

Proposed Amended Rule 219 - Equipment Not Requiring a Written Permit Pursuant to Regulation II

Proposed Amended Rule 222 - Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II

WORKING GROUP MEETING #4



South Coast AQMD
September 22, 2022
1:00 PM

Join Zoom Webinar Meeting:

<https://scaqmd.zoom.us/j/96619294505>

Zoom Webinar ID:

966 1929 4505

Teleconference Dial In: +1 669 900 6833

Agenda

Working Group Meeting #3 Recap

Response to Comments

Initial Preliminary Draft Rule Language

Next Steps

Working Group Meeting #3 Recap

- Responded to stakeholder comments and updated proposed rule language
- Provided new proposed language for
 - Exceptions provision
 - Provisions addressing potential deficiencies identified by U.S. EPA
- Presented examples of
 - Rule 222 references in PAR 219
 - Changes to Rule 222

Stakeholder Comments From Previous Working Group Meeting

Comment #1

Can facilities use the highest VOC content from material in a product line to calculate VOC emissions for recordkeeping purposes?

Comment #2

Clarify what constitutes an identical replacement, and how South Coast AQMD will determine if an identical replacement at a federal major source is exempt per USEPA guidance

Comment #3

The proposed UV/EB/LED provision may penalize facilities for switching to a UV/EB/LED operation if it contradicts the existing permit

Comment #4

The proposed UV/EB/LED provision should allow for changes to the air pollution control equipment, as long as the APCE operates as intended

Comment #5

What constitutes a written notification in the Exceptions provision?

Comment #1: Can facilities use the highest VOC content from material in a product line to calculate VOC emissions for recordkeeping purposes?

- Responses
 - Yes, facilities can choose to use a higher VOC content than is listed on the material to streamline recordkeeping
 - However, this could lead to overestimating emissions, and potentially exceeding exemption limits
 - Staff report will clarify that this is an acceptable method to maintain records

Comment #2A: Clarify what constitutes an identical replacement

- Responses

- Identical Equipment is defined in South Coast AQMD Rule 301 - Permitting and Fees (amended May 6, 2022)

Rule
301
(b)(20)

IDENTICAL EQUIPMENT means any equipment which is of the same make and model, and is to be operated by the same operator, and have the same equipment address, and have the same operating conditions and processing material to the extent that a single permit evaluation would be required for the set of equipment. Portable equipment, while not operating at the same location, may qualify as identical equipment.

- Reference to Rule 301 added to PAR 219, subparagraph (d)(3)(C)

Comment #2B: How will South Coast AQMD determine if an identical replacement at a federal major source is exempt per USEPA guidance

- Responses

- To ensure consistency with federal regulations, “identical replacement” has been removed from PAR 219, paragraph (d)(3)(D), which applies to federal major sources
- Replaced with “routine maintenance, repair, or replacement” per USEPA’s suggestion

(d)(3)(D)	<p>Identical <u>Routine maintenance, repair or replacement</u> of a part of any equipment at a facility that is a federal major source, as defined in the Code of Federal Regulations under Title 40 Part 51 Section 165 or Title 40 Part 52 Section 21 as they exist on <i>[Date of Rule Amendment]</i>, where a permit to operate had previously been issued for such equipment, upon Executive Officer approval and based on USEPA guidance in determining routine maintenance, repair, or replacement.</p>
-----------	---

Comment #3: The proposed UV/EB/LED provision may penalize facilities for switching to a UV/EB/LED operation if it contradicts the existing permit

- Responses

- Removed language containing the word “operation” when referring to complying with permit conditions
- Equipment is still required to be consistent with permits
- Example of revision in (d)(8)(H)(ii):

(ii) The equipment ~~or operation is operated in accordance~~ complies with the conditions specified in the existing Permit to Operate;

[Revised UV/EB/LED provision language is available on Slide 10]

Comment #4: The proposed UV/EB/LED provision should allow for changes to the air pollution control equipment, as long as the APCE operates as intended

- Responses

- Air pollution control equipment are permitted based on the parameters submitted with the permit application
 - Adding ducting to vent new equipment could interfere with APCE operation
 - Information, via a permit application, would need to be submitted to South Coast AQMD in order to verify whether the APCE's operation is compromised
- Changes that are made to permitted equipment that contradict the permit will require a permit modification
- Staff report will clarify what is meant by physical changes to the APCE

Updated UV/EB/LED Provision Language

Changes made since
Working Group Meeting
#3

(d)(8) - Printing and Reproduction Equipment

(H) The addition of UV/EB/LED curing technology, or other curing or drying technology, to existing permitted graphic arts equipment or operations ~~is~~ provided all the following provisions are met:

Switched
order of
(i) & (ii)

- (i) The equipment remains consistent with the description in the existing Permit to Operate, excluding the addition of curing or drying equipment operated exclusively using electrical power;
- (ii) ~~The equipment or operation is operated in accordance~~ complies with the conditions specified in the existing Permit to Operate;
- (iii) There is no physical change to the configuration, ~~including the ducting,~~ of existing air pollution control equipment associated with the equipment or operation;
- (iv) There is no physical change to the configuration of an existing permanent total enclosure associated with the equipment or operation;
- (v) All inks, coatings, solvents, or other materials associated with the technology do not contain any toxic air contaminants pursuant to Rule 1401 – New Source Review of Toxic Air Contaminants, as listed on the Safety Data Sheet, except as allowed under the existing Permit to Operate; and
- (vi) All inks, coatings and adhesives, fountain solutions, and VOC containing solvents associated with the technology (excluding cleanup solvents) contain fifty (50) grams or less of VOC per liter of material and all cleanup solvents associated with the technology contain twenty-five (25) grams or less of VOC per liter of material.

Comment #5: What constitutes a written notification in the Exceptions provision?

- Response
 - Pursuant to paragraph (e)(2), the Executive Officer may determine equipment is subject to permitting requirements and provide a written notification to the owner or operator
 - “Written notification” is a broad term and can mean any written document from South Coast AQMD notifying a facility that the equipment is subject to permitting requirements
 - Notice to Comply
 - Notice of Violation
 - Official letter from South Coast AQMD staff
 - Email from South Coast AQMD staff
 - Other written communication

Initial Preliminary Draft PAR 219 Rule Language

Initial Preliminary Draft Rule Language

- Goal is to provide a review of proposed rule language before Public Workshop
- Proposed rule language incorporates:
 - Revisions to correct potential SIP deficiencies identified by USEPA
 - (e.g., Enhanced Recordkeeping provisions to demonstrate equipment is exempt from obtaining a written permit)
 - Clarifications and edits (e.g., removing outdated compliance dates)
 - Revisions based on stakeholder comments
 - Restructuring to be consistent with other South Coast AQMD Rules

PAR 219 Restructuring

- (a) Purpose
- (b) Applicability
- (c) Recordkeeping
- (d) Equipment, Processes, or Operations Not Requiring a Written Permit
 - (1) Mobile Equipment
 - (2) Combustion and Heat Transfer Equipment
 - ...
- (e) Exceptions
- (f) Test Methods
- (g) Compliance Dates

PAR 219 (a) – Purpose

- USEPA recommendation was to remove instances where Rule 219 exemptions were conditional based on Rule 222 submittals
- Subdivision (a) updated to clarify that Rule 222 may be applicable

The purpose of this rule is to identify equipment, processes, or operations that emit small amounts of air contaminants that shall not require written permits, unless such equipment, process or operation is subject to subdivision (es) – Exceptions. Certain equipment, processes, or operations that do not require written permits may be subject to Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II.

PAR 219 (b) - Applicability

- New subdivision added to describe the scope of Rule 219
 - Consistent with format of other South Coast AQMD rules

This rule applies to owners or operators of the equipment, processes, or operations listed in subdivision (d). Equipment, processes, or operations that emit air contaminants and that are not listed in subdivision (d) may require written permits and be subject to Rule 201 – Permit to Construct, Rule 203 – Permit to Operate for non-RECLAIM sources, Rule 2006 – Permits for RECLAIM Sources, and/or Regulation XXX – Title V Permits for Major Sources.

PAR 219 (c) - Recordkeeping

- USEPA identified lack of detailed recordkeeping requirements as a potential SIP deficiency
- Enhanced recordkeeping provisions were presented and discussed at prior Working Group meetings
- Current version of subdivision (c) incorporates stakeholder comments
 - Replacement of daily recordkeeping language with generalized statement that facilities must maintain sufficient documentation to demonstrate eligibility for exemption from permit requirements

[Continued on next slide]

PAR 219 (c) - Recordkeeping

Paragraph (c)(1) requires owners or operators claiming a permit exemption to maintain the necessary documents to demonstrate the exemption

[Continued on next slide]

- (1) Any owner or operator claiming an exemption under any provision of this rule shall maintain documentation and/or calculations sufficient to verify the applicability of the stated exemption provision, parameter, requirement or limitation. Documentations shall include, as applicable, but not be limited to:
 - (A) Volatile organic compound-containing (VOC-containing) material throughput and emissions;
 - (B) Volatile organic compound (VOC) content of VOC-containing materials, including:
 - (i) The VOC content of each material, as applied, less water and exempt compounds; and
 - (ii) The VOC content of each material, as applied, including water and exempt compounds;
 - (C) Hours of operation;
 - (D) Materials used or processed;
 - (E) Fuel type and usage;
 - (F) Throughput;
 - (G) Operating parameters;
 - (H) Manufacturer specifications;
 - (I) Rating plate; and
 - (J) Safety Data Sheets.

PAR 219 (c) - Recordkeeping

Paragraph (c)(2) requires documents to be maintained onsite for three years and be made available upon request

- (2) All documentations and/or records pursuant to paragraph (c)(1) shall be maintained onsite for three years and made available to the Executive Officer upon request.

PAR 219 (d) – Equipment List

- (1) Mobile Equipment
- (2) Combustion and Heat Transfer Equipment
- (3) Structures and Equipment – General
- (4) Utility Equipment – General
- (5) Glass, Ceramic, Metallurgical Processing and Fabrication Equipment
- (6) Abrasive Blasting Equipment
- (7) Mechanical Equipment
- (8) Printing and Reproduction Equipment
- (9) Pharmaceuticals, Cosmetics and Food Processing and Preparation Equipment
- (10) Plastics, Composite and Rubber Processing Equipment
- (11) Mixing, Blending and Packaging Equipment
- (12) Coating and Adhesive Process/Equipment
- (13) Storage and Transfer Equipment
- (14) Natural Gas and Crude Oil Production Equipment
- (15) Cleaning
- (16) Miscellaneous Process Equipment
- (17) Agricultural Sources
- (18) Registered Equipment

PAR 219 (e) – Exceptions

- Existing Rule 219 subdivision
- Identifies conditions where equipment requires a permit due to federal regulations, Rule 1401 health risk standards, or other conditions
- Two new conditions added
 - Subparagraph (e)(2)(c) - equipment modifications resulting in excess emissions
 - Paragraph (e)(3) – additional information is needed to evaluate health risk

[Continued on next slide]

PAR 219 (e) – Exceptions

Subparagraph (e)(2)(C)

Paragraph (e)(3)

- (C) The equipment or the air pollution control system venting the equipment has been modified in a manner inconsistent with, or is not operated or maintained in accordance with, manufacturer specifications that:
- (i) Is inconsistent with any exemption under any provisions of this rule; or
 - (ii) Results in otherwise preventable excess emissions.

- (3) If the Executive Officer determines the information to evaluate health risk is inadequate and requires additional information or review, upon written notification from the Executive Officer, the owner or operator shall submit (a) complete permit application(s) to demonstrate the equipment operates below the risk thresholds in subparagraph (e)(2)(A).

PAR 219 (f) – Test Methods

- Test methods provisions were previously included in Rule 219 recordkeeping section and in four different VOC-limit exemption provisions
- USEPA recommended a separate provision for all test method requirements
- Subdivision (f) consolidates existing Rule 219 language into one provision

[Continued on next slide]

PAR 219 (f) – Test Methods

- (f)(1) contains language previously at the end of the recordkeeping provision
- (f)(2) consolidates VOC calculation procedures language that was in four separate provisions

- (1) All test methods used to verify the percentages, concentrations, vapor pressures, etc., shall be ~~the~~ approved test methods as contained in ~~the District's~~ South Coast AQMD's Test Method Manual or any methods approved by the Executive Officer, CARB, and ~~the~~ USEPA.
- (2) In the absence of an approved method as identified in paragraph (f)(1), any owner or operator claiming an exemption using the VOC emission limits in subparagraphs (d)(8)(A), (d)(10)(M), (d)(12)(F), or (d)(12)(K) may submit VOC calculation procedures acceptable to the Executive Officer, including, but not limited to, calculation procedures using product formulation data.

Initial Preliminary Draft PAR 222 Rule Language

Proposed Changes in PAR 222

- Table 1 and other sections updated
 - Revised PAR 219 references
 - Clarified existing language
- Added paragraph (b)(2) for permit-exempt printing, coating, adhesive, and laminating equipment, and hand applications that emit 4 tons per year or more of VOCs
 - Formerly in the Exceptions provision in Rule 219, paragraph (s)(3)
 - Removed from PAR 219 due to removal of Rule 222 requirements
 - Requirements that were removed from PAR 219 have been incorporated into provisions in PAR 222, subdivision (d) – Requirements

(b) Applicability

- Paragraph (b)(1) updated
- Removed Rule 219 language, as PAR 219 no longer requires Rule 222 registration
- Removed redundant statement on agricultural engines
 - These engines are already included in Table 1

(1) This rule applies to owners or operators of the emission sources listed in Table 4I and the equipment, processes, and operations listed in paragraph (b)(2)., ~~which are exempt from written permits pursuant to Rule 219, unless the Executive Officer determines that the source cannot operate in compliance with applicable rules and regulations. This rule also applies to agricultural diesel fueled engines subject to the California Air Resources Board Airborne Toxic Control Measure (CARB ATCM) for Stationary Compression Ignition Engines.~~ Owners or operators authorized to operate emission sources pursuant to this rule shall operate those emissions sources in compliance with any and all operating conditions imposed by the ~~District~~ South Coast AQMD.

(b) Applicability

- Paragraph (b)(2) added for permit-exempt equipment emitting over 4 tons/year of VOC
- Requirements that are in Rule 219 are incorporated into Rule 222, subdivision (d), the Requirements provision

- (2) This rule applies to owners or operators of the following emission sources that are located at a single facility, which does not hold a written permit for any other emission sources and emits four (4.0) tons or more of VOCs in any Fiscal Year (July 1 to June 30) beginning July 1, 2007, or emitted four (4.0) tons or more of VOCs in the Fiscal Year July 1, 2006 – June 30, 2007:
- (A) Printing operations individually exempted from written permits pursuant to Rule 219 (d)(8)(A) and (d)(8)(G);
- (B) Coating or adhesive application or laminating equipment and devices individually exempted from written permits pursuant to Rule 219 (d)(12)(F) and (d)(12)(J); and
- (C) Hand applications of VOC-containing materials individually exempted from written permits pursuant to Rule 219 (d)(15)(D).

(f) Exemptions

- New subdivision added to clarify that Rule 222 does not apply to equipment at residences

(f) Exemptions

The provisions of this rule shall not apply to emission sources utilized exclusively in connection with any structure which is designed for and used exclusively as a dwelling for not more than four families, and where such equipment is used by the owner or occupant of such a dwelling.

Next Steps

- Continue to work with stakeholders
- Public Workshop 4th quarter 2022
- Public Hearing 1st quarter of 2023

Staff Contacts for PAR 219 and PAR 222

Yunnie Osias
Air Quality Specialist
(909) 396-3219
yosias@aqmd.gov

Michael Laybourn
Program Supervisor
(909) 396-3066
mlaybourn@aqmd.gov

Kalam Cheung, Ph.D.
Planning and Rules Manager
(909) 396-3281
kcheung@aqmd.gov

Michael Krause
Assistant Deputy Executive Officer
(909) 396-2706
mkrause@aqmd.gov