



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## California Environmental Quality Act

### NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION

**LEAD AGENCY:** Bay Area Air Quality Management District

**Contact:** Julian Elliot

**Phone:** 415-749-4705

**SUBJECT: NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION PURSUANT TO SECTION 21092 AND 21092.3 OF THE PUBLIC RESOURCES CODE AND CEQA GUIDELINES SECTION 15072**

**Project Title:** Regulation 9, Rule 7: Nitrogen Oxides and Carbon Monoxide from Industrial, Institutional and Commercial Boilers, Steam Generators and Process Heaters

**Project Location:** The rules and proposed amendments apply within the Bay Area Air Quality Management District ("District"), which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties.

**Project Description:** The District has regulatory authority over stationary sources of air pollution in the San Francisco Bay Area. Regulation 9, Rule 7 sets emission limits for nitrogen oxides (NOx) and carbon monoxide (CO) from boilers, steam generators and process heaters in order to reduce ozone-forming emissions to the atmosphere, and reduce exposure to CO. The rule requires gaseous fuel-fired devices of 10 million BTU/hr (MM BTU/hr) heat input and above to meet a 30 parts per million by volume (ppmv) NOx emission limit unless it has an annual heat input of less than 90,000 therms. The proposed rule will:

- Expand the rule to apply to gaseous fuel-fired devices with a heat input rating greater than 2 MM BTU/hr and establish NOx and CO emission limits for these devices;
- Reduce the NOx emission limit for devices already subject to this rule;
- Establish a manufacturer certification requirement for new devices greater than 2 and less than 10 MM BTU/hr, operator registration requirements for new and existing devices in this size range, and a prohibition of commerce in uncertified devices; and
- Establish insulation requirements, stack gas temperature limits and tune-up requirements for devices over 2 MM BTU/hr. In addition, the proposed amendments provide new exemptions from some of the requirements; new definitions; and administrative, recordkeeping and monitoring requirements where necessary to clarify and enforce the provisions in the rule.

In addition, proposed amendments to Regulation 3: Fees will add a registration fee of \$425 per facility for devices requiring registration, with an additional \$50 per device after the first. Amendments to the District Manual of Procedures will add procedures to monitor surface temperatures, stack gas temperatures and blowdown rates for boilers and steam generators.

**Negative Declaration:** A copy of the Negative Declaration is available for review on the District's website at [http://www.baaqmd.gov/pln/ruledev/regulatory\\_public\\_hearings.htm](http://www.baaqmd.gov/pln/ruledev/regulatory_public_hearings.htm) and at the District office at 939 Ellis Street, San Francisco.

Written comments on the Negative Declaration must be addressed to Julian Elliot, Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, California, 94109 or to [jelliot@baaqmd.gov](mailto:jelliot@baaqmd.gov). The review period for the Negative Declaration is from Monday, June 30, 2008 until 5:00 p.m. on Monday, July 21, 2008.

**Public Hearing:** On Wednesday, July 30, 2008 at 9:45 a.m., the Board of Directors of the Bay Area Air Quality Management District (BAAQMD) will conduct a public hearing to consider amendments to Regulation 9, Rule 7: NOx and CO from Industrial, Institutional and Commercial Boilers, Steam Generators and Process Heaters; Regulation 3: Fees, Schedule R: Equipment Registration Fees; Manual of Procedures, Volume I, Chapter 5: Boilers, Steam Generators and Process Heaters Tuning Procedure; and the adoption of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA). The hearing will be held in the 7th floor Board Room of the District Office, 939 Ellis Street, San Francisco.