



PUBLIC HEARING NOTICE

June 30, 2008

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **PUBLIC HEARING: PROPOSED AMENDMENTS TO REGULATION 9, RULE 7: NITROGEN OXIDES AND CARBON MONOXIDE FROM INDUSTRIAL, INSTITUTIONAL AND COMMERCIAL BOILERS, STEAM GENERATORS AND PROCESS HEATERS**

On **Wednesday, July 30, 2008**, the Board of Directors of the Bay Area Air Quality Management District will conduct a public hearing to consider adoption of proposed amendments to **Regulation 9: Inorganic Gaseous Pollutants, Rule 7: Nitrogen Oxides and Carbon Monoxide from Industrial, Institutional and Commercial Boilers, Steam Generators and Process Heaters**, as well as associated amendments to Regulation 3: Fees, Schedule R: Equipment Registration Fees and to the Manual of Procedures, Volume I: Enforcement Procedures, Chapter 5: Boiler, Steam Generator and Process Heater Tuning Procedure, and also to consider approval 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 7 sets emission limits for nitrogen oxides (NO_x) and carbon monoxide (CO) from boilers, steam generators and process heaters used in industrial, institutional and commercial applications in order to reduce ozone forming emissions to the atmosphere, and reduce emissions of CO. The rule currently requires each gaseous fuel-fired device of 10 million BTU/hr (MM BTU/hr) heat input and above to meet a 30 parts per million by volume (ppmv) NO_x emission limit unless it has an annual heat input of less than 90,000 therms. The proposed amendments will implement control measure SS-12 from the Bay Area 2005 Ozone Strategy. The proposed amendments:

- Expand the rule applicability for gaseous fuel-fired devices to those with a heat input rating of greater than 2 MM BTU/hr and establish NO_x and CO emission limits for this size category;
- Reduce the NO_x emission limit for devices already subject to this rule;
- Establish a manufacturer certification requirement for new devices with a heat input rating 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.

Proposed amendments to Regulation 3: Fees will add a registration fee of \$425 for a device requiring registration, per facility, with an additional fee of \$50 for each additional device at the facility. Amendments to the Manual of Procedures will add procedures to monitor surface temperatures, stack gas temperatures and blowdown rates for devices subject to these requirements.

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 proposed amendments, staff report and Negative Declaration are available at the District website: http://www.baaqmd.gov/pln/ruledev/regulatory_public_hearings.htm. Comments on the proposed rule and Negative Declaration may be directed to Julian Elliot, Senior Air Quality Engineer, Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, California, 94109, or via e-mail at jelliot@baaqmd.gov. **Written comments on the regulatory proposal and Negative Declaration will be accepted until 5:00 p.m. on Monday, July 21, 2008.**

PUBLIC TRANSPORTATION

MUNI -- #47 AND 49 NORTH AND SOUTH ON VAN NESS AVENUE

BART -- CIVIC CENTER STATION 8TH AND MARKET STREETS

Attendees are encouraged to ride public transit, rideshare, bicycle, walk or use other non-motorized modes to and from the District.