



Air Pollution Control District Governing Board

San Diego County Air Pollution Control District

AGENDA ITEM #D.2

DATE: December 9, 2021

TO: Air Pollution Control District Governing Board

SUBJECT: ADOPTION OF PROPOSED AMENDMENTS TO RULE 69.3.1 - STATIONARY GAS TURBINE ENGINES-BEST AVAILABLE RETROFIT CONTROL TECHNOLOGY, AND REPEAL OF EXISTING RULE 69.3 - STATIONARY GAS TURBINE ENGINES- REASONABLY AVAILABLE CONTROL TECHNOLOGY

REQUESTED ACTION:

1. Find that the adoption of proposed amended Rule 69.3.1 – Stationary Gas Turbine Engines-Best Available Retrofit Control Technology, and repeal of existing Rule 69.3 – Stationary Gas Turbine Engines-Reasonably Available Control Technology are categorically exempt from the provisions of the California Environmental Quality Act pursuant to California Code of Regulations, Title 14, Section 15308, as an action taken to assure the protection of the environment, and pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. Adopt the Resolution entitled: RESOLUTION ADOPTING AMENDMENTS TO RULE 69.3.1 – STATIONARY GAS TURBINE ENGINES-BEST AVAILABLE RETROFIT CONTROL TECHNOLOGY, AND REPEAL OF EXISTING RULE 69.3 – STATIONARY GAS TURBINE ENGINES-REASONABLY AVAILABLE CONTROL TECHNOLOGY, OF REGULATION IV OF THE RULES AND REGULATIONS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT

OVERVIEW:

Existing Rule 69.3.1 regulates air pollutant emissions, specifically oxides of nitrogen (NO_x), from stationary gas turbine engines (units). These units burn fuel, typically natural gas, to produce electricity at facilities such as power plants, hospitals, and college campuses. These emissions contribute to the formation of ozone in the air we breathe. When inhaled, ozone adversely impacts people's health. Symptoms can include chest pain, shortness of breath, worsening of bronchitis and asthma, and nausea.

Rule 69.3.1 was last amended on February 24, 2010 (AP02) and contains stringent health-protective State requirements for new units with a power rating of 0.3 megawatt (MW) or greater, and existing units with a power rating of 1.0 MW or greater.

In 2016, the San Diego County Air Pollution Control District (District) submitted Rule 69.3.1 for approval to the U.S. Environmental Protection Agency (EPA) as part of the San Diego County portion of the State Implementation Plan (SIP) for attaining and maintaining federal air quality standards. The submittal to EPA was necessary to demonstrate compliance with federal requirements to implement “Reasonably Available Control Technology” (RACT) on stationary gas turbine engines. RACT is defined by EPA as “the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.” Subsequently, EPA identified various updates to Rule 69.3.1 that are necessary to assure federal approval of the rule. These updates include a revision to the rule applicability; removal of requirements for specific units that have since been retired from operation; revision of some definitions to remove Air Pollution Control Officer discretion; and other minor edits for clarification. If approved by the Air Pollution Control District Governing Board (Governing Board), amended Rule 69.3.1 will be resubmitted through the California Air Resources Board (CARB) to the EPA for approval into the SIP.

If approved, the requested action will also result in the repeal of existing Rule 69.3, which was last amended on December 16, 1998 (AP04). Rule 69.3 contains federal-only emissions standards that are now incorporated into proposed amended Rule 69.3.1. If adopted by the Governing Board, proposed amended Rule 69.3.1 would incorporate the most current federal and State standards and improve upon and replace Rule 69.3, making Rule 69.3 obsolete.

A future amendment to Rule 69.3.1 may be necessary to address a September 30, 2021, EPA memorandum prohibiting any exemptions from air pollutant emission limits in the District rules during periods of turbine startup, shutdown and malfunction (SSM). The District will continue to evaluate the potential impacts of this recent policy revision and if requested by EPA, the District will address the potential issue during a separate rulemaking process. The District is proceeding with the current proposed amendments to Rule 69.3.1 in order to timely implement the other EPA-mandated amendments described above.

FISCAL IMPACT:

There is no fiscal impact association with these recommendations.

ENVIRONMENTAL STATEMENT:

The California Environmental Quality Act (CEQA) requires an environmental review for certain actions. The District has conducted a review of whether CEQA applies to the adoption of the proposed amendments to Rule 69.3.1 and the repeal of existing Rule 69.3. The proposed rule amendments do not change the local standards that are already in effect, so section 15187 of the CEQA Guidelines is not applicable. District staff also determined that the adoption of the proposed amendments to Rule 69.3.1 and the repeal of Rule 69.3 are exempt from the provisions of CEQA pursuant to California Code

of Regulations, Title 14, Section 15308, as an action taken to assure the protection of the environment, and pursuant to Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment.

PREVIOUS RELEVANT BOARD ACTIONS:

February 24, 2010 (AP02), Adoption of Amended Rule 69.3.1 – Stationary Gas Turbine Engines-Best Available Retrofit Control Technology; December 16, 1998 (AP04), Adoption of Amended Rule 69.3 – Stationary Gas Turbine Engines-Reasonably Available Control Technology

RECOMMENDED BY:

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ATTACHMENTS:

[Attachment A-Rules 69.3.1_69.3 Resolution.pdf](#)

[Attachment B-Rule 69.3.1 Background.pdf](#)

[Attachment C-Rules 69.3.1_69.3 Workshop Report.pdf](#)

[Attachment D-Rule 69.3.1 Change Copy.pdf](#)

[Attachment E-Rule 69.3 to be Repealed.pdf](#)