

Comments received at 6/30/00 Public Workshop on Regulation 2 (Permit) Rules

- Comment: Is there going to be a compliance advisory regarding the monitor maintenance requirements?
Response: Yes. Training will be provided to the inspectors, and a compliance advisory will be distributed.
- Comment: The intent of applying “applicable” monitor maintenance requirements is not clear. Consider requiring prior District approval of deviations from manufacturer recommendations. On the other hand, if operators are comfortable with the uncertainty resulting from discussing deviations only when the District specifically asks about it, the proposed language is OK.
Response: We have revised the language to clarify that, in order to deviate from manufacturer recommendations, the operator must follow substitute procedures. These procedures must justify deviations from manufacturer recommendations. Operators who wish to be certain that their monitor maintenance practices are acceptable to the District may submit their procedures to the District for review & concurrence. Otherwise, the review will occur as part of the enforcement investigation at the time a monitor is determined to be malfunctioning.
- Comment: We need a clearer definition of “emergency” for emergency standby engines.
Comment: The size basis for exemption for emergency standby engines should be 60,000 hp-hr.
Comment: The size basis for exemption should be left at 5 TPY (because engine controls could improve). Alternatively, if the size basis remains, allow a facility to opt out based on emission calculations.
Comment: Emissions for turbines are much different than emissions from IC engines.
Response: We have decided to hold a separate workshop and hearing to deal with emergency standby engines. Staff propose to leave the exemption unchanged until that happens.
- Comment: What happens when the [hours of operation for standby engines] exemption criteria are exceeded?
Response: If the 200 hours is exceeded, the source loses its exemption. The operator must submit a permit application within 90 days of exceeding the level. If subsequently, the operator anticipates never having to exceed 200 hours again, then the source may be exempt. Subsequently, exceeding 200 hours will be a violation.
- Comment: If a source has an interruptible power supply contract, can operation be considered an “emergency?”
Response: No. Such engines may be fired under conditions that the District does not consider to be an emergency. Such engines must have permits.
- Comment: Provide guidance for loss of exemption procedure for engines.
Comment: What happens if a source flunks a risk assessment after being asked to apply for a permit? (New vs. Existing)

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- Response: We are currently trying to identify operators of emergency standby generators, in order to provide a compliance assistance notice and a workshop on our proposal to eliminate the permit exemption. We will develop guidance as part of that outreach effort.
- Comment: emission levels: CARB certification vs. EPA certification vs. uncertified engines (using Mfg data from EPA test). Why must emissions be based on CARB or EPA certification? Why can't manufacturer's data be used.
- Response: Even if the manufacturer follows EPA testing procedures, uncertified engines don't have the same QA/QC as certified engines. The QA/QC is an important contribution to the credibility that the District gives to certification. The District does not require startup compliance tests for these engines based upon the credibility of the certification process.
- Comment: Why is diesel particulate being singled out [in the changes to IC engine exemptions included in the workshop proposal]?
- Response: We were trying to clarify requirements so that the operator can assure compliance using available data. This change has been removed from the staff proposal.
- Comment: Clarify staff report requirement that change of raw material constitutes a modification (issue: change in feedstock at refineries).
- Response: The staff report and the rule have been revised to allow for change of composition that 1) are anticipated by the permit, and 2) do not result in an emission increase.
- Comment: Daily limits should not apply to loading racks.
- Comment: Throughput limits should not apply to sources where emissions are not proportional to throughput (eg baghouse, process units)
- Response: District will not amend regulatory requirements for these sources because they apply, and are not onerous; control requirements are reasonable, and offsets are not significant.
- Comment: Identical replacement vs. equivalent. Will this make maintenance impossible? Many times, the need to replace a component is not apparent until the unit has been shutdown and torn apart. If an identical replacement part cannot be found, and an equivalent one is used, the facility can either wait for District review (for equivalence), or risk being penalized for modifying without a permit (if the review determines that the replacement was not equivalent).
- Response: All non-identical replacements need to be reviewed by District staff in order to confirm that there is no emission increase. We do not want to slow down or interfere with maintenance during turnaround. The accelerated permit program allows the operator to proceed once a complete application is submitted. If the operator perceives that there is a likelihood that the modification may affect emissions, however, preconstruction review is essential in order to avoid a NSR violation. If the operator perceives that there is no such risk, the operator can proceed

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with the change, in advance of District review, with confidence. There have been too many instances of “equivalent” replacements which, in fact, were not equivalent from an emission standpoint. These changes substantially affected emissions, but never went through new source review.

ATTENDEES

Diane Van Schoten	AMD
Dan Phelan	BALIA
Chuck Solt	Catalytica
Alex Stiem	Chevron
Bob Chamberlain	Chevron
Mike Smylie	Environ
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Barbara Huchenhain	Equilon
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Karl Lany	SCEC
Dale Iverson	Tosco/Rodeo
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