



Sectors: 2, E
Site Record: APCD2024-SITE-04616

Application Record: APCD2024-APP-008388



APCD2024-APP-008388

DISC Surgery Center at Carlsbad, LLC
Jim Becker
3501 Jamboree Road, Suite 2300
Newport Beach, CA 92660

DISC Surgery Center at Carlsbad, LLC
Jim Becker
6250 El Camino Real
Carlsbad, CA 92009

AUTHORITY TO CONSTRUCT (Draft Version)

EXPIRES:

After examination of your Application for an Air Pollution Control District (hereinafter referred to as "the District") Authority to Construct and Permit to Operate for equipment located at the above location, the District has decided on the following actions:

Authority to Construct is granted pursuant to Rule 20 of the Air Pollution Control District Rules and Regulations for equipment to consist of:

Emergency Diesel Engine:
Manufacturer: Caterpillar
S/N: TBD
Model: C13
Model Year: 2022
Engine Family: NCPXL12.5NYS
Tier: 3
Horsepower (maximum rated): 609 BHP
Driving a 400-kW emergency-use standby generator.
8-inch diameter, vertical exhaust with Flapper, 8.4 feet above ground.

This Authority to Construct is issued with the following conditions:

1. The engine shall be operated exclusively during emergencies as defined in Rule 69.4.1 or Rule 12 or 17CCR93115 as applicable, or for maintenance and testing.
2. This engine shall not be used as a part of a non-emergency Demand Response Program (DRP). This condition shall not apply to engines operating pursuant to the rolling blackout reduction program as defined in 17 CCR 93115 and operating in accordance with 17 CCR 93115.6(c). (17 CCR 93115)
3. Engine operation for maintenance and testing purposes shall not exceed 50 hours per calendar year. (17 CCR 93115, Rule 1200, NSR)
4. This engine shall only use CARB diesel fuel. (Rule 12, Rule 69.4.1, 17 CCR 93115, 40 CFR 60 Subpart IIII)
5. Visible emissions including crank case smoke shall comply with Air Pollution Control District Rule 50. (Rule 50)
6. The equipment described above shall not cause or contribute to a public nuisance. (Rule 51)
7. This engine shall not operate for non-emergency use during the following periods, as applicable:
(a) whenever there is any school sponsored activity, if engine is located on school grounds or
(b) between 7:30am and 3:30pm on days when school is in session, if the engine is located within 500 feet of, but not on, school grounds.
This condition shall not apply to an engine located at or near any school grounds that also serve as the students' place of residence. (17 CCR 93115)

8. Engine operation in response to notification of an impending rotating outage shall be subject to all the following restrictions:
 - (a) the utility distribution company has ordered rotating outages in the control area where the engine is located,
 - (b) the engine is operated no more than 30 minutes prior to the time when the utility distribution company officially forecasts a rotating outage in the cited control area, and
 - (c) the engine operation is terminated immediately after the utility distribution company advises that a rotating outage is no longer in effect.This condition shall not apply to engines operating pursuant to the rolling blackout reduction program as defined in 17 CCR 93115 and operating in accordance with 17 CCR 93115.6(c). (17 CCR 93115)
9. A non-resettable engine hour meter shall be installed on this engine, maintained in good working order, and used for recording engine operation hours. If a meter is replaced, the Air Pollution Control District's Compliance Division shall be notified in writing within 10 calendar days. The written notification shall include the following information:
 - (a) old meter's hour reading,
 - (b) replacement meter's manufacturer name, model and serial number if available and current hour reading on replacement meter, and
 - (c) copy of receipt of new meter or of installation work order.A copy of the meter replacement notification shall be maintained onsite and made available to the Air Pollution Control District upon request.
(Rule 12, Rule 69.4.1, 17 CCR 93115, 40 CFR 60 Subpart IIII, 40 CFR 63 Subpart ZZZZ)
10. The owner or operator of this engine shall install, configure, operate, and maintain this engine and control device, if any, according to the manufacturer's emission-related written instructions. The owner or operator may change only those emission-related settings that are permitted by the manufacturer. The periodic maintenance shall be conducted at least once each calendar year. (Rule 12, Rule 69.4.1, 40 CFR 60 Subpart IIII)
11. The owner or operator of this engine shall conduct periodic maintenance of the engine and add-on control equipment, if any, as recommended by the engine and control equipment manufacturers or as specified by the engine servicing company's maintenance procedures. Maintenance shall be conducted at least once each calendar year, and shall include, but is not limited to, the following:
 - 1) Change oil and filter, or test in accordance with the requirements of 40 CFR §63.6625(i) or (j);
 - 2) Inspect and clean air filters, replacing as necessary; and
 - 3) Inspect all hoses and belts, replacing as necessary.Documentation of oil and filter changes or copies of the oil test analysis shall be kept on site and made available upon request. If testing in accordance with 40 CFR §63.6625(i) or (j), the oil analysis program must analyze the Total Base Number, viscosity and percent water content (for compression ignition engines) and the Total Acid Number, viscosity and percent water content (for spark ignited engines). If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.
(Rule 12, Rule 69.4.1, 40 CFR 63 Subpart ZZZZ)
12. The owner or operator of the engine shall maintain the following records on site for at least the same period of time as the engine to which the records apply is located at the site:
 - (a) documentation shall be maintained identifying the fuel as CARB diesel, and
 - (b) manual of recommended maintenance provided by the manufacturer.(Rule 12, Rule 69.4.1, 17 CCR 93115, 40 CFR 60 Subpart IIII)

13. The owner or operator of this engine shall maintain a monthly operating log containing, at a minimum, the following:
 - (a) dates and elapsed times of every instance of engine operation based on actual readings of the engine hour meter; whether the operation was for maintenance and testing purposes or emergency use; and the nature of the emergency;
 - (b) if located within 500 feet of a school, the time of day of every instance of engine operation for testing and maintenance, unless the engine emits no more than 0.01 g/bhp-hr of diesel particulate matter or meets the requirements specified in 17CCR, Section 93115.13(f);
 - (c) for a total external power outage, documentation from the serving utility of an outage in the area where the engine is located; for an internal power outage, a description of what caused the failure and receipts and/or work orders for the necessary repairs; for a partial external power outage, including a low-voltage or electrical transient incident in which the external power voltage is low enough to trigger the operation of an emergency standby engine, a description of the incident;
 - (d) total cumulative hours of operation per calendar year;
 - (e) records of annual engine maintenance shall include the date the maintenance was performed and the nature of the maintenance; and
 - (f) hours of operation for all uses other than those specified above and identification of the nature of that use. (Rule 12, Rule 69.4.1, 17 CCR 93115, 40 CFR 60 Subpart IIII, 40 CFR 63 Subpart ZZZZ)
14. All records required by this permit shall be maintained on site and readily available for District inspection for a minimum of 36 months from their date of creation unless otherwise indicated by the conditions of this permit. (Rule 12, Rule 69.4.1, 40 CFR 60 Subpart IIII)
15. Access, facilities, utilities and any necessary safety equipment for source testing and inspection shall be provided upon request of the Air Pollution Control District.
16. This Air Pollution Control District Permit does not relieve the holder from obtaining permits or authorizations required by other governmental agencies.
17. The permittee shall, upon determination of applicability and written notification by the District, comply with all applicable requirements of the Air Toxics "Hot Spots" Information and Assessment Act (California Health and Safety Code Section 44300 et seq.)

This Authority to Construct does not authorize operation of the above-specified equipment until written notification has been provided to the District indicating that construction (or modification) has been completed in accordance with this Authority to Construct. Upon submission of this notification, temporary Permit to Operate shall take effect and will remain in effect, unless withdrawn or modified by the District, until the equipment is inspected by the District and a revised temporary permit (Startup Authorization) is issued or a Permit to Operate is granted or denied.

This Authority to Construct shall be posted on or within 25 feet of the above described equipment or maintained readily available at all times on the operating premises.

Upon completion of construction (or modification) in accordance with this Authority to Construct, and prior to commencing operation, the applicant must complete and mail, deliver or email to apcdpermits@sdapcd.org the enclosed Construction Completion Notice to the District. After mailing, delivering or emailing the notice, the applicant may commence operation of the equipment. Operation must be in compliance with all the conditions of this Authority to Construct and applicable District Rules.

This Authority to Construct does not relieve the holder from obtaining permits or authorizations, which may be required by other governmental agencies. This Authority to Construct is not authority to exceed any applicable emission standard established by this District or any other governmental agency. This authorization is subject to cancellation if any emission standard or condition is violated.

Within 30 days after receipt of this Authority to Construct, the applicant may petition the Hearing Board for a hearing on any conditions imposed herein in accordance with Rule 25.

This Authority to Construct will expire on unless an extension is granted in writing.

This is not a Permit to Operate. Please be advised that installation or operation of this process or equipment without written authorization may be a misdemeanor subject to fines and penalties.

If you have any questions regarding this action, please contact me at (858) 945-1645 or via email at HawzhinS.Muhamed@sdapcd.org.

Hawzhin S Muhamed
Asst APC Engineer

CC: Compliance Division