Requirements

[Reference Proposed Amended Rule 202.F.1.e - g]

Q: *Will my derated engine need to be permitted?*

A: Yes, unless the engine rated brake horsepower before the derating was such that the engine would not require a permit.

- Example 1: A diesel engine with an original manufacturer's nameplate rating of 48 brake horsepower is derated to 40 brake horsepower. Under Rule 202.F.1.e, the engine with the original manufacturer's nameplate rating of 48 brake horsepower was exempt. Thus, the derated engine is exempt.
- Example 2: A spark ignition engine with an original manufacturer's nameplate rating of 75 brake horsepower is derated to 40 brake horsepower. Under proposed amended Rule 202.F.1.f, the engine had an original rating of 75 brake horsepower, which is above the 50 or greater brake horsepower permitting threshold. Thus, the derated engine requires a Permit to Operate (PTO).[†]
- EXAMPLE 3: A spark ignition engine with an original manufacturer's nameplate rating of 45 brake horsepower is derated to 25 brake horsepower and it is located at a source that requires engines in the > 20 to < 50 brake horsepower to be permitted. Under proposed amended Rule 202.F.1.f, the engine with an original rating of 45 brake horsepower is not exempt. Thus, the derated engine requires a PTO.[†]
- EXAMPLE 4: A source has eleven spark ignition engines only. These engines are derated. Each of the engine original equipment manufacturer (OEM) nameplate ratings (before derating) is 40 brake horsepower. Thus, a tally of the OEM nameplate ratings for these engines equals 440 brake horsepower (11 engines times 40 brake horsepower/engine). Since the aggregate exceeds 400 brake horsepower, all engines need a permit. The owner or operator cannot permit just 2 engines derated to 10 brake horsepower so the aggregate becomes 380 [(2 engines times 10 brake horsepower/engine) + (9 engines times 40 brake horsepower/engine)] and get an exemption for the other 9 engines. Once the requirement to permit all engines in the > 20 to < 50 brake horsepower range has been triggered, they shall not become exempt by the application of the derated brake horsepower ratings. Ratings of engines permanently removed will be excluded from new aggregate totals assessed pursuant to Authority to Construct modifications.[†]

[†] Figure 1 ([available here](#)) shows an overview of the Rule 202.F.1.f permit exemption provisions.



Derated Engines - Certifications and Enforceable Deratings

[Reference Proposed Amended Rule 202.F.1.e - g]

Q1: *My derated engines have been previously listed on a SBCAPCD PTO. Will I need to have additional derating certifications or power rating tests performed on my engine under the revised rules?*

A1: If the engine deratings are (1) not enforceable and (2) not APCD-approved on a Permit to Operate, then submittal of the documentation may be necessary. It is suggested that sources with engines in this category work closely with the Engineering & Compliance Division staff to determine what information needs to be submitted and what information is already on file with the APCD.

Q2: *If the engine manufacturer re-issues an engine nameplate to reflect the engine's new continuous brake horsepower rating with an orifice plate or some other kind of physical limiting method, can the rating on the re-issued nameplate be considered to be the engine's rated brake horsepower?*

A2: No, the APCD will use the engine manufacturer's originally issued nameplate as the engine's brake horsepower rating, unless the APCD issues a PTO for the derated engine. For the purposes of Rule 333 applicability, the APCD

will consider an engine that has an enforceable derating, that has been certified, and is subject to a PTO to have a modified rated brake horsepower based on the derated brake horsepower figure.

Q3: *My company has several unpermitted derated engines. Will I need to submit certification documentation to substantiate the engine deratings?*

A3: The answer is "Yes." If a permit is required for the ICEs, then certification documentation will need to be submitted.

The APCD needs to issue PTOs for derated engines that would otherwise require a permit to ensure that the engine deratings are enforceable and maintained. The derating certification data needs to be submitted with the PTO application. It is suggested that sources with engines in this category work closely with the Engineering & Compliance Division staff to determine acceptable material that needs to be submitted with the application.

Q4: *My engine has an orifice plate inserted between the carburetor and the engine's intake manifold. There is a tab on the orifice plate that clearly shows the size of the orifice. Is this sufficient to show my engine is properly derated?*

A4: Assuming that the engine was derated and certified as derated by procedures approved by the APCD and it is subject to a permit, it is not enough that the orifice plate's tab is stamped correctly. We have physically checked orifice plates and found that they can deteriorate overtime. Thus, it is necessary that the orifice plate actually be in compliance with the specifications as well as being marked with its appropriate size.

Q5: *I believe my company derated engines from 75 brake horsepower to < 50 brake horsepower. But, there are no permits for them to reflect their deratings because they have always been exempt under the 500 brake horsepower exemption provision. How do I obtain a concurrence from the APCD that these engines are derated?*

A5: These engines will require permits under the proposed revised Rule 202. Information on the deratings should be submitted with the applications for Permit to Operate. Depending on the method of derating and past derating certification documentation, additional analysis may be required.

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Solvent Wipe Cleaning Exemption Recordkeeping

[Reference Current Rule 202.U.3]

Q: *As an operator of a large complex with several stationary sources and several facilities, am I permitted to track solvent use on a facility basis?*

A: Yes, as long as each facility solvent use is totaled for the stationary source for determining compliance with the Rule 202.U thresholds. Rule 202.U has an overall 10 tons per year threshold. Rule 202.U.2 has a solvent tank area aggregate threshold of 10 square feet for tanks with less than 1 square foot of area. And, Rule 202.U.3 has a wipe cleaning threshold of 55 gallons per year.

Designation of facilities and facility numbers are a construct of the APCD permitting process. Facilities are a subset of stationary sources. Thus, if an operator of a large complex desired to track solvent usage on a facility basis, the APCD would not have a concern, provided the operator properly aggregates all of the facility solvent usage and tank area data within the stationary source and is able to provide the stationary source data in support of exemption claims.

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Engine Electronic Management Fuel Metering

Q: *Will the APCD accept onboard electronic engine fuel metering systems?*

A: Yes, on an engine model-by-model basis and if the engine is set up to display the totalized fuel reading without the need to have an engine technician on site to retrieve the data. Monthly fuel readings are still required to be logged. For each engine fuel metering system, the APCD will require an initial validation test using an external calibrated fuel meter as well as a fuel use monitoring plan for the permit.

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Various Location Equipment Exemption

Q: *What is the basis for the various equipment exemption under Rule 202.D.17?*

A: This new exemption was added to allow for the use of permitted “various locations” equipment at existing stationary sources where the equipment is not owned by the stationary source using the equipment. The intent of this exemption is to allow for the use of equipment for repair or maintenance related activities without the need for the stationary source owner or operator to comply with the New Source Review regulations. The equipment owner or operator will have a District Permit to Operate that specifically states that the equipment can be used at various locations and has conditions related to District notification and other restrictions of use. The type of activities envisioned for this exemption primarily includes tank degassing equipment and tank bottoms dewatering equipment.

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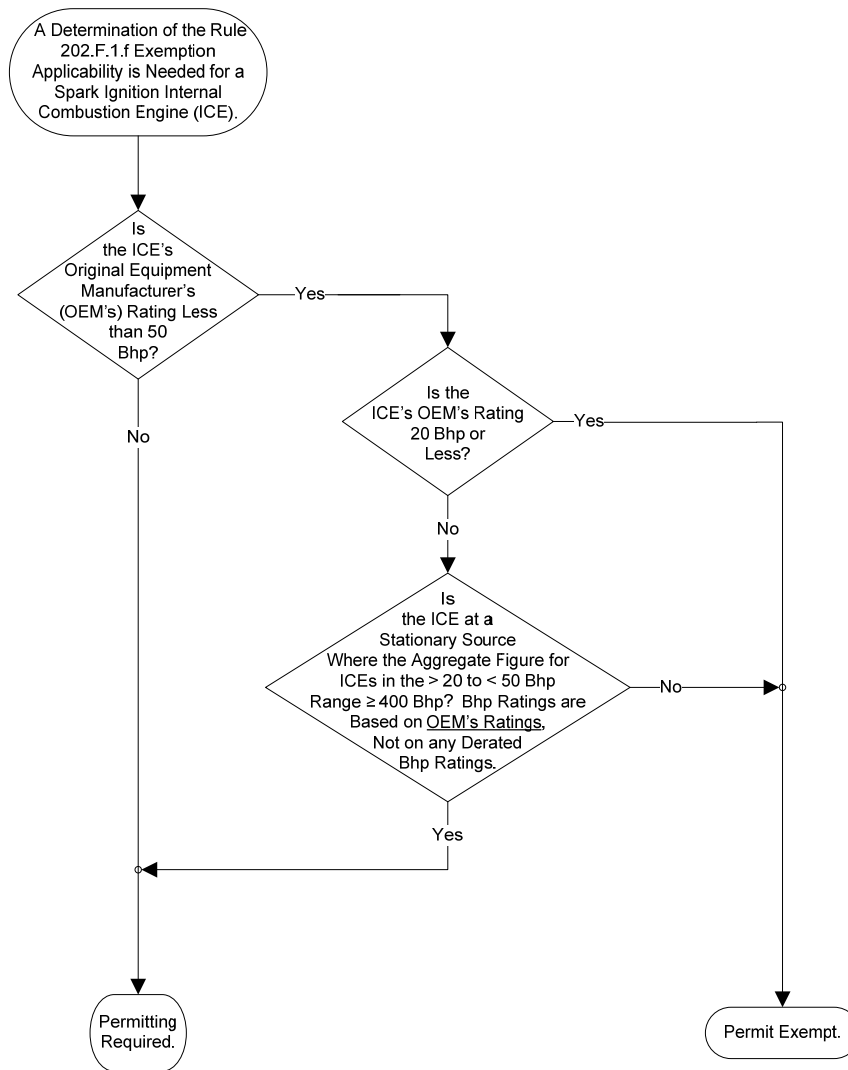


Figure 1. Overview of the Rule 202.F.1.f permit exemption provisions for spark ignition internal combustion engines.¹

1. These flowcharts are presented on an informational basis to assist the reader in understanding the requirements. If there is any conflict between the flowcharts and the rule, rule text takes precedent.

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