



PUBLIC HEARING NOTICE

October 1, 2006

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **PUBLIC HEARING: PROPOSED AMENDMENTS TO REGULATION 9, RULE 6: NITROGEN OXIDES FROM NATURAL GAS-FIRED WATER HEATERS**

On **Wednesday, November 7, 2007**, the Board of Directors of the Bay Area Air Quality Management District will conduct a public hearing to consider proposed amendments to **Regulation 9: Inorganic Gaseous Pollutants, Rule 6: Nitrogen Oxides from Natural Gas-Fired Water Heaters**, and to consider adoption of a CEQA Negative Declaration. The hearing will be held in the 7th floor Board Room of the District Office, 939 Ellis Street, San Francisco. **District Board meetings commence at 9:45 a.m.**

Regulation 9, Rule 6 sets emission limits for nitrogen oxides (NOx) from residential water heaters. The rule applies to water heaters with 75,000 Btu/hr heat input or less sold, offered for sale or installed in the District. Proposed amendments to Regulation 9, Rule 6 would reduce NOx emissions from natural gas-fired water heaters and small boilers. The proposed amendments will:

1. Expand the scope of the rule to regulate NOx emissions from water heaters and small boilers from 75,000 Btu/hr up to 2 million Btu/hr heat input;
2. Regulate NOx emissions from mobile home water heaters and commercial pool and spa heaters that are currently exempt from the standards in the rule; and
3. Establish more stringent NOx limits for all affected equipment.

The amendments will require that water heaters and boilers sold, offered for sale or installed in the District comply with more stringent NOx emissions standards effective on January 1, 2009 for some water heaters, and from January 1, 2010 through 2013 for other equipment. The proposed amendments will fulfill the District's commitment to examine amendments to Regulation 9, Rule 6 as stated in control measure SS-13 from the Bay Area 2005 Ozone Strategy.

Pursuant to the California Environmental Quality Act (Public Resources Code § 21000 et seq.), an initial study for the proposed amendments has been conducted, concluding that the proposed amendments would not have significant adverse environmental impacts. Notice is hereby given that the District intends to adopt a negative declaration for the amendments pursuant to Public Resources Code section 21080(c) and CEQA Guidelines section 15070 et seq.

The draft CEQA environmental checklist and negative declaration will be available on the District's website at http://www.baaqmd.gov/pln/ruledev/regulatory_public_hearings.htm or may be requested by calling Lilia Martinez at (415) 749-4664.

Comments relating to the CEQA analysis should be addressed to Guy Gimlen, Air Quality Engineer, Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, CA 94109. Comments also can be sent by fax to (415) 749-4734 or by e-mail to ggimlen@baaqmd.gov. Comments on the negative declaration will be received from Monday, October 1, 2007 until 5:00 p.m. on Monday, October 22, 2007.

A hearing notice, a draft of the amended rule and a staff report will be available on the District's web site at http://www.baaqmd.gov/pln/ruledev/regulatory_public_hearings.htm, or by request, at least 30 days before the public hearing. Questions, comments, or requests for copies of the proposed amendments to rule should be directed to Guy Gimlen at (415) 749-4734, or via e-mail to ggimlen@baaqmd.gov. Comments on the draft rule will be received from Monday, October 1, 2007 until 5:00 p.m. on Monday, October 22, 2007.