

BOARD MEETING DATE: September 2, 2022

AGENDA NO. 32

PROPOSAL: Determine That Proposed Amended Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen, is Exempt from CEQA; and Amend Rule 429

SYNOPSIS: Proposed Amended Rule 429 will provide an alternative limit from NO_x and CO concentration limits in various rules in Regulation XI – Source Specific Standards when units are starting up and shutting down for specified durations. Proposed Amended Rule 429 will also include provisions limiting the frequency of scheduled startups, best management practices, and notification and recordkeeping requirements.

COMMITTEE: Stationary Source, June 17, 2022, Reviewed

RECOMMENDED ACTIONS:

Adopt the attached Resolution:

1. Determining that Proposed Amended Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen, is exempt from the requirements of the California Environmental Quality Act; and
2. Amending Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen.

Wayne Nastri
Executive Officer

SR:MK:MM:IS

Background

Control Measure CMB-05 of the Final 2016 AQMP (2016 AQMP) included a five tons per day NO_x emission reduction as soon as feasible but no later than 2025, and a direction to transition the RECLAIM program to a command-and-control regulatory structure requiring BARCT as soon as practicable.

Proposed Amended Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen (PAR 429) is a companion rule to Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines (Rule 1134), Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters (Rule 1146), Rule 1147 – NO_x Reductions from Miscellaneous Sources (Rule 1147), Rule 1147.1 – NO_x Reductions from Aggregate Dryers (Rule 1147.1), and Rule 1147.2 – NO_x Reductions from Metal Melting and Heating Furnaces (Rule 1147.2). PAR 429, Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 facilitate the transition of the RECLAIM program to a command-and-control regulatory structure.

Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 establish NO_x and CO emission limits. However, NO_x and CO concentration limits will not apply during startup and shutdown events. PAR 429 is needed to establish requirements during startup and shutdown pursuant to U.S. EPA policies to regulate startup, shutdown, and malfunction.

Public Process

The development of PAR 429 was conducted through a public process. A working group was formed that included facility representatives, equipment vendors, other agencies, community and environmental groups, and other interested parties. One Working Group Meeting was held to discuss rule concepts. A Public Workshop was held on February 18, 2022, to present the proposed amended rule to the general public and to stakeholders.

Proposal

PAR 429 provides an exemption from NO_x and CO concentration limits in Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 during startup and shutdown for specified durations. PAR 429 also includes work practice requirements and specific control measure requirements during periods when equipment is starting up and shutting down to establish continuous emission limits pursuant to U.S. EPA policies to regulate startup, shutdown, and malfunction. Furthermore, PAR 429 specifies provisions limiting the frequency of scheduled startups, and notification and recordkeeping requirements.

Emission Reductions

No additional emission reductions are expected from implementing PAR 429; any emission reductions for the affected units will be attributed to implementing Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2.

Key Issues

Throughout the rulemaking process, staff worked with stakeholders to resolve key issues. Staff is not aware of any key remaining issues.

California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project (PAR 429) is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308. Further, there is no substantial evidence indicating that any of the exceptions in CEQA Guidelines Section 15300.2 apply to the proposed project. A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment H to this Board letter. If PAR 429 is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Planning and Research.

Socioeconomic Analysis

PAR 429 does not impose any additional costs to the affected facilities and is not expected to result in any adverse socioeconomic impacts.

Resource Impacts

Existing staff resources are adequate to implement the proposed amendments.

Attachments

- A. Summary of Proposal
- B. Key Issues and Responses
- C. Rule Development Process
- D. Key Contacts List
- E. Resolution
- F. Proposed Amended Rule 429
- G. Final Staff Report
- H. Notice of Exemption from CEQA
- I. Board Presentation

ATTACHMENT A
SUMMARY OF PROPOSED AMENDED RULE 429

**Proposed Amended Rule 429 – Startup and Shutdown
Provisions for Oxides of Nitrogen**

Applicability

- Equipment using CEMS, ACEMS, or SCEMS that are subject to Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2

Exemption from Concentration Limits in Various Regulation XI Rules

- Establishes exemption from Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 NO_x and CO concentration limits during startup and shutdown

Startup and Shutdown Limits

- Limits duration of time that operator is exempt from NO_x and CO concentration limits for startup and shutdown events
- Limits frequency of scheduled startups

Requirements for Units with NO_x Post-Combustion Control Equipment

- Operate NO_x post-combustion control equipment when exhaust gas temperature reaches the minimum operating temperature of the NO_x post-combustion control equipment and temperature is stable
- Install and maintain an annually calibrated temperature measuring device

Notification and Recordkeeping Requirements

- Notification for scheduled startups
- Maintain operating log, list of scheduled startups, and records of the minimum operating temperature of NO_x post-combustion control equipment

Exemptions

- Exemptions for refractory dryout and when fuel is only used for the pilot light

ATTACHMENT B

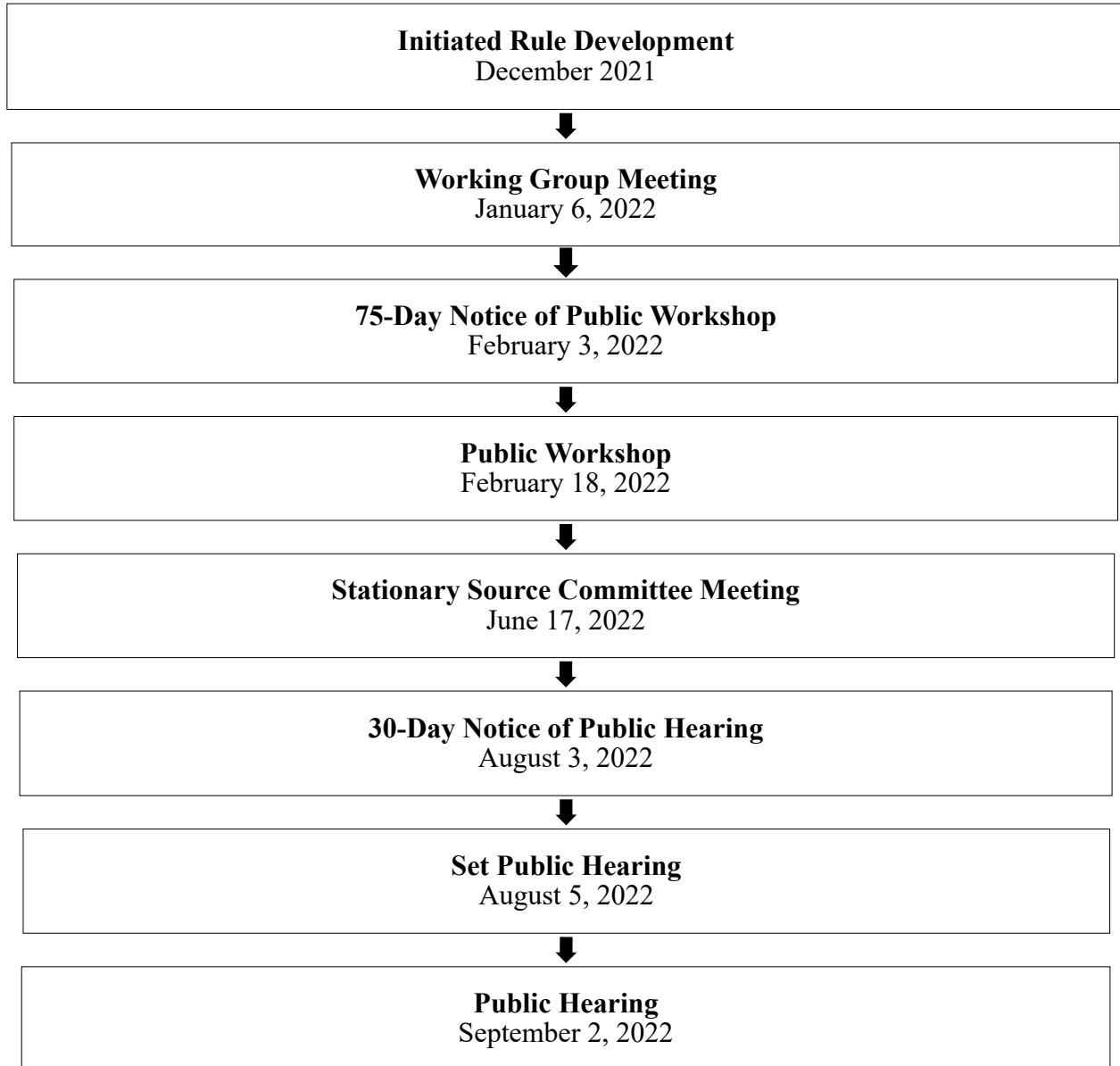
KEY ISSUES AND RESPONSES

Proposed Amended Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen

Throughout the rulemaking process, staff worked with stakeholders to resolve key issues. Staff is not aware of any key remaining issues.

ATTACHMENT C
RULE DEVELOPMENT PROCESS

**Proposed Amended Rule 429 – Startup and Shutdown Provisions for
Oxides of Nitrogen**



Ten (10) months spent in rule development
One (1) Public Workshop
One (1) Stationary Source Committee Meeting
One (1) Working Group Meeting

ATTACHMENT D

KEY CONTACTS LIST

All American Asphalt
Anheuser-Busch LLC
B Braun Medical, Inc
Berry Petroleum Company, LLC
Bridge Energy, LLC
California Institute of Technology
California State University, Fullerton
California Steel Industries
City of Riverside, Public Utilities Dept
Colton Power
Darling Ingredients, Inc.
Gold Bond Building Products, LLC
IBY, LLC
Imperial Irrigation District
Kimberly-Clark Worldwide Inc.
Loma Linda University
New-Indy Ontario, LLC
OLS Energy
Orange County
RJ Noble Company
Signal Hill Petroleum Inc
Thums Long Beach Co
U.S. EPA
University of California, Irvine
University of California, Riverside
University of California, Los Angeles

ATTACHMENT E

RESOLUTION NO. 22-_____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board amending Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen.

WHEREAS, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 429 is considered a “project” as defined by CEQA; and

WHEREAS, the South Coast AQMD has had its regulatory program certified pursuant to Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l) and has conducted a CEQA review and analysis of the proposed project pursuant to such program (South Coast AQMD Rule 110); and

WHEREAS, the South Coast AQMD Governing Board finds and determines after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that the proposed project is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that, because Proposed Amended Rule 429 will not require physical modifications, it can be seen with certainty that implementing the proposed project would not cause a significant adverse effect on the environment, and is therefore exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that the proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for the Protection of the Environment, because Proposed Amended Rule 429 is designed to further protect or enhance the environment by limiting the duration and frequency of startup and shutdown events which will, in turn limit NOx and CO emissions; and

WHEREAS, the South Coast AQMD Governing Board has determined that there is no substantial evidence indicating that any of the exceptions to the categorical

exemption as set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to the proposed project; and

WHEREAS, the South Coast AQMD staff has prepared a Notice of Exemption for the proposed project that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, Proposed Amended Rule 429 and supporting documentation, including but not limited to, the Notice of Exemption and Final Staff Report, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and considered this information, as well as has taken and considered staff testimony and public comment prior to approving the proposed project; and

WHEREAS, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in Section (d)(4)(D) of the Governing Board Procedures (Section 30.5(4)(D)(i) of the Administrative Code), that the modifications to Proposed Rule 429 since the Notice of Public Hearing was published are clarifications that meet the same air quality objective and are not so substantial as to significantly affect the meaning of Proposed Rule 429 within the meaning of Health and Safety Code Section 40726 because the changes to paragraph (c)(5) and paragraph (c)(8) are made to clarify rule language and: (a) the changes do not impact emission reductions, (b) the changes do not affect the number or type of sources regulated by the rule, (c) the changes are consistent with the information contained in the Notice of Public Hearing, and (d) the consideration of the range of CEQA alternatives is not applicable because the proposed project is exempt from CEQA; and

WHEREAS, Proposed Amended Rule 429 will be submitted for inclusion into the State Implementation Plan; and

WHEREAS, Health and Safety Code Section 40001(c) requires that prior to adopting any rule or regulation to reduce criteria pollutants, a district shall determine that there is a problem that the proposed amended rule or regulation will alleviate and that the rule or regulation will promote the attainment or maintenance of state or federal ambient air quality standards; and

WHEREAS, the South Coast AQMD Governing Board finds that there is an ozone problem that Proposed Amended Rule 429 will alleviate and will promote the attainment or maintenance of both the state and federal ambient air quality standards for ozone; and

WHEREAS, Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication,

and reference based on relevant information presented at the public hearing and in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that a need exists to adopt Proposed Amended Rule 429 to specify technological control requirements and work practice standards during startup and shutdown, limit the duration during startup and shutdown that a unit can exceed the applicable NO_x or CO concentration limits in Rules 1134, 1146, 1147, 1147.1 and 1147.2, and limit the number of scheduled startups that were not addressed in recently amended rules and that are currently not regulated; and

WHEREAS, the South Coast AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code Sections 39002, 40000, 40001, 40440, 40702, 40725 through 40728, 41508, and 41511; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 429 is written and displayed so that its meaning can be easily understood by persons directly affected by it; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 429 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 429 does not impose the same requirements as any existing state or federal regulations, and the proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD; and

WHEREAS, the South Coast AQMD Governing Board, in adopting Proposed Amended Rule 429, references the following statute which the South Coast AQMD hereby implements, interprets or makes specific: Health and Safety Code Sections 39002, 40000, 40001, 40440(a), 40702, 40725 through 40728.5, 41508, and 41511; and the federal Clean Air Act; and

WHEREAS, Health and Safety Code Section 40727.2 requires the South Coast AQMD to prepare a written analysis of existing federal air pollution control requirements applicable to the same source type being regulated whenever it adopts, or amends a rule, and the South Coast AQMD's comparative analysis of Proposed Amended Rule 429 is included in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 429 will not result in increased costs to affected industries and therefore will not result in any adverse socioeconomic impact as described in the Socioeconomic Impact Assessment section of the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 429 does not include new Best Available Retrofit Control Technology (BARCT) requirements nor a feasible measure pursuant to Health and Safety Code Section 40914, therefore analyses for cost-effectiveness and incremental cost-effectiveness consistent with the Health and Safety Code Section 40920.6, are not applicable; and

WHEREAS, the South Coast AQMD staff conducted a public workshop on February 18, 2022 regarding Proposed Amended Rule 429; and

WHEREAS, the public hearing has been properly noticed in accordance with all provisions of Health and Safety Code Sections 40725 and 40440.5; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing in accordance with all provisions of law; and

WHEREAS, the South Coast AQMD specifies the Planning and Rules Manager of Proposed Amended Rule 429 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of the proposed amended rule is based, which are located at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE BE IT RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that Proposed Amended Rule 429 is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) – Common Sense Exemption and 15308 – Actions by Regulatory Agencies for Protection of the Environment. No exceptions to the application of the categorical exemption as set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to the proposed project. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered, and approved the information therein prior to acting on Proposed Amended Rule 429; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby adopt, pursuant to the authority granted by law, Proposed Amended Rule 429 as set forth in the attached, and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board requests that Proposed Amended Rule 429 be submitted for inclusion in the State Implementation Plan; and

BE IT FURTHER RESOLVED, that the Executive Officer is hereby directed to forward a copy of this Resolution and Proposed Amended Rule 429 and supporting documentation to the California Air Resources Board for approval and

subsequently submitted to the U.S. Environmental Protection Agency for inclusion into the State Implementation Plan.

DATE: _____

CLERK OF THE BOARDS

ATTACHMENT F

(Adopted May 5, 1989)(Amended December 21, 1990)
(PAR 429 September 2, 2022)

PROPOSED
AMENDED
RULE 429.

STARTUPSTART-UP AND SHUTDOWN EXEMPTION
PROVISIONS FOR OXIDES OF NITROGEN

[Rule Index to be included after adoption]

(a) Purpose

The purpose of this rule is to provide an exemption from oxides of nitrogen (NOx) and carbon monoxide (CO) concentration limits during Startup and Shutdown and establish requirements during Startup and Shutdown to limit NOx and CO emissions.

(b) Applicability

(1) The provisions of this rule shall apply to equipment utilizing CEMS, ACEMS, or SCEMS that are subject to the following rules:

Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines;

Rule 1146 – Emissions of Oxides of Nitrogen from Industrial Institutional and Commercial Boilers, Steam Generators, and Process Heaters;

Rule 1147 – NOx Reductions from Miscellaneous Sources;

Rule 1147.1 – NOx Reductions from Aggregate Dryers; and

Rule 1147.2 – NOx Reductions from Metal Melting and Heating Furnaces.

(c) Definitions

For the purpose of this rule, the following definitions shall apply:

(1) AGGREGATE DRYER means equipment that is subject to Rule 1147.1, including any combustion equipment fired with gaseous fuel used to reduce or minimize the moisture content of aggregate material, including dryers, rotary dryers, fluidized bed dryers and rotary kilns, as defined in Rule 1147.1.

(2) ALTERNATIVE CONTINUOUS EMISSION MONITORING SYSTEM (ACEMS) means a system that uses process or control device operating parameter measurements and a conversion equation, a graph, or computer program to produce results in units of the applicable emission limitation or standard on a continuous monitoring basis, which is demonstrated to the Executive Officer as having the same precision, reliability, accessibility,

and timeliness as the data provided by a certified CEMS or certified CEMS component in accordance with Rule 218.2 and Rule 218.3.

- (34) BOILER or STEAM GENERATOR means equipment that is subject to Rule 1146, including any combustion equipment fired with solid fossil fuel, liquid and/or gaseous fuel (excluding landfill and digester gas) and used to produce steam or to heat water, and that is not used exclusively to produce electricity for sale, as defined in Rule 1146. Boiler or Steam Generator does not include any open heated tank, adsorption chiller unit, or waste heat recovery boiler that is used to recover sensible heat from the exhaust of a combustion turbine or any unfired waste heat recovery boiler that is used to recover sensible heat from the exhaust of any combustion equipment.
- (4) CONTINUOUS EMISSION MONITORING SYSTEM (CEMS) means the total combined equipment and systems, including the sampling interface, analyzers, and data acquisition and handling system, required to continuously determine air contaminants and diluent gas concentrations and/or mass emission rate of a source effluent (as applicable).
- (5) FORMER RECLAIM FACILITY means a facility, or any of its successors, that was in the NOx Regional Clean Air Incentives Market as of January 5, 2018, as established in Regulation XX – Regional Clean Air Incentives Market (RECLAIM), that has received a final determination notification, and is no longer in the RECLAIM program.
- (2) ~~GAS TURBINE is combustion equipment fired with solid, liquid and/or gaseous fuel and using a turbine to convert the energy derived from the combustion to produce mechanical energy to drive other equipment.~~
- (3) ~~PROCESS HEATER means any combustion equipment fired with liquid and/or gaseous fuel and which transfers heat from combustion gases to process streams.~~
- (6) FURNACE means any metal melting furnace, metal heat treating furnace, metal heating furnace, or metal forging furnace as defined in Rule 1147.2.
- (7) MINIMUM OPERATING TEMPERATURE means the minimum operating temperature specified by the manufacturer, unless otherwise defined in the permit issued by the South Coast AQMD.
- (4) ~~NITRIC ACID PRODUCTION UNIT means any facility producing nitric acid by either the pressure or atmospheric pressure process.~~
- (8) NON-RECLAIM FACILITY is a facility, or any of its successors, that was not in the NOx Regional Clean Air Incentives Market as of January 5, 2018.

as established in Regulation XX – Regional Clean Air Incentives Market (RECLAIM).

- (9) NO_x POST-COMBUSTION CONTROL EQUIPMENT means air pollution control equipment which eliminates, reduces, or controls the issuance of NO_x after combustion.
- (10) PROCESS HEATER means equipment that is subject to Rule 1146, including any combustion equipment fired with liquid and/or gaseous fuel (excluding landfill and digester gas) and/or solid fossil fuel and which transfers heat from combustion gases to process streams, as defined in Rule 1146. Process Heater does not include any kiln or oven used for drying, curing, baking, cooking, calcining, or vitrifying; or any unfired waste heat recovery heater that is used to recover sensible heat from the exhaust of any combustion equipment.
- (11) RATED HEAT INPUT means the heat input as specified by the permit issued by the South Coast AQMD, or if not specified on the permit, as specified on the nameplate of the combustion unit. If the combustion unit has been altered or modified such that its maximum heat input is different than the heat input specified on the nameplate, the new maximum heat input shall be considered as the rated heat input. Heat input means the chemical heat released due to assumed complete combustion of fuel in a unit, using the higher heating value of the fuel. This does not include the sensible heat of incoming combustion air.
- (12) REFRACTORY DRYOUT means the initial application of heat under controlled rates to safely remove water from the refractory lining as part of the curing process prior to placing the unit in service.
- (13) SCHEDULED STARTUP means a planned startup that is specified by January 1 of each year.
- (14) SEMI-CONTINUOUS EMISSION MONITORING SYSTEM (SCEMS) means an emission monitoring system that is different from a regular CEMS on response time and data acquisition frequency. SCEMS continuously takes and records measurements (e.g. concentration, mass emission, flow rate) at a minimum of once in every fifteen (15) minutes. SCEMS includes but is not limited to gas chromatography, integrated sensitized tape analyzer, other sample integration based technologies, and time-shared CEMS.

- (15) SHUTDOWN means the time period that starts when a Unit begins reducing load in advance of terminating fuel flow and ends in a period of zero fuel flow.
 - (16) STABLE CONDITIONS means that the fuel flow and fuel composition to a unit is consistent and allows for normal operations.
 - (17)(~~5~~) STARTUPSTART-UP means the time period beginning when a Unit begins combusting fuel after a period of zero fuel flow. is that period of time during which a boiler, gas turbine, or process heater is heated to its normal temperature range from a cold or ambient temperature or a nitric acid plant whose decomposer is preheated and the period of time immediately following introduction of feedstocks that is required to meet stable operating conditions.
 - (6) ~~SHUTDOWN is that period of time during which a boiler, gas turbine, process heater or nitric acid production unit is allowed to cool from its normal temperature range to a cold or ambient temperature.~~
 - (7) ~~A SCHEDULED START-UP AND SHUTDOWN PAIR is a combination that is included in a schedule plan submitted to the Executive Officer by January 1 of each year.~~
 - (18) STATIONARY GAS TURBINE means equipment that is subject to Rule 1134, which includes duct burners and cogeneration, combined cycle, compressor, recuperative, and simple cycle gas turbines, as defined by Rule 1134.
 - (19) TUNNEL KILN means equipment that is subject to Rule 1147, including any gaseous fired equipment which transfers heat from combusted fuel to air contained in the unit with exhaust moisture content above 30 percent using a continuous moving conveyor or vehicle, as defined in Rule 1147.
 - (20) UNIT means an Aggregate Dryer, Boiler, Furnace, Tunnel Kiln, Process Heater, or Stationary Gas Turbine.
- (b) **Applicability**
- (1) ~~During scheduled shutdowns and scheduled start-ups following scheduled shutdowns this rule shall provide an exemption from the oxides of nitrogen emission limits of the following rules:~~
 - ~~Rule 1109 – Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries;~~
 - ~~Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas~~

Turbines;

~~Rule 1146—Emissions of Oxides of Nitrogen from Industrial
Institutional and Commercial Boilers, Steam Generators and
Process Heaters; and~~

~~Rule 1159—Nitric Acid Units—Oxides of Nitrogen.~~

- (2) ~~NOx emissions in excess of rule specific emission limits shall be mitigated to the extent demonstrable.~~
- (3) ~~Start-up or shutdown intervals may not last longer than is necessary to reach stable temperatures. In no case may the start-up or shutdown interval last longer than specified in the permit to operate. In the event that permit conditions do not specify a time limit, the start-up or shutdown may not exceed the following:~~
 - (A) ~~Eight hours for boilers or process heaters of more than 40 MM Btu per hour of heat release per Rule 1109—Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries and per Rule 1146—Emissions of Oxides of Nitrogen from Industrial Institutional and Commercial Boilers, Steam Generators and Process Heaters. The number of scheduled start-ups/shutdowns allowed for each unit is a maximum of 10 per year.~~
 - (B) ~~Six hours for boilers or process heaters of equal to or less than 40 MM Btu per hour of heat release per Rule 1146—Emissions of Oxides of Nitrogen from Industrial Institutional and Commercial Boilers, Steam Generators and Process Heaters. The number of scheduled start-ups/shutdowns allowed for each unit is a maximum of 10 per month.~~
 - (C) ~~Fifteen minutes for simple cycle stationary gas turbines and two hours for stationary combined cycle and cogeneration cycle gas turbines per Rule 1134—Emissions of Oxides of Nitrogen from Stationary Gas Turbines. The number of scheduled start-ups/shutdowns allowed for each unit is a maximum of 10 per year.~~
 - (D) ~~Following the introduction of, or the removal of, feedstocks from nitric acid production units for one hour plus the time required to preheat or to cool the decomposer per Rule 1159—Nitric Acid Units—Oxides of Nitrogen. The number of scheduled start-ups/shutdowns allowed for each unit is a maximum of 10 per year.~~

(d) Requirements

- (1) An owner or operator of equipment is not subject to the applicable NOx and CO concentration limits and rolling average provisions in the rules specified in paragraph (b)(1) during Startup and Shutdown.
- (2) An owner or operator of a Unit at a Former RECLAIM Facility or Non-RECLAIM Facility that exceeds the applicable NOx or CO concentration limit in the rules specified in paragraph (b)(1) during Startup or Shutdown shall not exceed the duration limits in Table 1.

TABLE 1: STARTUP AND SHUTDOWN DURATION LIMITS

<u>Unit Type</u>	<u>Not to Exceed per Startup or Shutdown</u>
<u>Boilers and Process Heaters > 40 MMBtu/hour Rated Heat Input</u>	<u>8 hours</u>
<u>Boilers and Process Heaters ≤ 40 MMBtu/hour Rated Heat Input</u>	<u>6 hours</u>
<u>Simple Cycle Gas Turbines</u>	<u>15 minutes</u>
<u>Cogeneration, Combined Cycle, Compressor and Recuperative Gas Turbines</u>	<u>2 hours</u>
<u>Furnaces</u>	<u>24 hours</u>
<u>Aggregate Dryers</u>	<u>60 minutes</u>
<u>Tunnel Kilns</u>	<u>2 hours</u>

- (A) An owner or operator of a Unit at a Former RECLAIM Facility or Non-RECLAIM Facility shall not allow Startup to last longer than the time that is necessary to reach Stable Conditions and to reach the Minimum Operating Temperature of the NOx Post-Combustion Control Equipment, if applicable. Once a Unit reaches Stable Conditions and the Minimum Operating Temperature of the NOx Post-Combustion Control Equipment, if applicable, a Unit is subject to the applicable NOx and CO concentration limits in the rules specified in paragraph (b)(1).
- (3) An owner or operator of a Unit at a Former RECLAIM Facility or Non-RECLAIM Facility shall not exceed the maximum number of Scheduled Startups specified in Table 2 per calendar year for each Unit.

TABLE 2: MAXIMUM NUMBER OF SCHEDULED STARTUPS

<u>Unit Type</u>	<u>Maximum Number of Scheduled Startups per Calendar Year</u>
<u>Furnaces</u>	<u>35</u>
<u>All Other Units</u>	<u>10</u>

- (4) An owner or operator of a Unit at a Former RECLAIM Facility or Non-RECLAIM Facility shall take all reasonable and prudent steps to minimize emissions during Startup and Shutdown.
- (5) An owner or operator of a Unit equipped with NOx Post-Combustion Control Equipment at a Former RECLAIM Facility or Non-RECLAIM Facility shall install and maintain in operation an annually calibrated temperature measuring device at the inlet of the NOx Post-Combustion Control Equipment.
- (6) An owner or operator of a Unit at a Former RECLAIM Facility or Non-RECLAIM Facility with NOx Post-Combustion Control Equipment shall operate NOx Post-Combustion Control Equipment, including the injection of any associated chemical reagent into the exhaust stream to control NOx, if the temperature of the gas to the inlet of the NOx Post-Combustion Control Equipment is greater than or equal to the Minimum Operating Temperature of the NOx Post-Combustion Control Equipment and the temperature of the exhaust gas is stable.

(ee) Notification

An owner or operator of a Unit at a Former RECLAIM Facility or a Non-RECLAIM Facility shall notify the South Coast AQMD on or before January 1 each year of all Scheduled Startups for the upcoming calendar year by calling 1-800-CUT-SMOG, or by using other approved methods of notification as approved by the Executive Officer. The notification shall contain the date and time each Scheduled Startup will begin, the anticipated duration of the Scheduled Startup, and the associated application number(s) of the Unit(s).~~Prior notification of scheduled shutdowns and scheduled start-ups following scheduled shutdowns shall be made in a timely manner and form as specified by the Executive Officer. Shutdowns and start-ups must be scheduled in pairs with scheduled dates for each. Notification of scheduled start-ups and shutdowns is required only if an exemption~~

~~from the emissions limit is required. This notification shall contain the following information:~~

- ~~(1) Dates and times of the scheduled start up and shutdown and its duration, and~~
- ~~(2) Any other process variables that are appropriate as determined by the Executive Officer.~~

~~(f)~~ **Recordkeeping**

~~Records shall be maintained and kept on site and made available for two years indicating hour by hour firing rates, flue gas temperatures, NOx emissions and such process variables that are appropriate as determined by the Executive Officer.~~

- (1) An owner or operator of a Unit at a Former RECLAIM Facility or Non-RECLAIM Facility shall maintain the following records on-site for 5 years:
 - (A) An operating log for Startup, Shutdown, and Refractory Dryout events which contains the date, time, duration, and reason for each event; and
 - (B) A list of Scheduled Startups.
- (2) An owner or operator of a Unit equipped with NOx Post-Combustion Control Equipment at a Former RECLAIM Facility or Non-RECLAIM Facility shall maintain on-site documentation from the manufacturer of the Minimum Operating Temperature of the NOx Post-Combustion Control Equipment, unless the applicable permit issued by the South Coast AQMD specifies the required Minimum Operating Temperature of the NOx Post-Combustion Control Equipment.

~~(e)~~ **Compliance Date**

~~The provisions of this rule shall become effective on July 1, 1989.~~

~~(g)~~ **Exemptions**

- (1) An owner or operator of a Unit at a Former RECLAIM Facility or Non-RECLAIM Facility is exempt from paragraphs (d)(2) and (f)(1) when fuel is burned exclusively in a pilot light.
- (2) An owner or operator of a Unit at a Former RECLAIM Facility or Non-RECLAIM Facility is exempt from paragraph (d)(2) during Refractory Dryout.

ATTACHMENT G

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Final Staff Report

Proposed Amended Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen

September 2022

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EXECUTIVE SUMMARY

Control Measure CMB-05 of the Final 2016 Air Quality Management Plan (2016 AQMP) included a five tons per day nitrogen oxides (NOx) emission reduction as soon as feasible but no later than 2025. That measure also included~~and~~ a direction to transition the Regional Clean Air Incentives Market (RECLAIM) program to a command-and-control regulatory structure requiring Best Available Retrofit Control Technology (BARCT) as soon as practicable. California State Assembly Bill 617 (AB 617), approved by the Governor on July 26, 2017, requires Air Districts to develop, by January 1, 2019, an expedited schedule for the implementation of BARCT no later than December 31, 2023 for facilities that are in the state greenhouse gas cap-and-trade program.

Proposed Amended Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen (PAR 429) is a companion rule to Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines (Rule 1134), Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters (Rule 1146), Rule 1147 – NOx Reductions from Miscellaneous Sources (Rule 1147), Rule 1147.1 – NOx Reductions from Aggregate Dryers (Rule 1147.1), and Rule 1147.2 – NOx Reductions from Metal Melting and Heating Furnaces (Rule 1147.2). PAR 429 and Rules 1134, 1146, 1147, 1147.1, and 1147.2 facilitate the transition of the RECLAIM program to a command-and-control regulatory structure.

Rules 1134, 1146, 1147, 1147.1, and 1147.2 establish NOx and CO emission limits. However, NOx and CO concentration limits will not apply during startup and shutdown events. PAR 429 is needed to establish requirements during startup and shutdown pursuant to U.S. EPA policies to regulate startup, shutdown, and malfunction.

A total of 60 units at twenty-five facilities will be affected by PAR 429. PAR 429 limits the duration of startup and shutdown events and the frequency of scheduled startups. PAR 429 also establishes best management practices for startup and shutdown events as well as notification and recordkeeping requirements.

PAR 429 was developed through a public process. Staff held a Working Group Meeting on January 6, 2022. In addition, a Public Workshop was held on February 18, 2022.

CHAPTER 1: BACKGROUND

INTRODUCTION

BACKGROUND

U.S. EPA'S POLICY ON STARTUP, SHUTDOWN, AND MALFUNCTION

**SOUTH COAST AQMD STARTUP AND SHUTDOWN PERMIT
CONDITIONS**

**NO_x CONCENTRATION AND MASS EMISSIONS DURING STARTUP
AND SHUTDOWN**

REGULATORY HISTORY

AFFECTED FACILITIES AND EQUIPMENT

PUBLIC PROCESS

INTRODUCTION

PAR 429 is a companion rule to Rules 1134, 1146, 1147, 1147.1, and 1147.2. Rules 1134, 1146, 1147, 1147.1, and 1147.2 establish NO_x and CO emission limits for combustion equipment. PAR 429 exempts units from NO_x and CO concentration limits and applicable rolling average provisions during startup and shutdown. PAR 429 also establishes requirements during startup and shutdown pursuant to U.S. EPA policies to regulate startup, shutdown, and malfunction. PAR 429 limits the duration units are exempt from NO_x and CO limits during startup and shutdown and the frequency of scheduled startups. Additionally, PAR 429 establishes best management practices for startup and shutdown events and notification and recordkeeping requirements.

BACKGROUND

2016 AQMP Control Measure CMB-05

The 2016 AQMP includes Control Measure CMB-05 which committed to identifying approaches to make the RECLAIM program more effective. During the adoption of the 2016 AQMP, staff was directed to modify CMB-05 to achieve the five tons per day of NO_x emission reductions commitment as soon as feasible, but no later than 2025, and to transition the RECLAIM program to a command-and-control regulatory structure requiring BARCT level controls as soon as practicable. A command-and-control regulatory structure establishes emission limits for each individual piece of equipment, in contrast to a market-based program such as RECLAIM, where an emission target is established in the aggregate. A command-and-control regulatory structure directly regulates an industry with requirements that state what is permitted and what is prohibited. The ‘command’ is the presentation of standards that must be complied with by facilities. The ‘control’ part signifies the negative sanctions that may result from non-compliance. In this instance, the command-and-control regulatory structure consists of NO_x landing rules that prescribe emission limits and other requirements for specific equipment or industries.

Startup and Shutdown

Under the RECLAIM program, facilities are required to hold sufficient RECLAIM Trading Credits (RTCs) to reconcile actual emissions at the end of each annual compliance cycle, including the emissions that occur during startup and shutdown. A unit and/or associated control equipment is not operating under steady-state conditions during startup or shutdown, which may result in greater emissions. For example, during startup and shutdown of combustion equipment, the temperature of the unit and/or associated controls is in transition and requires the addition of excess air. This process results in increased NO_x formation.

Under a command-and-control regulatory structure, an owner or operator is required to meet emission limits on each individual piece of equipment on a continuous basis. Consequently, units that can otherwise meet lower NO_x concentration limits during steady-state conditions, may be unable to do so during periods of startup and shutdown. Therefore, provisions are needed to exclude emissions that occur during startup and shutdown from compliance determination with BARCT concentration limit(s).

U.S. EPA POLICY ON STARTUP, SHUTDOWN, AND MALFUNCTION (SSM)

U.S. EPA issued startup, shutdown, and malfunction (SSM) policies in 2015 and 2020, which provided differing guidance on the requirements necessary for State Implementation Plan (SIP) approval. The 2015 policy stated that an emission limitation must be applicable to the source continuously to be permissible in a SIP, whereas the 2020 policy stated that a SIP may contain exemption provisions to emission limits during SSM events if the SIP is composed of numerous planning requirements that collectively protect the National Ambient Air Quality Standards (NAAQS). On September 30, 2021, U.S. EPA issued a guidance memorandum to withdraw the 2020 SSM SIP Policy and reinstate the 2015 SSM SIP Policy¹. PAR 429 is designed to meet the requirements for startup and shutdown provisions described in the 2015 SSM SIP Policy.

2015 Startup, Shutdown, and Malfunction State Implementation Plan Policy

In 2015, U.S. EPA issued a SSM SIP Policy which stated that exemptions from emission limitations during startup and shutdown events and affirmative defense provisions were inconsistent with the federal Clean Air Act (CAA)². U.S. EPA asserted that an emission limitation must be applicable to the source continuously to be permissible in a SIP pursuant to CAA section 302(k). U.S. EPA's 2015 SSM SIP Policy stated that SIP emission limitations do not need to be numerical in format, do not have to apply the same limitation (e.g. numerical level) at all times, and may include alternative numerical limitations, other technological control requirements, or work practice requirements during startup and shutdown events, so long as those components of the emission limitations meet applicable federal CAA requirements.

U.S. EPA issued SIP calls to 36 states with SIP provisions that were substantially inadequate in meeting the CAA requirements. Subsequently, petitions for review were filed with the D.C. Circuit Court of Appeals regarding U.S. EPA's 2015 SSM Policy. In 2017, the D.C. Circuit postponed oral arguments at the request of U.S. EPA because U.S. EPA was reviewing the 2015 SSM SIP Policy. U.S. EPA then issued its October 9, 2020 Memorandum Inclusion of Provisions Governing Periods of Startup, Shutdown, and Malfunctions in State Implementation Plans (2020 SSM SIP Policy)³. However, on September 30, 2021, U.S. EPA withdrew the 2020 SSM SIP Policy and reinstated the 2015 SSM SIP Policy. Thus the 2015 SSM SIP Policy is the operative guidance document.

SOUTH COAST AQMD STARTUP AND SHUTDOWN PERMIT CONDITIONS

South Coast AQMD permits often contain startup and shutdown requirements. The permit conditions are tailored for specific equipment and may include limits to the frequency and duration of startups and shutdowns, in addition to mass emission limits, monitoring, and recordkeeping requirements for startups and shutdowns. Staff initially sought to rely on permit conditions to limit startup and shutdown events. However, U.S. EPA recommended that startup and shutdown be

¹ [2021 SSM Guidance Memorandum | U.S. EPA](#)

² [2015 SSM Policy | U.S. EPA](#)

³ [2020 SSM Policy | U.S. EPA](#)

included in rules to facilitate enforceability and ensure SIP approval. PAR 429 will include general restrictions for startup and shutdown events while permit conditions will provide tailored requirements and remain in effect after PAR 429 is amended. If a permit contains more stringent requirements than PAR 429, the more stringent permit requirements will continue to apply.

NO_x CONCENTRATION AND MASS EMISSIONS DURING STARTUP AND SHUTDOWN

Low NO_x concentration limits for stationary combustion sources can be achieved~~able~~ through steady-state, controlled operation of the combustion equipment. Emissions from startup and shutdown of combustion equipment, on the other hand, are not steady-state emissions and fluctuate more compared to emissions under normal controlled operations. NO_x emissions are not well characterized during periods of startup and shutdown. These periods serve as transitional periods to help thermally stabilize the unit prior to and after full operation. For example, during startup and shutdown of combustion equipment, the temperature of the unit and/or associated controls is in transition and requires the addition of excess air. This process results in increased NO_x formation. While NO_x concentration can be higher than normal, this does not necessarily translate to higher NO_x mass emissions since fuel rates are typically lower than normal operation since the units are not operating at full operational capacity. As mentioned earlier, a lower fuel rate will result in lower stack volumetric flow rate which is one of the factors in determining overall NO_x mass emissions.

NO_x mass emissions for major NO_x sources such as process heaters and boilers that have a maximum rated capacity greater than or equal to 40 million Btu per hour are calculated using a certified Continuous Emissions Monitoring System (CEMS). CEMS measures several variables to calculate the mass flow rate of NO_x in units of pounds per hour (lb/hour). Standard gas conditions are defined as a gas temperature of 60°F and a gas pressure of 760 mm Hg (14.7 pounds per square inch) absolute. Table 1-1 contains the measured variables generally used to determine NO_x mass emissions.

TABLE 1-1
NO_x MASS EMISSIONS VARIABLES FOR CEMS CALCULATIONS

Measured Variables
1. Stack NO _x concentration and exhaust flow rate; OR
2. Stack NO _x concentration, O ₂ concentrations, and fuel rate

From the measured variables, an hourly mass emissions flow rate is calculated and total daily mass emissions from each source is reported. Fuel flow measuring devices can be used for approximating stack flow in conjunction with F-factors. Each CEMS is required to conduct a semi-annual or annual assessment test of each CEMS known as a Relative Accuracy Test Audit (RATA).

Fundamentally, NO_x mass emissions are calculated from the measured NO_x concentration and measured stack gas volumetric flow rate. Alternatively, the stack gas volumetric flow rate can also

be approximated from measured fuel flow rate for each type of fuel used. Below are general equations to determine NOx mass emissions.

NOx mass emissions are calculated according to the following:

$$\text{lbs/hour} = (\text{Stack Gas Concentration}) \times (\text{Stack Gas Volumetric Flow Rate}) \times (1.195 \times 10^{-7})$$

- Stack Gas NOx concentration as measured in ppmvd
- Stack Gas Volumetric Flow Rate in dscfh

Alternatively, determination of stack flow rate from fuel flow is based on the following equation:

$$\text{Stack Flow Rate} = [20.9 / (20.9 - \text{O}_2 \text{ concentration})] \times (\text{dry F-factor} \times \text{Fuel flow rate} \times \text{HHV})$$

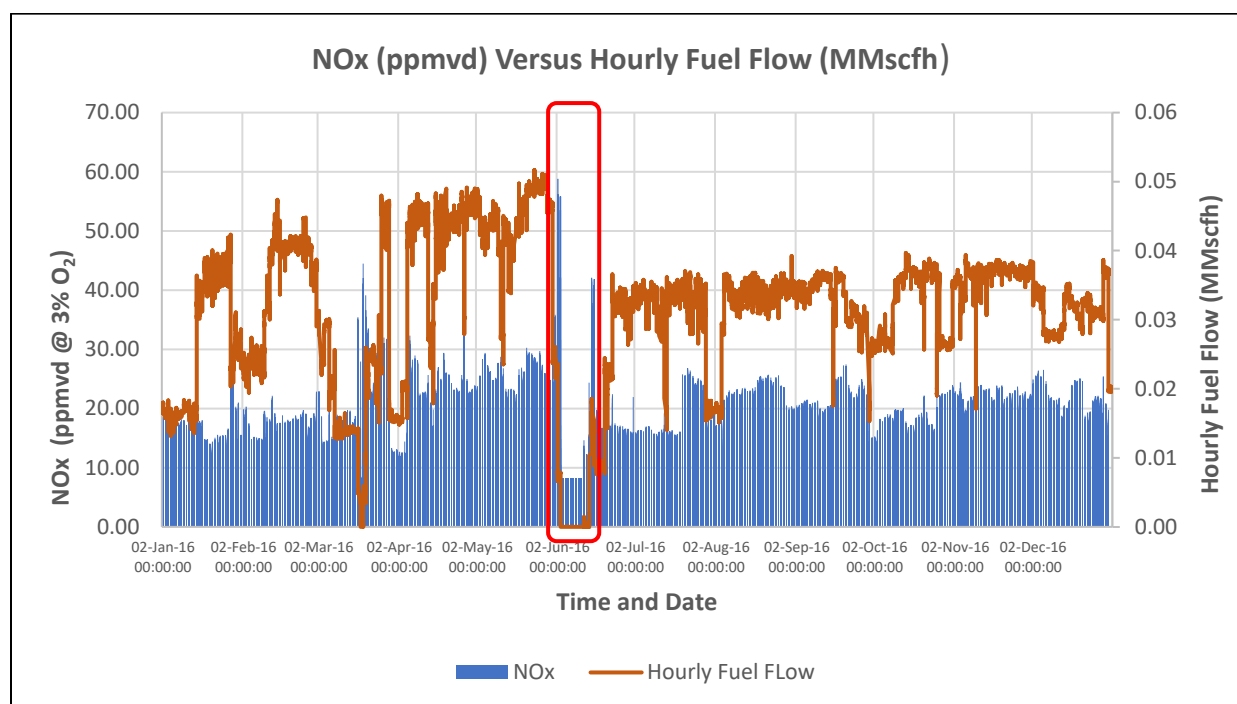
- O₂ concentration is measured at the stack in percent (%)
- Oxygen based dry F-factor of the fuel in dscf/MMBtu
- Fuel flow rate*
- Higher heating value of fuel, HHV*

*The product of the fuel flow rate and HHV in MMBTU/hr

Below are two examples of startup/shutdown periods and associated NOx emissions for units equipped with NOx controls. The first example is of a process heater with low-NOx burners (LNB) only and the second example is of a boiler with a LNB and selective catalytic reduction (SCR).

Example One: 82 MMBtu/hr Process Heater with LNB

Figure 1-1 is an example of CEMS data that staff analyzed for an 82 MMBtu/hr process heater equipped with LNB. To show relationship between NOx and fuel, the primary y-axis represents NOx emissions in ppmvd and secondary y-axis represents fuel flow in MMscfh. Based on CEMS data, staff identified several periods as potential startup/shutdown scenarios – typically characterized by the ramping down and up of fuel. According to the data there are instances of NOx excursions, but the corresponding fuel usage was dramatically lower, so overall NOx mass emissions were also lower. Fuel usage can be up to 80% less than normal operation during these startup/shutdown periods. NOx excursions during these periods only occurred for short durations where the unit was in a transitional state. This excursion is expected since manufacturer guarantees for combustion control equipment performance are at steady-state operations and not transitional or startup/shutdown periods.

Figure 1-1 – CEMS and fuel data for 82 MMBtu/hr process heater with low NO_x burners

Please note the data analyzed by staff was raw unaudited CEMS data that was not annotated with events specifying startup or shutdown periods. Table 1-2 contains a sample NO_x emissions calculation comparison based on the process heater in Example 1.

TABLE 1-2
NO_x EMISSION CALCULATION FOR 82 MMBTU/HR
PROCESS HEATER WITH LNB

	Steady-State Operation	Startup/Shutdown
NO_x Concentration @ 3% O₂ (ppmvd)	14.7	55.8
Hourly Fuel Flow (MMscfh)	0.03807	0.00738
HHV(Btu/scf)	1,294	1,220
Measured O₂ (%)	5.3	10.1
Calculated Stack Flow rate (dscfh)	574,853	151,760
NO_x Emissions (lb/hr)	1.01	1.0009

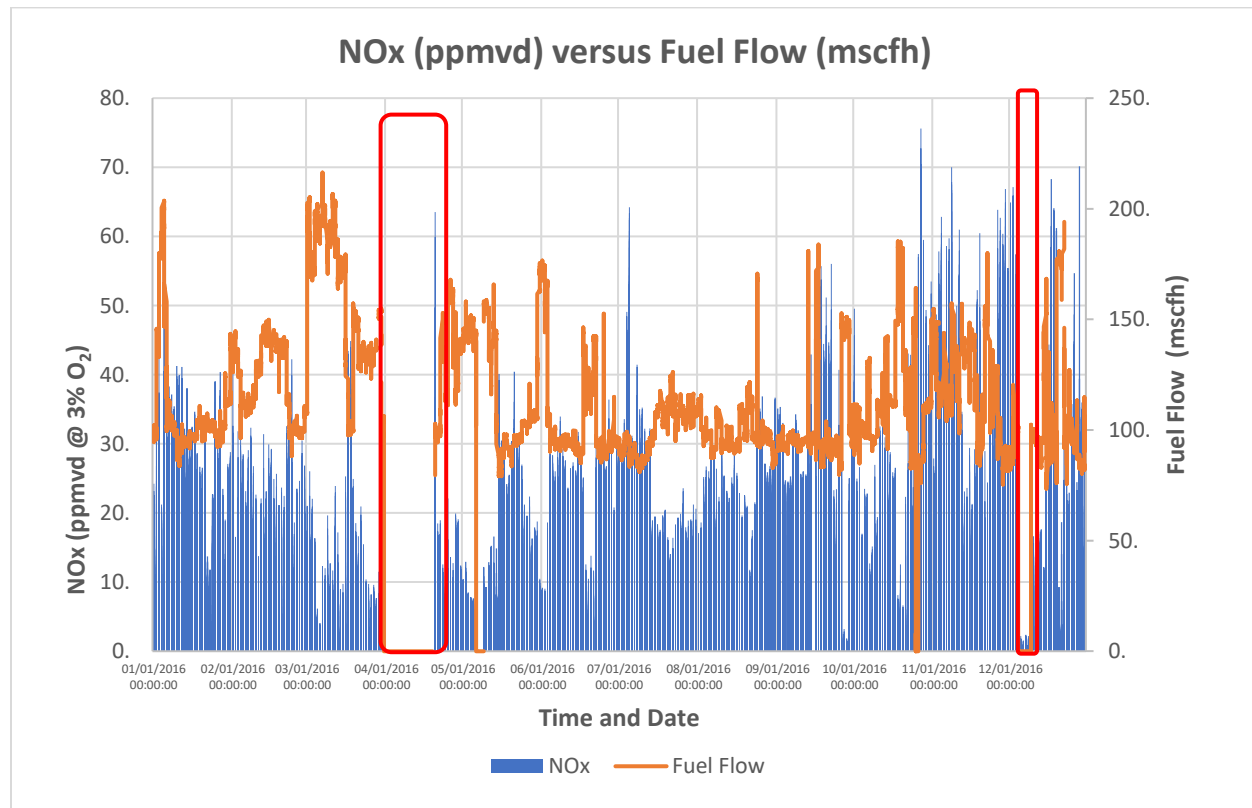
Based on the CEMS data for the example process heater with LNB only, the NO_x concentration calculation during a potential startup/shutdown period does not necessarily equate to a higher mass emission of NO_x. Other measured variables, such as flow rate also contribute to the overall calculation. In the example above, there was nearly four times more NO_x based on concentration in ppmvd during the potential startup/shutdown period but the corresponding mass emission rate did not translate to four times more NO_x mass emissions.

Example Two: 304 MMBtu/hr Boiler with LNB and SCR

NOx emissions for units equipped with NOx post-combustion control equipment such as SCR can potentially show a higher deviation in overall NOx mass emissions during startup/shutdown periods. This is primarily due to the SCR not being in optimal operation. Modern SCR designs can achieve up to 95% reduction and achieve very low NOx concentrations, however there is an optimal temperature range where the high NOx reduction can occur. If the unit is not at optimal temperature, the SCR cannot achieve maximum NOx reductions – general temperature window is approximately 550 °F to 1000 °F and will vary based on catalyst type and manufacturer. During startup periods the temperature of flue gas leaving the unit may not be high enough for optimal SCR performance and will require time to reach optimal temperature. Furthermore, older SCRs (installed in the early to mid-1990's) do not perform as well as modern SCR design and removal efficiencies can be lower in the 50 to 60% range.

Figure 1-2 is an example of CEMS data for a 304 MMBtu/hr boiler with first generation LNB and an older SCR for NOx control. The boiler currently has a 0.015 lb/MMBtu NOx limit under RECLAIM. Similar to Example One above, the relationship between NOx and fuel is shown. The primary y-axis represents NOx emissions in ppmvd and secondary y-axis represents fuel flow in mscfh. Based on CEMS data, staff identified two periods as potential start-up/shutdown scenarios which are highlighted by the red boxes.

Figure 1-2 – CEMS and fuel data for 304 MMBtu/hr Boiler with LNB and SCR



Based on the CEMS data that staff analyzed for the boiler, NO_x concentrations can be up to three times as high during startup; this is expected since the SCR is not at optimal temperature for maximum NO_x removal efficiency. However, this high NO_x mass emission rate event only occurred for a limited number of hours and is highlighted in yellow in Table 1-3 below. The assumption can be made that once the SCR reached optimal temperature and its proper operation was achieved, the NO_x mass emission dropped by approximately 50% and if it was a modern or upgraded SCR, the reduction can be even greater within a short period of time.

**TABLE 1-3
STARTUP PERIOD AND STEADY-STATE CEMS DATA FOR BOILER**

Date/Time	NO _x (ppmvd)	NO _x @3% (ppmvd)	O ₂ (%)	Stack Flow (mscfh)	Fuel Flow (mscfh)	NO _x (lbs/hr)	HHV 1 (Btu/scf)
STARTUP							
04/20/2016 12:59:59	9.598	36.712	6.825	1481.349	79.521	1.7	1423.098
04/20/2016 13:59:59	21.129	49.717	5.353	1718.691	101.182	4.4	1435.702
04/20/2016 14:59:59	29.847	63.514	5.128	1768.25	102.788	6.31	1473.157
04/20/2016 15:59:59	25.811	59.907	5.321	1679.679	97.276	5.18	1460.168
04/20/2016 16:59:59	12.956	29.501	5.277	1702.361	100.359	2.63	1438.495
04/20/2016 17:59:59	10.723	24.491	5.284	1698.026	102.195	2.18	1408.337
04/20/2016 18:59:59	10.726	24.23	5.259	1695.41	102.184	2.17	1408.552
04/20/2016 19:59:59	10.095	23.552	5.333	1661.187	101.33	2.01	1385.474
04/20/2016 20:59:59	7.772	20.083	5.584	1610.468	96.606	1.5	1385.709
04/20/2016 21:59:59	7.003	18.369	5.623	1602.834	97.491	1.34	1363.175
04/20/2016 22:59:59	6.758	17.679	5.616	1603.367	97.569	1.29	1363.398
12/09/2016 09:59:59	0.115	-79.615	21.026	0.	0.	0.	1278.705
12/09/2016 10:59:59	4.432	38.116	18.907	0.	0.	0.	1304.594
12/09/2016 11:59:59	20.721	55.371	14.264	0.	0.	0.	1309.392
12/09/2016 12:59:59	16.299	33.094	12.135	0.	0.	0.	1298.104
12/09/2016 13:59:59	47.855	52.797	4.685	1754.493	88.013	10.19	1301.049
12/09/2016 14:59:59	18.715	20.73	4.75	2043.689	101.386	4.58	1308.846
12/09/2016 15:59:59	11.314	12.767	5.048	1950.424	95.915	2.63	1296.179
12/09/2016 16:59:59	9.344	10.322	4.706	2047.318	102.413	2.29	1301.559

For comparison, the Table 1-4 below shows the typical NO_x concentrations and NO_x mass emissions during a period of normal steady-state operations for the boiler in Example 2.

**TABLE 1-4
STEADY-STATE CEMS DATA FOR BOILER**

Date/Time	NO _x (ppmvd)	NO _x @3% (ppmvd)	O ₂ (%)	Stack Flow (mscfh)	Fuel Flow (mscfh)	NO _x (lbs/hr)	HHV 1 (Btu/scf)
STEADY-STATE							
09/18/2016 23:59:59	9.053	12.098	7.531	2280.177	85.121	2.47	1482.556
09/19/2016 00:59:59	9.202	12.271	7.502	2307.62	83.744	2.54	1541.083
09/19/2016 01:59:59	9.385	12.541	7.53	2318.878	83.332	2.6	1556.373
09/19/2016 02:59:59	9.106	12.166	7.527	2301.028	83.773	2.5	1520.396
09/19/2016 03:59:59	9.964	13.071	7.279	2294.182	87.997	2.74	1458.136
09/19/2016 04:59:59	10.639	13.766	7.089	2339.046	89.019	2.98	1511.721
09/19/2016 05:59:59	10.688	13.806	7.065	2311.644	89.495	2.95	1480.086
09/19/2016 06:59:59	10.701	13.815	7.057	2308.005	90.352	2.95	1451.861
09/19/2016 07:59:59	9.951	12.509	6.681	2362.826	95.677	2.81	1413.167
09/19/2016 08:59:59	9.533	12.254	6.997	2311.638	91.588	2.64	1411.058
09/19/2016 09:59:59	9.585	12.153	6.804	2402.644	93.827	2.75	1451.252
09/19/2016 10:59:59	9.451	11.988	6.809	2406.33	93.128	2.72	1463.91
09/19/2016 11:59:59	9.413	11.999	6.879	2400.68	92.648	2.7	1460.66
09/19/2016 12:59:59	10.827	13.748	6.824	2413.017	92.247	3.12	1480.524
09/19/2016 13:59:59	10.176	12.907	6.809	2398.985	93.444	2.92	1454.725
09/19/2016 14:59:59	9.626	12.206	6.805	2375.061	95.558	2.73	1409.008

REGULATORY HISTORY

Rule 429 – Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen

South Coast AQMD Rule 429 was adopted on May 5, 1989 and last amended on December 21, 1990. Rule 429 applies to equipment subject to Rule 1109 – Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries, Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines (Rule 1134), Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters (Rule 1146), and Rule 1159 – Nitric Acid Units - Oxides of Nitrogen (Rule 1159). Rule 429 established an exemption from NO_x emission limits during scheduled startup and shutdown events, as well as limitations to the number and duration of scheduled startup and shutdown events and notification and recordkeeping requirements. However, Rule 429 does not currently apply to several NO_x RECLAIM landing rules (Rules 1147, 1147.1, and 1147.2) that require startup and shutdown provisions to facilitate the RECLAIM program to a command-and-control regulatory structure.

RECLAIM Program

The RECLAIM program is a market-based program that was adopted on October 15, 1993 and applies to facilities with annual emissions of four tons per year or more of NO_x or SO_x. The RECLAIM program was designed to achieve emission reductions in aggregate equivalent to what would occur under a command-and-control regulatory approach. As listed in Rule 2001–

Applicability, subdivision (j), facilities subject to NO_x RECLAIM are exempt from meeting the requirements of Rule 429.

Under the RECLAIM program, an owner or operator is required to hold RTCs at the end of each annual compliance cycle that are representative of all actual emissions, except for breakdowns which meet specific criteria under Rule 2004 – Requirements. Emissions that occur under typical operations, as well as emissions that occur from startups and shutdowns, are counted toward the actual emissions that are required to be reconciled with RTCs.

In a command-and-control regulatory structure, as opposed to the RECLAIM program, an owner or operator is required to meet emission limits on each individual piece of equipment on a continuous basis. Staff recognizes that during startup and shutdown activities, where total mass emissions may be low relative to normal operation, the concentration values may exceed the limits set in Rules 1134, 1146, 1147, 1147.1, and 1147.2. Therefore, PAR 429 is needed to establish requirements during startup and shutdown pursuant to U.S. EPA policies to regulate startup, shutdown, and malfunction.

AFFECTED FACILITIES AND EQUIPMENT

PAR 429 applies to equipment utilizing continuous emission monitoring systems (CEMS), alternative continuous emission monitoring systems (ACEMS), and semi-continuous emission monitoring systems (SCEMS) that are subject to Rules 1134, 1146, 1147, 1147.1, and 1147.2. Based on permitting data and South Coast AQMD databases, staff identified 60 units at 25 facilities that would be subject to PAR 429. Table 1-5 contains the equipment affected by PAR 429.

**TABLE 1-5
PAR 429 AFFECTED EQUIPMENT**

Equipment Type	Number of Units
Boilers and Process Heaters > 40 MM Btu/hour rated heat input	23
Boilers and Process Heaters ≤ 40 MM Btu/hour rated heat input	2
Simple Cycle Gas Turbines	17
Cogeneration, Combined Cycle, Compressor and Recuperative Gas Turbines	11
Kilns	1
Aggregate Dryers	2
Furnaces	4

PUBLIC PROCESS

The development of PAR 429 was conducted through a public process. One Working Group Meeting was held on January 6, 2022. The Working Group Meeting included representatives from affected facilities, environmental and community groups, other agencies, consultants, and interested parties. The purpose of Working Group Meetings is to discuss details of the proposed amended rule and to listen to concerns with the objective to build consensus and resolve key issues.

In addition, one Public Workshop was held on February 18, 2022. The purpose of the Public Workshop is to present the proposed amended rule language to the public and solicit comments.

CHAPTER 2: SUMMARY OF PROPOSAL

INTRODUCTION

PROPOSED AMENDED RULE 429

INTRODUCTION

PAR 429 will establish requirements during periods of startup and shutdown for various Regulation XI – Source Specific Standards rules. The proposed amended rule will be applicable to equipment utilizing continuous emissions monitoring systems (CEMS), alternative continuous emission monitoring systems (ACEMS), or semi-continuous emission monitoring systems (SCEMS) that are subject to PAR 429. The following provides a discussion of provisions under PAR 429.

PROPOSED AMENDED RULE 429

Subdivision (a) – Purpose

The purpose of this rule is to provide an exemption from oxides of nitrogen (NO_x) and carbon monoxide (CO) concentration limits during periods of startup and shutdown and establish requirements during startup and shutdown to limit NO_x and CO emissions. PAR 429 is needed to establish requirements during startup and shutdown pursuant to U.S. EPA policies to regulate startup, shutdown, and malfunction.

Subdivision (b) – Applicability

PAR 429 applies to an owner or operator of equipment utilizing CEMS, ACEMS, or SCEMS that are subject to Rules 1134, 1146, 1147, 1147.1, and 1147.2. Equipment is used as a general term in PAR 429, whereas unit is a defined rule term in PAR 429 that is used to refer to specific types of equipment. PAR 429 only applies to equipment utilizing CEMS, ACEMS, or SCEMS because units without monitoring systems typically demonstrate compliance with emission limits through source testing. Source tests used for compliance determination are not conducted during startup or shutdown, as specified in the applicable Regulation XI rule and/or source test protocol.

Subdivision (c) – Definitions

PAR 429 incorporates definitions from source-specific rules to define types of facilities, equipment, and other rule terms. New or modified key definitions added to PAR 429 include:

- **SCHEDULED STARTUP** means a planned startup that is specified by January 1 of each year.

Scheduled startup events include, but are not limited to, those planned for maintenance, testing, tuning, or construction. A startup is only considered a scheduled startup if it is specified by January 1 each year. Scheduled startups do not include change in status due to demand loads, unplanned maintenance, breakdowns, malfunctions, or other events not scheduled prior to January 1 for the upcoming calendar year.

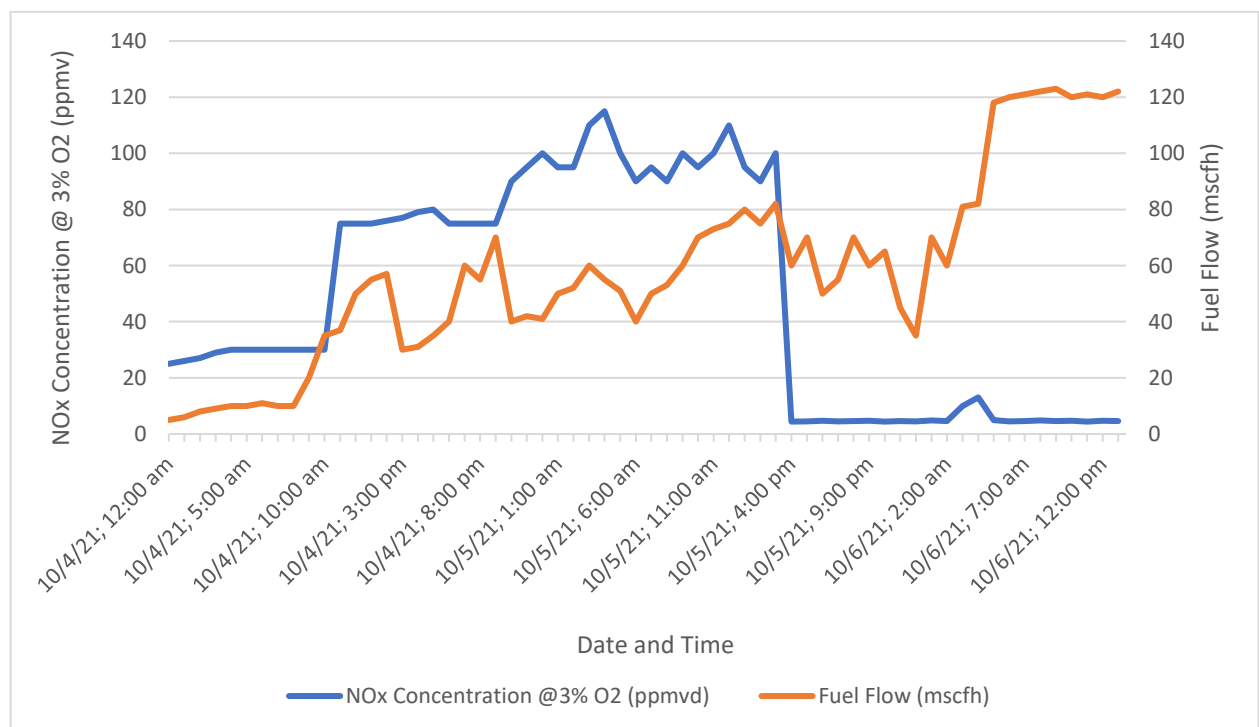
- **STABLE CONDITIONS** means that the fuel flow and fuel composition to a unit, is consistent and allows for normal operations.

This proposed definition provides clarification for compliance determination under subparagraph (d)(2)(A), as well as the definition of startup. A unit may stabilize and destabilize multiple times during a complex startup procedure. Stable conditions are only determined after all startup procedures for a unit are complete.

Staff provides an example of when evaluating the time stable conditions are met is essential for determining compliance with the startup and shutdown duration limits specified in paragraph (d)(2) (Figure 2-1). This example was created by staff for clarification purposes and is not based on actual CEMS data. This example is for a process heater equipped with NO_x post-combustion control equipment, which has a startup duration limit of 48 hours.

In this example, startup begins on October 4, 2021, at 12:00 am. On October 5, 2021, at 4:00 pm the flue gas temperature reaches the minimum operating temperature of the NO_x post-combustion control equipment, the NO_x post-combustion equipment begins operating, and the NO_x concentration limit of 5 ppmv is met. The process heater took 40 hours to reach the minimum operating temperature of the NO_x post-combustion control equipment and meet the concentration limit. The process heater continues to meet the 5 ppmv NO_x concentration limit until October 6, 2021 at 3:00 am, where it exceeds the concentration limit for 2 hours, before meeting 5 ppmv NO_x again on October 6, 2021 at 5:00 am when fuel flow stabilizes. In this example, the process heater used 42 hours of the 48-hour startup duration limit specified in paragraph (d)(2) and is in compliance with paragraph (d)(2). The 11 hours that the unit was meeting the concentration limit before reaching stable fuel flow is not counted towards the startup duration limit pursuant to paragraph (d)(2).

Figure 2-1 – Startup Example for Process Heater with NO_x Post-combustion Control Equipment



*Subdivision (d) – Requirements*Exemption from Concentration Limits During Startup and Shutdown (Paragraph (d)(1))

Paragraph (d)(1) specifies that NO_x and CO concentration limits and applicable rolling average provisions in Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 do not apply during startup and shutdown. Paragraph (d)(1) applies to facilities in RECLAIM, former RECLAIM facilities, and non-RECLAIM facilities.

Paragraph (d)(1) applies to all equipment types subject to Rules 1134, 1146, 1147, 1147.1, and 1147.2 that are utilizing CEMS, ACEMS, or SCEMS, regardless if the equipment type is specified in the PAR 429 definition of unit. Startup and shutdown provisions in PAR 429 are based on existing Rule 429 requirements and startup and shutdown information from existing units. Other equipment types that install CEMS, ACEMS, or SCEMS in the future will have startup and shutdown requirements through the permitting process until PAR 429 can be amended to reflect appropriate startup and shutdown requirements for that individual equipment type.

If a unit has a permit condition limiting the time of startup or shutdown, the unit is only exempt from the NO_x and CO concentration limits and applicable rolling average provisions in Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 for the time specified in the permit condition. While in RECLAIM, a PAR 429 facility will continue to be required to reconcile emissions under the RECLAIM program during startup and shutdown.

PAR 429 specifies requirements during startup and shutdown for non-RECLAIM facilities and former RECLAIM facilities. The startup and shutdown allowances specified in Table 1 (Table 2-1 in Staff Report) can be excluded from the applicable rolling average regardless of whether Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 concentration limits were being met during startup or shutdown. If the startup or shutdown exceeds the duration limits allowed pursuant to Table 1, the owner or operator is subject to the concentration limitations and applicable rolling average provisions in Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2. Refractory dryout does not count towards the duration limits pursuant to paragraph (g)(2) and is not subject to the NO_x and CO concentration limits and applicable rolling average provisions in Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2; however the unit is only exempt for the time specified in a permit condition, if applicable. A unit operating only the pilot is not subject to the NO_x and CO concentration limits and applicable rolling average provisions in Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 pursuant to paragraph (g)(1).

Startup and Shutdown Duration Limits (Paragraph (d)(2))

Paragraph (d)(2) includes Table 1 (Table 2-1 in Staff Report), which contains the startup and shutdown duration limits for units at former RECLAIM facilities and non-RECLAIM facilities. Startup and shutdown duration limits only apply when a unit exceeds the applicable NO_x or CO concentration limits in Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2. The following examples are provided to clarify certain startup and shutdown situations.

During the startup or shutdown of a unit, exhaust emission concentrations may fluctuate due to the nature of startups and shutdowns. Therefore, the time counted towards the startup and shutdown

duration limits in PAR 429 may be non-continuous. For example, a unit may meet the applicable NO_x and CO concentration limits temporarily during a startup or shutdown but then experience operational swings where the applicable concentration limits are not met due to instability. The time counted towards Table 1 duration limits does not start anew if Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 concentration limits are temporarily met during the startup or shutdown, but then fluctuations result in an emission increase which exceeds applicable concentration limits.

However, in a situation where the owner or operator of a unit has initiated a startup of a unit but then had to shutdown the unit and will startup the unit again, then the Table 1 duration limits would apply anew.

A unit with permit conditions which specifies more stringent startup or shutdown duration limits than PAR 429 will continue to be restricted by its existing permit conditions. The duration limits in Table 1 specify the hour limitation for each individual startup or shutdown; it is not the combined time allowance for startup and shutdown. For example, a combined cycle gas turbine has 2 hours to startup and 2 hours to shutdown.

The startup and shutdown duration limits are based on existing Rule 429 limits for Rule 1146 and Rule 1134 units. Startup and shutdown duration limits for units subject to Rules 1147, 1147.1, and 1147.2 are based on facility provided startup and shutdown information, including CEMS data from the affected units. Some furnaces heat up slowly to avoid equipment stress requiring longer startup and shutdown duration limits.

PAR 429 provides limited relief from the concentration limits assigned per Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 for startup and shutdown. If there are periods of time during startup and shutdown where emissions comply with the limits established in Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2, then the limited relief is not needed for that amount of time in compliance nor is the compliant time deducted from the amount of time of relief established in PAR 429.

**TABLE 2-1
STARTUP AND SHUTDOWN DURATION LIMITS**

Unit Type	Not to Exceed per Startup or Shutdown
Boilers and Process Heaters > 40 MM Btu/hour Rated Heat Input	8 hours
Boilers and Process Heaters ≤ 40 MM Btu/hour Rated Heat Input	6 hours
Simple Cycle Gas Turbines	15 minutes
Cogeneration, Combined Cycle, Compressor and Recuperative Gas Turbines	2 hours
Furnaces	24 hours
Aggregate Dryers	60 minutes
Tunnel Kilns	2 hours

Best Management Practices (Subparagraph (d)(2)(A))

Best management practices are contained in subparagraph (d)(2)(A). If a unit reaches stable conditions and reaches the minimum operating temperature of the NO_x post-combustion control equipment, if applicable, before reaching the duration limit specified in Table 1, the startup period is considered to be over, and the unit is required to meet applicable NO_x and CO concentration limits in Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2. Stable conditions and minimum operating temperature are defined in PAR 429 subdivision (c). Subparagraph (d)(2)(A) will further limit excess emissions from startup events.

Limit to the Number of Scheduled Startups (Paragraph (d)(3))

Paragraph (d)(3) limits each unit to 10 scheduled startups per calendar year, except for furnaces, which are limited to 35 scheduled startups per calendar year. Limiting the frequency of scheduled startups provides further bounds to the startup and shutdown provisions. Unscheduled startups are not limited by PAR 429 because they may be driven by operational demand, emergencies, or maintenance needs. The number of scheduled startups allowed for each unit per calendar year is specified in Table 2 (Table 2-2 in Staff Report).

The limits to the frequency of scheduled startups are based on existing Rule 429 requirements. The frequency of scheduled startups for boilers and process heaters ≤ 40 MM Btu/hour rated heat input was reduced from 10 scheduled startups per month to 10 scheduled startups per year to further bound startup and shutdown provisions. Staff did not hear from any stakeholders that more scheduled startups are necessary for boilers and process heaters ≤ 40 MM Btu/hour rated heat

input. Some furnaces are shutdown when demand is low. The number of scheduled startups allowed in a calendar year is based on furnaces shutting down every ten to 14 calendar days. The scheduled startup frequency for furnaces is based on facility-provided startup and shutdown information.

TABLE 2-2
MAXIMUM NUMBER OF SCHEDULED STARTUPS

Unit Type	Maximum Number of Scheduled Startups per Calendar Year
Furnaces	35
All Other Units	10

General Duty Requirements (Paragraph (d)(4))

Paragraph (d)(4) was modified from an existing Rule 429 provision and requires that an owner or operator of a unit at a former RECLAIM facility or non-RECLAIM facility that exceeds applicable Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2 NO_x and CO concentration limits during startup or shutdown take all reasonable and prudent steps to minimize emissions to meet applicable concentration limits. Reasonable and prudent steps to minimize emissions include, but are not limited to, equipment repairs and adjusting the temperatures of post-combustion controls.

Requirements for Units with NO_x Post-Combustion Control Equipment (Paragraph (d)(5))

Paragraph (d)(5) requires each unit equipped with NO_x post-combustion control equipment to install and maintain in operation a temperature measuring device that is calibrated annually at the inlet of the NO_x post-combustion control equipment. Temperature measuring devices include thermocouples and temperature gauges. Most existing units with NO_x post-combustion control equipment are already equipped with temperature measuring devices. It is standard practice to include a temperature measuring device requirement for units with NO_x post-combustion control equipment in South Coast AQMD permits, and any future units would be expected to install and maintain a temperature measuring device through the permitting process. A temperature measuring device is necessary to determine the temperature of the gas stream entering the NO_x post-combustion control equipment and when the catalyst in the NO_x post-combustion control equipment will effectively control NO_x emissions.

NO_x Post-Combustion Control Equipment Operating Temperature (Paragraph (d)(6))

Paragraph (d)(6) requires the operation of NO_x post-combustion control equipment during startup and shutdown events, including the injection of any associated chemical reagent into the exhaust stream to control NO_x, if the temperature of the gas to the inlet of the emission control system is greater than or equal to the minimum operating temperature of the NO_x post-combustion control equipment and the temperature of the exhaust gas is stable. Minimum operating temperature is defined in PAR 429 subdivision (c).

Subdivision (e) – Notification

Subdivision (e) provides notification requirements for scheduled startups. Notifications are required to be made on or before January 1 each year by calling 1-800-CUT-SMOG or by using other approved methods of notification as approved by the Executive Officer. Advanced notification of these events is considered important because it gives the South Coast AQMD time to allocate resources if necessary to monitor the startup and information to respond to inquiries from the community should they arise.

Subdivision (f) – Recordkeeping

Records assist in verifying compliance with Rule 429. Paragraph (f)(1) provides recordkeeping requirements for owners and operators of units at a former RECLAIM facility and non-RECLAIM facilities. Records are required to be maintained on-site for 5 years and made available to the South Coast AQMD upon request. The provision in subparagraph (f)(1)(A) requires the operating log to contain the date, time, duration, and reason for each startup, shutdown, and refractory dryout event. An operating log may also contain but is not limited to operator signed-off procedures and graphical trends showing key variables of the unit such as temperatures and flow rates. Staff notes that it is the responsibility of the operator to demonstrate to the Executive Officer and their representative that compliance with duration limits or with specified exempt activities under PAR 429 is met. For startups, the reason provided in the operating log must specify if the startup was scheduled. Subparagraphs (f)(1)(B) requires a list of scheduled startups.

Paragraph (f)(2) requires an owner or operator of a unit at a former RECLAIM facility or a non-RECLAIM facility equipped with NOx post-combustion control equipment to maintain documentation from the manufacturer of the minimum operating temperature of the NOx post-combustion control equipment, unless the applicable permit issued by the South Coast AQMD specifies the required minimum operating temperature of the NOx post-combustion control equipment. Documentation from the manufacturer may include, but is not limited to, an equipment manual or technical reports. Records are required to be on-site and made available to the South Coast AQMD upon request for compliance verification.

Subdivision (g) – Exemptions

Paragraph (g)(1) exempts units burning fuel exclusively in a pilot light from the startup and shutdown duration limits contained in paragraph (d)(2) and recordkeeping requirements specified in paragraph (f)(1). Fuel burned in a pilot light contributes relatively minimal emissions and is not the primary NOx emission source in combustion equipment.

Paragraph (g)(2) exempts units from the startup and shutdown duration limits contained in paragraph (d)(2) during refractory dryouts. Refractory dryouts are usually required when refractory is installed or when the refractory requires partial replacement or repair. The purpose of refractory dryouts is to cure the material from entrained moisture to avoid undue cracking when the unit is in operation. During typical refractory dryouts, the amount of heat used is low compared to normal operation and exhaust gas temperatures from a furnace are not high enough for NOx post-combustion control equipment to be operated properly. Furthermore, refractory dryouts are infrequent processes during which the expected mass emissions of NOx are low.

CHAPTER 3: IMPACT ASSESSMENTS

INTRODUCTION

COSTS

EMISSION REDUCTIONS

COST-EFFECTIVENESS

INCREMENTAL COST-EFFECTIVENESS

SOCIOECONOMIC ASSESSMENT

CALIFORNIA ENVIRONMENTAL QUALITY ACT ~~ANALYSIS~~

**DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE
SECTION 40727**

COMPARATIVE ANALYSIS

INTRODUCTION

Impact assessments were conducted during PAR 429 rule development to assess the environmental and socioeconomic implications of PAR 429. California Health & Safety Code (H&SC) requirements for cost-effectiveness analysis and incremental cost-effectiveness analysis were evaluated during rule development of PAR 429. Staff prepared an assessment of emission reductions, a socioeconomic assessment, and a California Environmental Quality Act (CEQA) Notice of Exemption analysis. Draft findings and comparative analyses were prepared pursuant to California Health and Safety Code Section (H&SC) 40727 and H&SC 40727.2, respectively.

COSTS

The provisions in PAR 429 are not expected to impose any additional costs.

EMISSION REDUCTIONS

There will not be additional emission reductions from combustion equipment subject to PAR 429; any emission reductions for these units are a result of Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and PR 1147.2.

COST-EFFECTIVENESS

The H&SC Section 40920.6 requires a cost-effectiveness analysis when establishing BARCT requirements. PAR 429 does not include new BARCT requirements nor is it expected to impose any additional costs. Therefore, this provision does not apply to the proposed amended rule.

INCREMENTAL COST-EFFECTIVENESS

H&SC Section 40920.6 requires an incremental cost-effectiveness analysis for BARCT rules or emission reduction strategies when there is more than one control option which would achieve the emission reduction objective of the proposed amendments, relative to ozone, CO, SO_x, NO_x, and their precursors. PAR 429 does not include new BARCT requirements nor does it include any requirements for additional control options. So, there is no more stringent control option upon which an incremental cost-effectiveness would be calculated. Therefore, this provision does not apply to PAR 429.

SOCIOECONOMIC ASSESSMENT

PAR 429 does not impose any additional costs to the affected facilities and ~~is~~ does not expected to result in any adverse socioeconomic impacts.

CALIFORNIA ENVIRONMENTAL QUALITY ACT ANALYSIS

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project (PAR 429) is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308. Further, there is no substantial evidence indicating that any of the exceptions in CEQA Guidelines Section 15300.2 apply to the proposed project. A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and if PAR 429 is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Planning and Research.

DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE SECTION 40727*Requirements to Make Findings*

H&SC 40727 requires that prior to adopting, amending or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the staff report. The draft findings are as follows:

Necessity

PAR 429 is needed to specify technological control requirements and work practice standards during startup and shutdown, limit the duration during startup and shutdown that a unit can exceed the applicable NOx or CO concentration limits in Rules 1134, 1146, 1147, 1147.1 and 1147.2, and limit the number of scheduled startups.

Authority

The South Coast AQMD obtains its authority to adopt, amend, or repeal rules and regulations pursuant to H&SC Sections 39002, 39616, 40000, 40001, 40440, 40702, 40725 through 40728, 40920.6, and 41508, as well as the federal Clean Air Act.

Clarity

PAR 429 is written or displayed so that its meaning can be easily understood by the persons directly affected by them.

Consistency

PAR 429 is in harmony with and not in conflict with or contradictory to, existing statutes, court decisions or state or federal regulations.

Non-Duplication

PAR 429 will not impose the same requirements as any existing state or federal regulations. The proposed amended rule is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

Reference

In adopting this rule, the following statutes which the South Coast AQMD hereby implements, interprets or makes specific are referenced: H&SC Sections 39002, 40001, 40702, 40440(a), and 40725 through 40728.5, and the federal Clean Air Act.

COMPARATIVE ANALYSIS

Under H&SC Section 40727.2, the South Coast AQMD is required to perform a comparative written analysis when adopting, amending, or repealing a rule or regulation. The comparative analysis is relative to existing federal air pollution control requirements, existing or proposed South Coast AQMD rules and regulations, and all air pollution control requirements and guidelines which are applicable to the same equipment or source type. A comparative analysis is presented below in Table 3-1.

TABLE 3-1
PAR 429 COMPARATIVE ANALYSIS

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
Applicability	Equipment utilizing CEMS, ACEMS, or SCEMS and subject to Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2.	Stationary gas turbines with ≥ 0.3 MW except those located electric generating facilities (Rule 1135), landfills, petroleum refineries, and publicly owned treatment works or fueled with landfill gas	Boilers, steam generators, and process heaters of equal to or greater than 5 million Btu per hour rated heat input capacity used in all industrial, institutional, and commercial operations	Gaseous and/or liquid fuel fired combustion equipment with NOx emissions that require a South Coast AQMD permit and when other South Coast AQMD Regulation XI rules are not applicable to the Unit.	Aggregate dryers with maximum rated heat input capacities greater than or equal to 2 MMBtu/hr	Metal Melting Furnace, Metal Heat Treating Furnace, Metal Heating Furnace, or Metal Forging Furnace that requires a South Coast AQMD permit.	Facilities up until January 5, 2018, unless otherwise exempted, if emission fee data for 1990 or any subsequent year filed pursuant to Rule 301, shows 4 or more tons per year of NOx or SOx emissions	Gas turbines with heat input of ≥ 10 MMBtu/hr that commenced construction, modification or re-construction on or before 2/18/2005	Gas turbines with heat input of ≥ 10 MMBtu/hr that commenced construction, modification or re-construction after 2/18/2005	Steam generating units that commenced construction, modification, or re-construction after 6/19/1984 and that has a heat input capacity of >29 MW (100 MMBtu/hr)	Steam generating units that commenced construction, modification, or re-construction after 6/9/1989 and that has a heat input capacity of 29 MW or less, but ≥ 2.9 MW (10 MMBtu/Hr)	New or modified minor source hot asphalt plants in tribal territory.
Requirements	Startup and shutdown duration limits: • Boilers and Process Heaters > 40 MMBtu/hr rated heat input – 8 hours	NOx emission limits @ 15% O ₂ : • Liquid fuel, located on outer continental shelf – 30 ppmv • Natural gas,	NOx limits @ 3% O ₂ averaged over 15 minutes: • Digester gas: 15 ppmv • Landfill gas: 25 ppmv • Natural gas: 5	NOx ppm limits at 3% O ₂ (except for turbines which are corrected to 15% O ₂) for gaseous fuel-fired equipment: • Afterburner, Degassing Unit, Thermal Oxidizer,	NOx limits: 30 ppm CO Limit: 1,000 ppm All parts per million (ppm) emission limits	Interim NOx limits: 60 ppm, corrected to 3% oxygen, dry, for any Unit at a Non-RECLAIM Facility; or 102 ppm, corrected to 3% oxygen, dry, for any	• Comply with all applicable rules and permit conditions as specified in the Facility Permit • Prohibition of emissions in excess of	NOx limit @ 15% O ₂ , where Y = Manufacture's rated heat input and F = NOx emission allowance for fuel-bound nitrogen:	NOx limit @ 15% O ₂ : • ≤ 50 MMBtu/hr – 42 ppm new, firing natural gas, electric generating • ≤ 50 MMBtu – 100 ppm new, firing natural	SO ₂ limits (30-day rolling average, except as provided in paragraph (f), apply at all times including SSM, except as provided in paragraph (i)* of this section and §60.45b(a)):	SO ₂ limits (30-day rolling average, apply at all times including startup, shutdown, and malfunction):	NOx limits: 36 ppm CO Limit: 400 ppm *All parts per million (ppm) emission

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
	<ul style="list-style-type: none"> Boilers and Process Heaters ≤ 40 MMBtu/hour rated heat input– 6 hours Simple Cycle Gas Turbines– 15 minutes Cogeneration, Combined Cycle, Compressor and Recuperative Gas Turbines – 2 hours Tunnel Kilns – 2 hours Aggregate Dryers – 45 minutes Furnaces – 24 hours Scheduled startups limited to 35 per calendar year for furnaces and 10 per calendar 	combined cycle- 2 ppmv • Natural Gas, simple cycle- 2.5 ppmv • Produced gas- 9 ppmv • Produced gas, located on outer continental shelf – 15 ppmv • Other – 12.5 ppmv Stationary gas turbines installed prior to April 5, 2019 shall comply with the averaging requirements specified on the SCAQMD	ppmv for ≥75 MMBtu/hr, 7 or 9 ppmv for 20–75 MMBtu/hr, 12 ppm for atmospheric, and 12 ppm for thermal fluid heaters For other types of fuels: 30 ppmv for other gaseous fuels; 40 ppmv for nongaseous fuels CO limit@ 3% O ₂ averaged over 15 minutes: 400 ppmv	Catalytic Oxidizer or Vapor Incinerator: 60 ppmv or 0.073 lb/MMBtu for in-use units; 20 ppmv or 0.024 lb/MMBtu for new units • Remediation Unit: 60 ppmv or 0.073 lb/MMBtu • Burn-off Furnace, Burnout Oven, Incinerator or Crematory with or without Integrated Afterburner: 60 ppmv or 0.073 lb/MMBtu for in-use units; 30 ppmv or 0.036 lb/MMBtu for new units • Evaporator, Fryer, Heated Process Tank, or Parts Washer: 60 ppmv or 0.073 lb/MMBtu	are referenced at 3 percent volume stack gas oxygen on a dry basis averaged over a period of 15 consecutive minutes	Unit at a Former RECLAIM Facility or RECLAIM Facility that does not have an existing NOx concentration limit on its Permit to Operate. NOx emission limit for existing units corrected to 3% oxygen, dry: • Metal melting furnace < 40 MMBtu/hr: 40 ppm • Metal Heat Treating, Metal Heating, and Metal Forging furnaces < 40 MMBtu/hr and ≤ 1,200 °F: 40 ppm • Metal Heat Treating, Metal Heating, and Metal Forging furnaces < 40 MMBtu/hr	annual allocation • Modeling if actual NOx or SOx emissions exceed its initial allocation by ≥ 40 tons per year • Effective 11/15/1998 each new, modified, and existing electric utility and industrial and commercial boiler which emits > 25 tons per year of NOx shall burn as its primary fuel natural gas, methanol, or ethanol (or a comparably low polluting fuel); or use advanced control technology Emission Limits: • FCCU – 25 ppm SOx,	• 0.0075* (14.4/Y) +F • 0.0150* (14.4/Y) +F SO ₂ limit @ 15% O ₂ : • 0.015% by volume	gas, mechanical drive • > 50 MMBtu/hr and ≤ 850 MMBtu/hr – 25 ppm new, firing natural gas • >850 MMBtu/hr – 15 ppm new, modified, or reconstructed, firing natural gas • ≤ 50 MMBtu/hr – 96 ppm new, firing fuels other than natural gas, electric generating • ≤ 50 MMBtu/hr – 150 ppm new, firing fuels other than natural gas, mechanical drive • > 50 MMBtu/hr and ≤ 850 MMBtu/hr – 74 ppm new, firing fuels other than natural gas	• Affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005 that combusts coal or oil: 87 ng/J or 10% of the potential SO ₂ emission rate and $E_s = \frac{(K_s H_s + K_o H_o)}{(H_s + H_o)}$ • Affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005 that combusts coal refuse alone in a fluidized bed combustion steam generating unit: 87 ng/J or 20% of the potential SO ₂ emission rate and 520 ng/J heat input • Affected facility that combusts coal or oil, either	• Affected facility that combusts only coal or coal with coal refuse: 87 ng/J (0.20 lb/MMBTU) heat input or 10% of the potential SO ₂ emission rate and 520 ng/J (1.2 lb/MMBTU) heat input • Affected facility that combusts coal or coal refuse with other fuels: 87 ng/J (0.20 lb/MMBTU) heat input or 10% of the potential SO ₂ emission rate and $E_s = \frac{(K_s H_s + K_o H_o + K_f H_f)}{(H_s + H_o + H_f)}$ • Affected facility that combusts only coal refuse alone in a fluidized bed combustion steam generating	limits are referenced at 3 percent volume stack gas oxygen on a dry basis averaged over a period of 15 consecutive minutes.

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
	<p>year for all other units</p> <p>Work practice requirements:</p> <ul style="list-style-type: none"> Take all reasonable and prudent steps to minimize emissions during startup and shutdown Operate NOx post-combustion control equipment if the temperature to the gas at the inlet of the NOx post-combustion control equipment is \geq the minimum operating temperature <p>Install and maintain in operation a calibrated temperature measuring</p>	<p>permit to operate as of April 5, 2019, not to exceed 3 hours.</p> <p>Stationary gas turbines installed after April 5, 2019 shall average the NOx, and ammonia emissions limits in Table I over a 60-minute rolling average.</p> <p>Stationary compress or gas turbines installed after April 5, 2019 shall average the NOx and ammonia emissions limits in</p>		<ul style="list-style-type: none"> Oven, Dehydrator, Dryer, Heater, Kiln, Calciner, Cooker, Roaster, Furnace, or Heated Storage Tank: 30 ppm or 0.036 lb/MMBtu for process temperatures $<1200^{\circ}\text{F}$ and 60 ppmv or 0.073 lb/MMBtu for process temperatures $\geq 1200^{\circ}\text{F}$ for in-use units; 20 ppmv or 0.024 lb/MMBtu for process temperatures $<1200^{\circ}\text{F}$ and 30 ppm or 0.036 lb/MMBtu for process temperatures $\geq 1200^{\circ}\text{F}$ for new units Make-Up Air Heater or other Air Heater 		<p>and $> 1,200^{\circ}\text{F}$: 50 ppm</p> <ul style="list-style-type: none"> Units with Radiant-Tube Burners < 40 MMBtu/hr: 50 ppm All units ≥ 40 MMBtu/hr: 15 ppm (averaged over an 8-hour rolling interval) <p>NOx emission limit for new units corrected to 3% oxygen, dry:</p> <ul style="list-style-type: none"> Metal melting furnace < 40 MMBtu/hr: 40 ppm Metal Heat Treating, Metal Heating, and Metal Forging furnaces < 40 MMBtu/hr and $\leq 1,200^{\circ}\text{F}$: 30 ppm Metal Heat Treating, Metal Heating, and Metal Forging furnaces < 40 MMBtu/hr 	<p>dry @ 0% oxygen on a 365-day rolling average</p> <p>Emission Factors NOx:</p> <ul style="list-style-type: none"> Refinery boiler > 40 MMBtu/hr – 2 ppm FCCU – 2 ppm Gas turbines – 2 ppm Calciner – 10 ppm SRU/TG unit – 95% reduction, 2 ppm <p>Emission Standards SOx:</p> <ul style="list-style-type: none"> Calciner – 10 ppmv FCCU – 5 ppmv Refinery boiler/heater – 40 ppmv SRU/TG unit – 5 ppmv Sulfuric acid 		<ul style="list-style-type: none"> > 850 MMBtu/hr – 42 ppm new, modified, or reconstructed, firing fuels other than natural gas ≤ 50 MMBtu/hr – 150 ppm modified or reconstructed > 50 MMBtu/hr and ≤ 850 MMBtu/hr – 42 ppm modified or reconstructed, firing natural gas > 50 MMBtu/hr and ≤ 850 MMBtu/hr – 96 ppm modified or reconstructed, firing fuels other than natural gas <p>SO₂ limit:</p> <ul style="list-style-type: none"> 110 ng/J 65 ng/J for turbines burning at least 50% biogas in a 	<p>alone or in combination with any other fuel, and that uses an emerging technology to control SO₂: 50% of the potential SO₂ emission rate and</p> $E_s = \frac{(K_s H_s + K_d H_d)}{(H_s + H_d)}$ <ul style="list-style-type: none"> Affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005 that: have an annual capacity factor for coal and oil of $\leq 30\%$ and a federally enforceable permit limiting operation; is located in a noncontinental area; combusts coal and oil, alone or in combination with a duct burner as part of a combined cycle system 	<p>unit: 87 ng/J (0.20 lb/MMBTU) heat input or 20% of the potential SO₂ emission rate and 520 ng/J (1.2 lb/MMBTU) heat input</p> <ul style="list-style-type: none"> Affected facility that combusts only coal and that uses an emerging technology for the control of SO₂ emissions: 50% of the potential SO₂ emission rate and 260 ng/J (0.60 lb/MMBTU) heat input Affected facility that combusts coal with other fuels and that uses an emerging technology for the control of SO₂ emissions: 	

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
	device on all units with NOx post-combustion control equipment	Table II over a three-hour rolling average.		located outside of building with temperature controlled zone inside building: 30 ppmv or 0.036 lb/MMBtu • Tenter Frame or Fabric or Carpet Dryer: 30 ppmv or 0.036 lb/MMBtu for in-use units; 20 ppmv or 0.024 lb/MMBtu for new units • Autoclave: 30 ppm or 0.036 lb/MMBtu for new units • Tunnel Kiln or Beehive Kiln: 30 ppmv or 0.036 lb/MMBtu for process temperatures <1200°F and 60 ppmv or 0.073 lb/MMBtu for process temperatures ≥1200°F for new units		and > 1,200 °F: 40 ppm • Units with Radiant-Tube Burners < 40 MMBtu/hr: 40 ppm • All units ≥ 40 MMBtu/hr: 15 ppm (averaged over an 8-hour rolling interval) CO emission limit corrected to 3% oxygen, dry: 1000 ppm An owner or operator demonstrating compliance with NOx emissions of less than 1 pound per day shall install and maintain in service a non-resettable totalizing time meter on the Unit and operate the Unit no more than the specified number of hours per	manufacturing – 10 ppmv		calendar month Operate and maintain stationary combustion turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.	where ≤30% of the heat entering the steam generating unit is from combustion of coal and oil in the duct burner and ≥70% of the heat entering the steam generating unit is from the exhaust gases entering the duct burner; or burns coke oven gas alone or in combination with natural gas or very low sulfur distillate oil: 520 ng/J if the facility combusts coal or 215 ng/J if the facility combusts oil other than very low sulfur oil • Affected facility that commenced construction, reconstruction, or modification after February 28, 2005 and	50% of the potential SO ₂ emission rate and $E_i = \frac{(K_i H_i + K_o H_o + K_f H_f)}{(H_i + H_o + H_f)}$ • Affected facility that combusts coal alone or in combination with another fuel that has a heat input capacity of ≤ 22 MW, is subject to a federally enforceable requirement of an annual capacity factor for coal of ≤55%, located in a noncontiguous area, or combusts coal in a duct burner as part of a combined cycle system where ≤30% of the heat entering the steam generating unit is from	

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
				<ul style="list-style-type: none"> • Chiller (Absorption or Adsorption): 20 ppmv or 0.024 lb/MMBtu/hr for new units • Turbine <0.3 MW: 9 ppmv or 0.033 lb/MMBtu for new units • Rotary Dryer: 30 ppmv or 0.036 lb/MMBtu for new units • Other Unit or Process Temperature: 30 ppm or 0.036 lb/MMBtu for process temperatures <1200°F and 60 ppm or 0.073 lb/MMBtu for process temperatures ≥1200°F <p>NO_x ppm limits at 3% O₂ (except turbines which are corrected to 15% O₂) for liquid fuel-</p>		month in Table 5 calculated using Equation 1; or install and maintain in service a non-resettable totalizing fuel meter on the Unit and consume no more than the Therms of fuel per month calculated using Equation 2				<p>that combusts coal, oil, natural gas, a mixture of these fuels, or a mixture of these fuels with any other fuels: 87 ng/J or 8% of the potential SO₂ emissions and 520 ng/J</p> <p>* An affected facility subject to paragraph (a), (b), or (c) of this section may combust very low sulfur oil or natural gas when the SO₂ control system is not being operated because of malfunction or maintenance of the SO₂ control system</p> <p>Facilities burning coke oven gas alone or in combination with any other gaseous fuels or distillate oil are allowed to exceed</p>	<p>combustion of coal in the duct burner and ≥70% of the heat entering the steam generating unit is from exhaust gases entering the duct burner:</p> $E_i = \frac{(K_i H_i + K_o H_o + K_g H_g)}{(H_i + H_o + H_g)}$ <p>PM and Opacity Limits (apply at all times except during startup, shutdown, and malfunction)</p> <p>:</p> <ul style="list-style-type: none"> • Affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, combusts coal or coal with other fuels, a heat 	

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
				fired equipment: <ul style="list-style-type: none"> • Turbine <0.3 MW (in-use distillate fuel <0.3 MW): 77 ppmv or 0.285 lb/MMBtu • All liquid fuel-fired units: 40 ppm or 0.053 lb/MMBtu for process temperatures <1200°F and 60 ppm or 0.073 lb/mmBtu for process temperatures ≥1200°F CO limit at 3% O ₂ (except turbines which are corrected to 15% O ₂): 1000 ppmv Perform combustion system maintenance						the limit 30 operating days per calendar year for SO ₂ control system maintenance. PM and Opacity Limits (apply at all times except startup, shutdown, or malfunction, 24 hour average): <ul style="list-style-type: none"> • Affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005 and that combusts coal or combusts mixtures of coal with other fuels: 22 ng/J (only coal or if the affected facility combusts coal and other fuels and has an annual capacity factor for the other fuels of ≤10%), 43 ng/J (affected facility 	input capacity ≥ 8.7 MW: 22 ng/J PM (annual capacity factor for the other fuels of 10% or less) or 43 ng/J PM (annual capacity factor for the other fuels >10%, and subject to a federally enforceable requirement) <ul style="list-style-type: none"> • Affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, combusts wood or wood with other fuels (except coal), a heat input capacity ≥ 8.7 MW: 43 ng/J PM (annual capacity 	

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
										combusts coal and other fuels and has an annual capacity factor for the other fuels > 10 percent% and is subject to a federally enforceable requirement), 86 ng/J (combusts coal or other fuels and has an annual capacity factor for coal or coal and other fuels of ≤30%, has a maximum heat input of ≤73 MW, has a federally enforceable limit ,construction of the affected facility commenced after June 19, 1984, and before November 25, 1986) • Affected facility that commenced construction, reconstruction, or modification	factor for wood >30%) or 130 ng/J PM (annual capacity factor for wood ≤ 30% and federally enforceable limit) • Affected facility that combusts coal, wood or oil, a heat input capacity ≥ 8.7 MW: 20% opacity (6 minute average) • Affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, combusts wood, oil, coal, or a mixture of these fuels, wood with other fuels with any other fuels, a heat input	

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
										<p>on or before February 28, 2005 that combusts oil (or mixture of oil with other fuels) and uses a SO₂ control technology: 43 ng/J</p> <ul style="list-style-type: none"> Affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005 that combusts wood, or wood with other fuels, except coal: 43 ng/J (annual capacity factor >30% for wood) or 86 ng/J (annual capacity factor ≤30% for wood and subject to a federally enforceable annual capacity limit and a heat input capacity of ≤73 MW) Affected facility that combusts municipal-type 	capacity ≥ 8.7 MW: 13 ng/J PM	

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
										solid waste or mixtures of municipal-type solid waste with other fuels: 43 ng/J (only municipal-type solid waste or combusts municipal type solid waste and other fuels and has an annual capacity factor for the other fuels of $\leq 10\%$), 86 ng/J (has an annual capacity factor for municipal-type solid waste and other fuels of $\leq 30\%$, a maximum heat input of ≤ 73 MW, a federally enforceable annual capacity limit, and construction of the affected facility commenced after June 19, 1984, but on or before November 25, 1986) <ul style="list-style-type: none"> Affected facility that 		

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
										<p>combusts coal, oil, wood, or mixture of these fuels with other fuels: 20% opacity (6 minute average)</p> <ul style="list-style-type: none"> Affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005 that combusts coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels except as provided in paragraphs (h)(2), (h)(3), (h)(4), (h)(5), and (h)(6): 13 ng/J <p>NOx limits (apply at all times including startup, shutdown, and malfunction, 30-day rolling average, except as provided in paragraph (j)):</p>		

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
										<ul style="list-style-type: none"> • Natural gas and distillate oil, except duct burners in combined cycle systems: 43 ng/J (low heat release), 86 ng/J (high heat release) • Residual Oil: 130 ng/J (low heat release), 170 ng/J (high heat release) • Coal: 210 ng/J (mass-feed stoker), 260 ng/J (spreader stoker and fluidized bed combustion), 300 ng/J (pulverized coal), 260 ng/J (Lignite), 340 ng/J (Lignite mined in North Dakota, South Dakota or Montana and combusted in a slag tap furnace), 210 ng/J (coal-derived synthetic fuels) • Duct burner in a combined cycle system: 86 ng/J (natural 		

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
										gas and distillate oil), 170 ng/J (residual oil) <ul style="list-style-type: none"> Simultaneous combustion of mixtures of only coal, oil, or natural gas $E_{\text{CO}} = \frac{(E_{\text{CO}}H_{\text{CO}}) + (E_{\text{CO}}H_{\text{CO}}) + (E_{\text{CO}}H_{\text{CO}})}{(H_{\text{CO}} + H_{\text{CO}} + H_{\text{CO}})}$ <ul style="list-style-type: none"> Affected facility that simultaneously combusts coal or oil, natural gas (or any combination of the three), and wood, or any other fuel: Emission limit pursuant to paragraph (a) or (b) Affected facility that simultaneously combusts natural gas and/or distillate oil with a potential SO₂ emissions rate of ≤26 ng/J with wood, municipal-type solid waste, or other solid fuel, except coal: 130 ng/J 		

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
										<ul style="list-style-type: none"> Affected facility that commenced construction after July 9, 1997: 86 ng/J (combusts coal, oil, or natural gas, or any combination of the three) 		
Monitoring	None	A continuous in-stack NOx monitor for turbines with a capacity of 2.9 MW or greater. Source testing every 1-3 years.	A continuous in-stack NOx monitor for units with a rated heat input capacity ≥ 40 MMBtu/hr and an annual heat input $> 200 \times 10^9$ Btu per year. Source testing every 3-5 years. Diagnostic emissions checks.	Source testing to demonstrate compliance with emission limits by the applicable schedules in subdivision (e). Test methods: South Coast AQMD Source Test Method 100.1, South Coast AQMD Source Test Method 10.1, or Any alternative test method determined approved before the test in writing by the Executive Officers of the South Coast	<ul style="list-style-type: none"> A continuous in-stack NOx monitor for existing systems Source testing once every 5 calendar years for units < 10 MMBtu/hr Source testing once every 3 calendar years for units ≥ 10 MMBtu/hr and < 40 MMBtu/hr Source testing once every calendar year for units ≥ 40 MMBtu/hr 	Source testing requirements for units subject to the concentration limit and implementation schedule requirements in paragraph (d)(1), (d)(2), (d)(3), or (d)(4): <ul style="list-style-type: none"> No later than 60 calendar months from the previous source test for units < 10 MMBtu/hr 60 calendar months from the previous source test for Units rated ≥ 10 MMBtu/hr with an annual heat input of less than or 	<ul style="list-style-type: none"> Continuous monitoring device for each as specified in Rule 1212, Appendix A and Rule 2011, Appendix A for each major NOx or SOx source Source testing every 6 months for major NOx sources at a Super Compliant NOx facility which is reclassified as a large NOx source Source testing every 12 months (units with 	<ul style="list-style-type: none"> Performance test using either: EPA Method 20; ASTM D6522-00; EPA Method 7E and either EPA Method 3 or 3A; sampling traverse points following Method 20 or Method 1, and sampled for equal time intervals A continuous monitoring system to monitor and record the fuel consumption and the ratio of water or steam to fuel or CEMS for stationary gas turbines using water or steam injection (hourly average) Annual performance 	<ul style="list-style-type: none"> Initial performance test Test methods: EPA Methods 7E and 3A, EPA Method 20, EPA Method 19 A continuous monitoring system to monitor and record the fuel consumption and the ratio of water or steam to fuel or CEMS for stationary gas turbines using water or steam injection (hourly average) Annual performance 	<ul style="list-style-type: none"> Performance tests Test Methods: Method 19, Method 3A or 3B, Method 5, 5B, or 17, Method 5, Method 17, Method 1, Method 9, Method 7E, Method 7.7A, 7E, Method 320 Quarterly accuracy determinations and daily calibration drift tests for CEMS SO₂ CEMS except as provided in paragraphs (b) and (f) Continuous opacity monitoring 	<ul style="list-style-type: none"> Initial performance test Test Methods for PM: Method 1, Method 3A or 3B, Method 5, 5B, or 17, Method 9 CEMS for measuring SO₂ and either O₂ or CO₂ at the outlet of the SO₂ control device (or unit if there is no control device); 1 hour average Quarterly accuracy determinations and daily calibration drift tests 	Permit specific

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
				AQMD, the California Air Resources Board and the United States Environmental Protection Agency. For any operator who chooses to comply using pound per million Btu, NOx emissions in pounds per million Btu of heat input shall be calculated using procedures in 40 CFR Part 60, Appendix A, Method 19, Sections 2 and 3.		<p>equal to 23 billion Btu per year</p> <ul style="list-style-type: none"> • 36 calendar months from the previous source test for Units rated \geq 10 MMBtu/hr with an annual heat input of greater than 23 billion Btu per year in any year <p>Test methods: South Coast AQMD Source Test Method 100.1, South Coast AQMD Source Test Method 7.1, EPA Test Method 19, or any alternative test method submitted in writing to, and pre-approved by, the Executive Officer of the South Coast AQMD, the California Air Resources Board, and the</p>	<p>emission rates) and every 6 months (units with concentration limits) for major SOx sources at a Super Compliant SOx facility which is reclassified as a SOx process unit</p> <ul style="list-style-type: none"> • Source testing shall comply with District Source Test Methods 1.1, 1.2, 2.1, 2.2, 2.3, 3.1, 4.1, 6.1, 7.1, 307-91, and 100.1; ASTM Methods D3588-91, D4891-89, D1945-81, D4294-90, and D2622-92; and EPA Method 19 • Source testing once every 3 years for large NOx sources 	<p>steam to fuel (averaged over one hour) or CEMS consisting of NOx and O2 monitors for stationary gas turbines that commenced construction, reconstruction, or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOx emissions (averaged over one hour)</p> <ul style="list-style-type: none"> • Monitor the total sulfur content of the fuel being fired 	<p>tests or continuous monitoring for turbines without water or steam injection.</p> <ul style="list-style-type: none"> • Monitor the total sulfur content of the fuel being fired. 	<p>systems (COMS)</p>	<ul style="list-style-type: none"> • COMS 	

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
						<p>United States Environmental Protection Agency.</p> <p>CEMS and RATA testing required for units ≥ 40 MMBtu/hr</p> <p>Quarterly source tests with any ammonia limits in permits using South Coast AQMD Source Test Method 207.1</p>	<ul style="list-style-type: none"> Source testing once every 5 years for NO_x process units 					
Reporting	Notification of scheduled startups	Source testing. CEMS data every six months (Rule 218).	CEMS data every six months (Rule 218).	<ul style="list-style-type: none"> Emission test reports Signed emission certifications Source test protocols and reports CEMS data every six months (Rule 218). 	Every 6 months for units with existing continuous emissions monitoring system (CEMS) or equivalent prior to date of rule adoption (Rules 218.2 and 218.3).	<ul style="list-style-type: none"> Source test protocols and reports CEMS data every six months (Rule 218). 	<ul style="list-style-type: none"> Daily electronic reporting for major sources Monthly emissions report for major sources Quarterly reporting for large sources and process units Quarterly Certification of Emissions Report and Annual 	Semi- annual reports of excess emissions and monitor downtime	Semi- annual reports of excess emissions and monitor downtime. Annual performance test results.	Performance test results, notification of the initial startup, design heat input capacity, fuels to be combusted, a copy of any federally enforceable requirement that limits the annual capacity factor, annual capacity factor, emerging technology used for SO ₂	Performance test results, performance evaluation of the CEMS and/or COMS, excess emission reports, notification of the date of construction, reconstruction, and startup, design heat input capacity, fuels to be	Permit Specific

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
							Permit Emissions Program report for all units • Breakdowns which result in an applicable rule or permit violation			emissions; reports of excess emissions	combusted, annual capacity factor, emerging technology used for SO ₂ emissions	
Recordkeeping	Operating log and list of scheduled startups shall be maintained onsite for 5 years. Documentation from the manufacturer of the minimum operating temperature of NOx post-combustion control equipment.	Operating log, emission control system records of operation and maintenance for 2 years.	CEMS maintenance and emission records for 2 years. Records of all source tests. Diagnostic emission check records for 2 years (5 years for Title V facilities).	<ul style="list-style-type: none"> Source test reports, maintenance records, and if applicable, monthly records demonstrating NOx emissions of less than one pound per day for at least 5 years Rated heat input Modified units require records of the name of the company and person modifying the Unit, a description of all modifications, the date(s) the Unit was 	Source test records for 5 years	<ul style="list-style-type: none"> Source test reports and, if applicable, monthly records demonstrating compliance with the 1 pound NOx per day demonstration requirements for 5 years Maintain sufficient operating records to demonstrate that a Unit complies with the requirements for extension of the source test deadline Maintain records on-site identifying the Rated Heat 	<ul style="list-style-type: none"> Maintenance & emission records, source test reports, RATA reports, audit reports and fuel meter calibration records for Annual Permit Emissions Program Records shall be maintained for 3 years (5 years if Title V) except data gathered or computed for intervals < 15 minutes shall be maintained for a 	Performance testing; emission rates; monitoring data; CEMS audits and checks; occurrence and duration of any startup, shutdown, or malfunction	Performance testing; emission rates; monitoring data; CEMS audits and checks; occurrence and duration of any startup, shutdown, or malfunction	Performance testing; emission rates; daily records of the amounts of each fuel combusted; calculations of the annual capacity factor for coal, distillate oil, residual oil, natural gas, wood, and municipal-type solid waste; nitrogen content; opacity; hours of operation. Records are required to be maintained for 2 years.	Performance testing; emission rates; monitoring data; CEMS audits and checks; fuel supplier certification; daily fuel combustion. Records are required to be maintained for 2 years.	Permit Specific

Rule Element	PAR 429	Rule 1134	Rule 1146	Rule 1147	Rule 1147.1	Rule 1147.2	RECLAIM	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart GG	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart KKKK	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Db	CFR, Title 40, Chapter 1, Subchapter C, Part 60, Subpart Dc	U.S. EPA General Permit
				modified, and a calculation of the Rated Heat Input • Copy of the manufacturer's, distributor's, installer's, or maintenance company's written maintenance schedule and instructions for at least 5 years		Input for any Unit • An owner or operator of a Unit that is Altered and subject to this rule shall maintain records on-site to include the name of the company and person Altering the Unit, a description of all Alterations, the date(s) the Unit was Altered, and a calculation of the Rated Heat Input • Maintain records on-site in compliance with any applicable South Coast AQMD Rule for CEMS certification, operation, monitoring, reporting, and notification or any applicable permit condition.	minimum of 48 hours					

APPENDIX A: LIST OF AFFECTED FACILITIES

Table A-1: Facilities Affected by PAR 429

Facility ID	Facility Name
3704	ALL AMERICAN ASPHALT
16642	ANHEUSER-BUSCH LLC., (LA BREWERY)
117290	B BRAUN MEDICAL, INC
185801	BERRY PETROLEUM COMPANY, LLC
185600	BRIDGE ENERGY, LLC
800387	CAL INST OF TECH
15507	CALIFORNIA STATE UNIVERSITY, FULLERTON
46268	CALIFORNIA STEEL INDUSTRIES
164204	CITY OF RIVERSIDE, PUBLIC UTILITIES DEPT
182561	COLTON POWER
63180	DARLING INGREDIENTS INC.
12428	GOLD BOND BUILDING PRODUCTS, LLC
193561	IBY, LLC
62862	IMPERIAL IRRIGATION DISTRICT/ COACHELLA
21887	KIMBERLY-CLARK WORLDWIDE INC.-FULT. MILL
800234	LOMA LINDA UNIV
172005	NEW- INDY ONTARIO, LLC
47781	OLS ENERGY-CHINO
11218	ORANGE CO, CENTRAL UTILITY FACILITY
19167	RJ NOBLE COMPANY
101977	SIGNAL HILL PETROLEUM INC
129497	THUMS LONG BEACH CO
800288	UNIV CAL IRVINE (NSR USE ONLY)
49387	UNIV CAL, RIVERSIDE
18452	UNIVERSITY OF CALIFORNIA, LOS ANGELES

APPENDIX B – RESPONSES TO PUBLIC COMMENTS

Public Workshop Comments**Public Workshop Commenter #1: David Pettit – Natural Resource Defense Council**

The commenter asked if staff had discussed PAR 429 with U.S. EPA considering their changing position under the Biden administration regarding startup, shutdown, and malfunction rules.

Staff Response to Public Commenter #1:

Staff is actively working with U.S. EPA to ensure PAR 429 meets the 2015 SSM guidance.

Public Workshop Commenter #2: Joseph Steirer – Yorke Engineering

The commenter asked for clarification regarding how facilities would comply with startup and shutdown requirements under PAR 429 when the requirements differ from permit conditions.

Staff Response to Public Commenter #2:

Facilities are required to comply with both rule requirements and permit conditions. If there is a discrepancy between the rule and permit conditions, the more stringent requirement shall apply.

Email Comment**Email Comment #1: Ramine Cromartie – WSPA**

Greetings SCAQMD Team,

We appreciate the opportunity to participate in this rulemaking process. With this email, WSPA is providing comment on Preliminary Draft Rule Language for PAR 429, released on February 15, 2022.

Applicability

Rule 429.1 was adopted in November 2021. It addresses the exemption provisions from NOx emissions limits during not only start up and shut down operations, but also commissioning and specific maintenance events, at petroleum refineries and facilities with related operations to petroleum refineries. The intent of PAR 429 is to provide exemption provisions for CEMS, ACEMS, and SCEMS equipment that is subject to the following rules: Rule 1134, Rule 1146, Rule 1147, Rule 1147.1, and Rule 1147.2. Both PAR 429 and Rule 429.1 have comparable provisions, though SCAQMD Staff took great concern to ensure Rule 429.1 accounts for the unique considerations with operating petroleum refineries/facilities and related operations as well as provides additional provisions for other modes of operations (e.g., maintenance and commissioning). In an effort to mitigate the opportunity for facilities being subject to conflicting regulations, WSPA suggests an exemption from PAR 429 be provided, for facilities subject to Rule 429.1.

1-1

Notification

Regarding the notification requirements in 429(e), current draft rule language states that notifications of scheduled startups for the upcoming year should be made to SCAQMD “by calling 1-800-CUT-SMOG, or by using other approved methods of notification as approved by the Executive Officer.” It should be noted that 1-800-CUT-SMOG is not set up to receive the amount of notification calls that would be anticipated by this rulemaking; it is suggested that SCAQMD set up a different notification approach, one that is better equipped to manage the required notification calls. We would be open to a discussion regarding this issue.

1-2

Thank you for your consideration of our feedback. We appreciate your time on this rulemaking effort. Please let me know if there are any questions.

Regards,

Ramine Cromartie

Senior Manager, Regulatory Affairs
Southern California Region



970 W. 190th Street, Suite 304, Torrance, CA 90502
C 510.672.1526 wspa.org

Staff Response to Email Comment #1:*Response to Comment 1-1:*

Units subject to Rule 1109.1 are not included in PAR 429 applicability. Therefore, an exemption from PAR 429 is unnecessary for units subject to Rule 1109.1. Rule 429.1 applies to units subject to Rule 1109.1.

Response to Comment 1-2:

Staff is having internal discussions about other potential notification methods. PAR 429 contains rule language to allow notifications to be submitted “by using other approved methods of notification as approved by the Executive Officer” in the case new notification methods are developed and approved in the future. The proposed notification requirements in PAR 429 requires one annual notification of all scheduled startups planned for the year.

ATTACHMENT H



**South Coast
Air Quality Management District**

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 429 – STARTUP AND SHUTDOWN
PROVISIONS FOR OXIDES OF NITROGEN**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

If the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also be electronically filed with the State Clearinghouse of the Governor's Office of Planning and Research for posting on their CEQAnet Web Portal which may be accessed via the following weblink: <https://ceqanet.opr.ca.gov/search/recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2022>.

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: County Clerks for the Counties of Los Angeles, Orange, Riverside and San Bernardino; and Governor's Office of Planning and Research – State Clearinghouse	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title: Proposed Amended Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen

Project Location: The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project: Proposed Amended Rule (PAR) 429 has been developed to provide an exemption from oxides of nitrogen (NOx) and carbon monoxide (CO) concentration limits during startup and shutdown events and establish requirements during startup and shutdown events to limit NOx and CO emissions. PAR 429 is applicable to combustion equipment utilizing continuous emissions monitoring systems (CEMS), alternative continuous emission monitoring systems (ACEMS), or semi-continuous emission monitoring systems (SCEMS) and which are subject to the following South Coast AQMD rules: Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines; Rule 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters; Rule 1147 – NOx Reductions from Miscellaneous Sources; Rule 1147.1 – NOx Reductions from Aggregate Dryers; and Rule 1147.2 – NOx Reductions from Metal Melting and Heating Furnaces. PAR 429 will: 1) provide an exemption from NOx and CO concentration limits in various Regulation XI rules during startup and shutdown for specified durations; 2) limit the frequency of scheduled startup events; 3) establish best management practices; and 4) enhance existing notification and recordkeeping requirements. No emission reductions are anticipated.

Public Agency Approving Project: South Coast Air Quality Management District	Agency Carrying Out Project: South Coast Air Quality Management District
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Exempt Status:

CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption

CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project (PAR 429) pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. It can be seen with certainty that implementing the proposed project would not cause a significant adverse effect on the environment because PAR 429 will not require physical modifications. Therefore, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. The proposed project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment, because PAR 429 is designed to further protect or enhance the environment by limiting the duration and frequency of startup and shutdown events which will, in turn limit NOx and CO emissions. Further, there is no substantial evidence indicating that any of the exceptions set forth in CEQA Guidelines Section 15300.2 – Exceptions apply to the proposed project.

Date When Project Will Be Considered for Approval (subject to change):

South Coast AQMD Governing Board Public Hearing: September 2, 2022

CEQA Contact Person: Kevin Ni	Phone Number: (909) 396-2462	Email: kni@aqmd.gov	Fax: (909) 396-3982
Rule Contact Person: Isabelle Shine	Phone Number: (909) 396-3064	Email: ishine@aqmd.gov	Fax: (909) 396-3982

Date Received for Filing: _____

Signature: _____

(Signed and Dated Upon Board Approval)

Barbara Radlein

Program Supervisor, CEQA

Planning, Rule Development, and Implementation

Proposed Amended Rule 429 – Startup and Shutdown Provisions for Oxides of Nitrogen



**BOARD MEETING
SEPTEMBER 2, 2022**

Background

- Rule 429 was adopted in 1989 and amended in 1990
- Currently provides an exemption from NO_x emission limits during scheduled startups and shutdowns for:

Rule 429		
Rule 1134 Stationary Gas Turbines	Rule 1146 Boilers and Process Heaters ≥ 5 MMBtu/hr	Rule 1159 Nitric Acid Production Units

- During startup and shutdown, units cannot consistently meet concentration limits in landing rules
 - Equipment is not at steady-state conditions
 - Temperature is not optimal for pollution control equipment such as SCR

Need for PAR 429

- Proposed Amended Rule 429 (PAR 429) is a companion rule to the following rules:

PAR 429				
Rule 1134 Stationary Gas Turbines	Rule 1146 Boilers and Process Heaters ≥ 5 MMBtu/hr	Rule 1147 Miscellaneous Sources	Rule 1147.1 Aggregate Dryers	Rule 1147.2 Metal Melting and Heating Furnaces

- PAR 429 designed to exempt facilities from NO_x and CO concentration limits during startup and shutdown
- U.S. EPA commented that startup and shutdown provisions must be addressed in a rule pursuant to their policy

Startup and Shutdown Duration Limits

- Duration limits apply when a unit exceeds NO_x or CO concentration limits in applicable landing rule
 - Some furnaces heat up slowly to avoid equipment stress
- Startup is further limited and shall not last longer than the time to reach:
 - Stable conditions; and
 - The minimum operating temperature of NO_x post-combustion control equipment

Unit Type	Time Allowed When Emissions Exceed Concentration Limits
Boilers and Process Heaters > 40 MMBtu/hour Rated Heat Input	8 hours
Boilers and Process Heaters ≤ 40 MMBtu/hour Rated Heat Input	6 hours
Simple Cycle Gas Turbines	15 minutes
Cogeneration, Combined Cycle, Compressor and Recuperative Gas Turbines	2 hours
Furnaces	24 hours
Aggregate Dryers	60 minutes
Tunnel Kilns	2 hours

Other Proposed Provisions

Limit Number of Scheduled Startups

- Maximum of 35 annual scheduled startups for furnaces
 - Furnaces are not operational when demand is low
- Maximum of 10 annual scheduled startups for all other unit types

Best Management Practices

- Take all reasonable and prudent steps to minimize emissions during startup and shutdown
- Includes equipment repairs and adjusting temperatures of post-combustion controls

Requirements for Units with NOx Post-Combustion Control Equipment

- Install temperature measuring device
- Operate NOx post-combustion control equipment if the temperature of the exhaust gas is \geq the minimum operating temperature

Notification and Recordkeeping

Impacts and Key Issues

Costs

- The provisions in PAR 429 are not expected to impose any additional costs

Environmental Impacts

- A Notice of Exemption from CEQA has been prepared – no adverse environmental impacts

Key Issues

- Staff is not aware of any remaining key issues

Staff Recommendation

- Adopt Resolution:
 - Determining that Proposed Amended Rule 429 is exempt from the requirements of the California Environmental Quality Act
 - Amending Rule 429