

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Draft Staff Report

Proposed Amended Rule 2011 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO_x) Emissions

Proposed Amended Rule 2012 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO_x) Emissions

October 2023

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BACKGROUND

A continuous emission monitoring system (CEMS) is the combination of equipment necessary for the determination of pollutant concentrations or emission rates on a continuous basis using analyzer measurements and a conversion equation, graph, or computer program to produce results in units of the applicable emission limitation or standard. A CEMS consists of three major subsystems: the sampling interface, analyzers, and a data recorder. The South Coast Air Quality Management District (South Coast AQMD) has various rules, regulations, and permit conditions that require the installation and operation of CEMS to determine compliance with an emission limitation or standard. The South Coast AQMD has established CEMS monitoring rules to provide guidance and specifications for CEMS installation and operation, and to ensure accuracy and precision of the CEMS.

Regulation XX – REgional CLean Air Incentives Market (RECLAIM) contains two such rules: Rule 2011 – Requirements for Monitoring, Reporting, and Recordkeeping for SO_x Emissions (Rule 2011) and Rule 2012 – Requirements for Monitoring, Reporting, and Recordkeeping for NO_x Emissions (Rule 2012), both of which establish guidance and specifications for the installation and operation of CEMS to ensure accuracy and precision of monitoring mass emissions for SO_x and NO_x, respectively, at RECLAIM facilities.

In March 2021 the Governing Board adopted Rule 218.2 – Continuous Emission Monitoring System: General Provisions (Rule 218.2) and Rule 218.3 – Continuous Emission Monitoring: Performance Specifications (Rule 218.3) to update CEMS requirements and to prepare for the transition of facilities in RECLAIM to a command-and-control regulatory program. Rules 218.2 and 218.3 apply to a Facility Permit holder of CEMS, alternative continuous emission monitoring systems, or semi-continuous emission monitoring systems at former RECLAIM facilities as well as non-RECLAIM facilities after the implementation dates specified in Rules 218.2 and 218.3. Rule 218.2 contains paragraphs (e)(3) and (e)(4) to address requirements for CEMS under extended shutdowns (minimum of 168 consecutive hours) provided specific conditions are met. Rule 218.3, Attachment A contains a three-point linearity error test to measure concentrations that fall below ten percent of the higher full scale span value of any range, with the exception of the lowest vendor guaranteed span range.

The proposed amendments to Rules 2011 and 2012 incorporate existing provisions in Rule 218.2 paragraphs (e)(3) and (e)(4) and the three-point linearity error test in Rule 218.3. Proposed Amended Rule 2011 (PAR 2011) and Proposed Amended Rule 2012 (PAR 2012) are necessary to provide monitoring relief for RECLAIM facilities as they replace and/or modify equipment to comply with landing rules and will provide consistency across South Coast AQMD CEMS rules.

REGULATORY HISTORY FOR RULES 2011 AND 2012

The adoption of the RECLAIM program in October 1993, included Rule 2011 and Rule 2012 which established the monitoring, reporting, and recordkeeping requirements for SO_x and NO_x emissions, respectively. For the largest sources, Rule 2011 and Rule 2012 require CEMS, which are state-of-the-art monitoring systems that are critical for the RECLAIM program where

compliance has been based on overall mass emissions as compared to concentration limits under a command-and-control regulatory structure.

The most recent amendments to Rules 2011 and 2012 were made in May 2005. The previous amendments to Rule 2011 included requirements for Best Available Retrofit Control Technology (BARCT) for RECLAIM facilities as well as a clarification on monitoring and recordkeeping requirements for new RECLAIM sources subject to Rule 2005 – New Source Review for RECLAIM. The amendments to Rule 2012 included allowing a delay in the due date for the Relative Accuracy Test Audit (RATA) for a NO_x source that is operated intermittently and specifying mass emissions reporting through the South Coast AQMD's website. Rules 2011 and 2012 were last approved by the U.S. EPA on September 14, 2017, into the California State Implementation Plan (SIP).

PUBLIC PROCESS

The development of PAR 2011 and PAR 2012 was conducted through a public process. A Public Workshop for PAR 2011 and PAR 2012 was held on August 29, 2023. The objective of the Public Workshop is to gain consensus and resolve key issues with the stakeholders. In response to a comment during the Public Workshop, staff included new provisions for a three-point linearity error test to measure concentrations that fall below ten percent of the higher full scale span value of any range, with the exception of the lowest vendor guaranteed span range.

PROPOSED AMENDMENTS TO RULES 2011 AND 2012

PAR 2011 and 2012 will provide consistency between South Coast AQMD CEMS rules and reduce potential compliance issues by providing monitoring relief. As RECLAIM facilities are replacing or modifying equipment to comply with RECLAIM landing rules, there is a need for additional compliance pathways under extended CEMS shutdown scenarios. Without an additional compliance pathway, it is anticipated that the South Coast AQMD Hearing Board would experience an increased demand on resources in the form of additional variance petitions. Without the proposed amendments, RECLAIM facilities would need variance relief to allow for CEMS to be offline while equipment is shutdown for extended periods.

Furthermore, South Coast AQMD rules are becoming more stringent as emission limits are revised to reflect BARCT. As facilities replace or modify equipment that comply with BARCT emission limits, staff is seeing increased measurements in the lower span range of a CEMS. However, CEMS can only accurately monitor emissions between 10 percent and 95 percent of the span range. Currently, Rules 2011 and 2012 only provide an alternative performance test for SO_x and NO_x concentrations that fall below ten percent of the lowest vendor guaranteed span range. In response to a comment during the Public Workshop, staff included new provisions for a three-point linearity error test to measure concentrations for SO_x and NO_x that fall below ten percent of the higher full scale span value of any range, with the exception of the lowest vendor guaranteed span range.

The rule language proposed for inclusion into PAR 2011 and PAR 2012 is based on similar existing provisions in Rules 218.2 and 218.3. The proposed rule language will not delay the transition of NO_x RECLAIM to a command-and-control regulatory structure, nor will it result in an increase

in emissions. It is strictly a procedural amendment meant to provide RECLAIM facilities with compliance options already adopted in Rules 218.2 and 218.3, which former RECLAIM facilities will be subject to. As the RECLAIM program is still active, current RECLAIM facilities are subject to Rule 2011 and Rule 2012. Both PAR 2011 and PAR 2012 include changes to update references and provide clarity.

Staff is continuing to work on other amendments to Regulation XX related to the sunset of the NO_x RECLAIM program, which include an exit date for NO_x RECLAIM facilities. It should be noted that at this time, SO_x RECLAIM is not transitioning to a command-and-control regulatory structure. Consequently, CEMS in SO_x RECLAIM will continue to be subject to the requirements in Rule 2011.

Proposed Amended Rule 2011

Subparagraph (c)(2)(D) explains the conditions under which Facility Permit holders are not subject to the operating and reporting conditions for CEMS in subparagraphs (c)(2)(A) and (c)(2)(B). For any SO_x source with a shutdown period shorter than 168 consecutive hours, the Facility Permit holder of the CEMS would not be permitted to use this provision for monitoring relief. Subparagraph (c)(2)(D) also validates emission hours under extended shutdowns and classifies those hours as zero value data points to make the Missing Data Procedure in Appendix A, Chapter 2, Section E not applicable. A CEMS must record zero emissions for four hours after the shutdown of the emission generating equipment for emission hours to be valid. Zero emissions are measured as zero value data points pursuant to Appendix A, Chapter 2, Section B, Part 5.

Subparagraph (c)(2)(E) outlines the requirements for a CEMS to be considered non-operational for the purposes of demonstrating eligibility for monitoring relief pursuant to subparagraph (c)(2)(D).

Subparagraph (c)(3)(E) was added to provide an extension of the electronic reporting requirements specified in subparagraphs (c)(3)(A), (c)(3)(B), and Appendix A, Chapter 7 for a SO_x source that is shutdown pursuant to subparagraph (c)(2)(D). The extension provides a Facility Permit holder 48 hours after the CEMS passes a calibration error test to submit all applicable electronic emission reports for the duration of the shutdown. The data is considered valid and consisting of zero value data points pursuant to subparagraph (c)(2)(D), provided that the Facility Permit holder complies with all requirements specified in clauses (c)(2)(D)(i) to (c)(2)(D)(iv).

The proposed amended rule language is contained in subdivision (c) – Major SO_x Source, as all RECLAIM SO_x sources equipped with a CEMS are major SO_x sources. A SO_x source that installs a CEMS can utilize the new provisions for monitoring relief during long term shutdowns, but must be re-permitted as a major SO_x source pursuant to subparagraph (c)(1)(F) before using the new compliance pathway specified in subparagraph (c)(2)(D).

Attachment F to Appendix A was revised to allow facilities to run a three-point linearity error test to address a data gap. The valid operating range of CEMS analyzers is 10-95 percent of the analyzer full scale span range. For a SO_x analyzer with dual span ranges, e.g., 0-10 ppm and 0-200 ppm, the valid ranges are 1-9.5 ppm and 20-190 ppm, respectively. If SO_x emissions in the

lower range exceed 9.5 ppm, the emissions need to be reported at 20 ppm on the higher range. As a result, there is a data gap between 9.5 ppm and 20 ppm in this example, and this leads to over-reporting of emissions.

Currently, Rule 2011, Attachment F to Appendix A allows the use of less than ten percent of the lowest vendor guaranteed full scale span range (0-10 ppm in the above example) by successfully conducting performance requirements listed in Table F-1. The proposed amendment to Rule 2011, Attachment F to Appendix A allows the use of less than ten percent of the higher full scale span range (0-200 ppm in the above example) by successfully conducting a three-point linearity test. This proposed amendment can reduce the above-mentioned data gap. Appendix A, Chapter 2, Section B, Part 8 (b) was updated to provide the option to conduct a three-point linearity test specified in Appendix A, Attachment F, Section B.

Proposed Amended Rule 2012

Requirements for PAR 2012 are structured in a similar fashion to PAR 2011 and have the same purpose and intent. The proposed amendments to Rule 2012 are also contained in subparagraphs (c)(2)(D), (c)(2)(E), and (c)(3)(E). Subparagraph (c)(1)(I) specifies that NO_x sources equipped with CEMS can become major NO_x sources, provided that the NO_x source is re-permitted as a major NO_x source.

The new three-point linearity alternative performance test is contained within Attachment G to Appendix A, which mirrors the proposed language in in PAR 2011 Attachment F to Appendix A. Appendix A, Chapter 2, Section B, Part 8 (b) was updated to provide the option to conduct a three-point linearity test, specified in Appendix A, Attachment G, Section B to mirror PAR 2011.

AFFECTED FACILITIES

Based on the RECLAIM compliance year 2021 audit data, there are 68 RECLAIM facilities that operate NO_x and/or SO_x sources monitored by CEMS. There are a total of 405 NO_x-emitting sources that are monitored by CEMS and of those sources, 280 are NO_x and SO_x emitting sources. It should be noted that one CEMS may monitor emissions for several NO_x and/or SO_x sources. The proposed amendments are administrative in nature and therefore no modifications or new equipment are expected at affected facilities.

EMISSION REDUCTIONS

PAR 2011 and PAR 2012 are administrative rules that provide technical guidelines for the installation and operation of CEMS required by South Coast AQMD rules or permit conditions. PAR 2011 and PAR 2012 do not directly regulate sources for emissions control and do not contain emission limits; therefore, there are no emission reductions that will result from this rule development.

COSTS AND COST-EFFECTIVENESS

While a source-specific rule determines when a CEMS would be required for emission monitoring, PAR 2011 and PAR 2012 provide administrative and technical guidelines on how to properly operate the CEMS. The cost-effectiveness of operating any CEMS is included in the related source-specific rule for which the CEMS is required as such there are no costs associated with the proposed amendments.

INCREMENTAL COST EFFECTIVENESS

Health and Safety Code Section 40920.6 requires an incremental cost-effectiveness analysis for BARCT rules or emission reduction strategies when there is more than one control option that would achieve the emission reduction objective of the proposed amendments, relative to ozone, CO, SO_x, NO_x, and their precursors. PAR 2011 and PAR 2012 are not BARCT rules or emission reduction strategies; therefore, this provision is not applicable.

SOCIOECONOMIC ANALYSIS

The proposed amendments to Rule 2011 and Rule 2012 are administrative in nature and do not affect air quality or emissions limitations. Therefore, no socioeconomic analysis is required under Health and Safety Code Sections 40440.8 and 40728.5.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed project (PAR 2011 and PAR 2012) is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption will be prepared pursuant to CEQA Guidelines Section 15062, and if the proposed project is approved, the Notice of Exemption will be filed for posting with the State Clearinghouse of the Governor's Office of Planning and Research, and with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties.

DRAFT FINDINGS UNDER HEALTH AND SAFETY CODE SECTION 40727

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 staff report. The following provides the draft findings.

Necessity: A need exists for PAR 2011 and PAR 2012 to provide consistency across CEMS rules and a compliance pathway under extended CEMS shutdown scenarios, as RECLAIM facilities are replacing or modifying equipment to comply with RECLAIM landing rules.

Authority: The South Coast AQMD obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code Sections 39002, 39616, 40000, 40001, 40440, 40440.1, 40441, 40702, 40725 through 40728, and 41511.

Clarity: PAR 2011 and PAR 2012 have been written or displayed so that their meaning can be easily understood by the persons affected by the rule.

Consistency: PAR 2011 and PAR 2012 are in harmony with, and not in conflict with or contradictory to, existing federal or state statutes, court decisions, or federal regulations.

Non-Duplication: PAR 2011 and PAR 2012 do not impose the same requirement as any existing state or federal regulation and is necessary and proper to execute the powers and duties granted to, and imposed upon, the South Coast AQMD.

Reference: In amending these rules, the South Coast AQMD hereby implements, interprets, or makes specific reference to the following statutes: Assembly Bill 617, Health and Safety Code sections 39002, 39616, 40001, 40702, 40440(a), 41511, and 40725 through 40728.5.

COMPARATIVE ANALYSIS

Health and Safety Code Section 40727.2(g) for comparative analysis is applicable when proposed amended rules or regulations impose, or have the potential to impose, a new emissions limit or standard, or increased monitoring, recordkeeping, or reporting requirements. In this case, a comparative analysis is not required because the proposed amendments do not impose such requirements.

LIST OF AFFECTED FACILITIES

Fac ID	Name	Cycle	Market
3417	AIR PROD & CHEM INC	1	NOx
3704	ALL AMERICAN ASPHALT, UNIT NO.01	2	NOx
4242	SAN DIEGO GAS & ELECTRIC	2	NOx
4477	SO CAL EDISON CO	1	NOx
5973	SOCAL GAS CO	1	NOx
7416	LINDE INC.	1	NOx
7427	OWENS-BROCKWAY GLASS CONTAINER INC	1	NOx/SOx
8547	QUEMETCO INC	1	NOx/SOx
11435	PQ LLC	2	NOx/SOx
12428	NEW NGC, INC.	2	NOx
16642	ANHEUSER-BUSCH LLC., (LA BREWERY)	1	NOx/SOx
19167	R J. NOBLE COMPANY	2	NOx
20604	RALPHS GROCERY CO	2	NOx
25638	BURBANK CITY, BURBANK WATER & POWER	2	NOx
42630	LINDE INC.	1	NOx
46268	CALIFORNIA STEEL INDUSTRIES INC	1	NOx
47781	OLS ENERGY-CHINO	1	NOx
63180	DARLING INGREDIENTS INC.	1	NOx
68118	TIDELANDS OIL PRODUCTION COMPANY ETAL	2	NOx
101656	AIR PRODUCTS AND CHEMICALS, INC.	2	NOx
101977	SIGNAL HILL PETROLEUM INC	1	NOx
115314	LONG BEACH GENERATION, LLC	2	NOx
115389	AES HUNTINGTON BEACH, LLC	2	NOx/SOx
115394	AES ALAMITOS, LLC	1	NOx
115536	AES REDONDO BEACH, LLC	1	NOx
115663	EL SEGUNDO ENERGY CENTER LLC	1	NOx
117290	B BRAUN MEDICAL, INC	2	NOx
127299	WILDFLOWER ENERGY LP/INDIGO GEN., LLC	2	NOx
128243	BURBANK CITY, BURBANK WATER & POWER, SCPPA	1	NOx
129497	THUMS LONG BEACH CO	1	NOx
129810	CITY OF RIVERSIDE PUBLIC UTILITIES DEPT	1	NOx
139796	CITY OF RIVERSIDE PUBLIC UTILITIES DEPT	1	NOx
146536	WALNUT CREEK ENERGY, LLC	1	NOx/SOx
148236	AIR LIQUIDE LARGE INDUSTRIES U.S., LP	2	NOx/SOx
151798	TESORO REFINING AND MARKETING CO, LLC	1	NOx/SOx
152707	SENTINEL ENERGY CENTER LLC	1	NOx
153992	CANYON POWER PLANT	1	NOx

Fac ID	Name	Cycle	Market
155474	BICENT (CALIFORNIA) MALBURG LLC	2	NOx
155877	MOLSON COORS USA LLC	1	NOx
156741	HARBOR COGENERATION CO, LLC	2	NOx
160437	SOUTHERN CALIFORNIA EDISON	1	NOx
164204	CITY OF RIVERSIDE, PUBLIC UTILITIES DEPT	2	NOx
171107	PHILLIPS 66 CO/LA REFINERY WILMINGTON PL	2	NOx/SOx
171109	PHILLIPS 66 COMPANY/LOS ANGELES REFINERY	1	NOx/SOx
172005	NEW- INDY ONTARIO, LLC	2	NOx
172077	CITY OF COLTON	1	NOx
174655	TESORO REFINING & MARKETING CO, LLC	2	NOx/SOx
180908	ECO SERVICES OPERATIONS CORP.	1	NOx/SOx
181667	TORRANCE REFINING COMPANY LLC	1	NOx/SOx
182561	COLTON POWER, LP	1	NOx
182563	COLTON POWER, LP	1	NOx
185600	BRIDGE ENERGY, LLC	2	NOx
185801	BERRY PETROLEUM COMPANY, LLC	1	NOx
186899	ENERY HOLDINGS LLC/LGHTHP_6_ICEGEN	1	NOx
187165	ALTAIR PARAMOUNT, LLC	1	NOx/SOx
191386	THE NEWARK GROUP, INC. DBA GREIF, INC	2	NOx
800026	ULTRAMAR INC	1	NOx/SOx
800030	CHEVRON PRODUCTS CO.	2	NOx/SOx
800074	LA CITY, DWP HAYNES GENERATING STATION	1	NOx
800075	LA CITY, DWP SCATTERGOOD GENERATING STN	1	NOx
800080	LUNDAY-THAGARD CO DBA WORLD OIL REFINING	2	NOx/SOx
800128	SO CAL GAS CO	1	NOx
800129	SFPP, L.P.	1	NOx
800168	PASADENA CITY, DWP	1	NOx
800170	LA CITY, DWP HARBOR GENERATING STATION	1	NOx
800193	LA CITY, DWP VALLEY GENERATING STATION	2	NOx
800335	LA CITY, DEPT OF AIRPORTS	2	NOx
800436	TESORO REFINING AND MARKETING CO, LLC	1	NOx/SOx

RESPONSE TO PUBLIC COMMENTS

Public Workshop Comments

Public Workshop Commenter #1: Bill Quinn – California Council for Environmental and Economic Balance

The commenter expressed appreciation to staff and highlighted the importance of the rulemaking for compliance at RECLAIM facilities while landing rules are implemented.

Staff Response to Public Workshop Commenter #1:

Staff appreciates support of PAR 2011 and PAR 2012.

Public Workshop Commenter #2: Curtis Coleman – Southern California Air Quality Alliance

The commenter expressed appreciation to staff for the expeditious work on PAR 2011 and PAR 2012.

Staff Response to Public Workshop Commenter #2:

See response to Commenter #1.

Public Workshop Commenter #2: Dan McGivney – SoCalGas

The commenter expressed appreciation to staff on their quick work on PAR 2011 and PAR 2012.

Staff Response to Public Workshop Commenter #3:

See response to Commenter #1.

Public Workshop Commenter #2: Charlene He – AES

The commenter expressed interest in adding a three-point linearity error test provision similar to options in Rule 218.3 Attachment A that would expand the quality assurance options to include a test to fill an existing data gap below the 10 percent – 95 percent span range.

Staff Response to Public Workshop Commenter #4:

Staff acknowledges the benefits of consistency between CEMS rules as RECLAIM facilities transition to a command-and control regulatory structure. Attachment F to Appendix A for PAR 2011 and Attachment G to Appendix A for PAR 2012, respectively, were updated to include a three-point linearity error test procedure.

Comment Letters

Comment Letter #1



California Council for Environmental and Economic Balance

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September 12, 2023

Joshua Ewell
Planning, Rule Development, and Implementation
South Coast Air Quality Management District
21865 Copley Drive
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Re: Proposed Amended Rule 2011 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Sulfur (SO_x) Emissions; and Proposed Amended Rule 2012 – Requirements for Monitoring, Reporting, and Recordkeeping for Oxides of Nitrogen (NO_x) Emissions

Dear Mr. Ewell,

On behalf of the members of the California Council for Environmental and Economic Balance (CCEEB), we submit these comments in support of the South Coast Air Quality Management District's Proposed Amended Rule 2011 and Proposed Amended Rule 2012. CCEEB has been a longstanding stakeholder engaged in the District's RECLAIM program to which these proposed amendments would apply.

PAR 2011 and PAR 2012 will address a potential conflict that could occur when facilities are implementing the so-called landing rules under the RECLAIM program. For example, if compliance with a landing rule requires a facility to remove or modify a stack that contains a Continuous Emission Monitoring Systems (CEMS) unit, that facility would need to shut down the CEMS unit. However, currently, Rules 2011 and 2012 require the installation and operation of CEMS units at RECLAIM facilities without exception, leading to an inability to comply with both the landing rules as well as Rules 2011 and 2012. For non-RECLAIM facilities, existing District regulations have provisions to address this concern; however, these provisions do not apply to RECLAIM facilities.

We believe PAR 2011 and PAR 2012 provide technical changes to existing rule language that will address this situation while including safeguards to ensure that there will be no adverse impact on air quality.

1-1

Joshua Ewell
September 12, 2023
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We thank the staff for quickly moving to develop a proposed solution. CCEEB supports PAR 2011 and PAR 2012 and will urge the Governing Board to approve these proposals.

Sincerely,



Bill Quinn
CCEEB Consultant

cc: Michael Krause, SCAQMD
Tim Carmichael, CCEEB
Christine White, CCEEB
Members, South Coast Air Project

Staff Response to Comment Letter #1

Response to Comment 1-1:

PAR 2011 and PAR 2012 will create consistency between CEMS rules and address potential CEMS compliance issues during long term shutdowns.

Response to Comment 1-2:

Staff appreciates support of PAR 2011 and PAR 2012.

1-2