

COMPARATIVE ANALYSIS

**PROPOSED AMENDED RULE 61.2 – TRANSFER OF
ORGANIC COMPOUNDS INTO MOBILE TRANSPORT TANKS**

Statutory Requirements

Prior to adopting, amending, or repealing a rule or regulation, California Health and Safety Code Section 40727 requires findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined therein. As part of the consistency finding and to ensure proposed rule requirements do not conflict with or contradict other Air Pollution Control District (District) or federal regulations, Health and Safety Code Section 40727.2(a) requires the District to perform a written analysis identifying and comparing the air pollution control standards and other provisions of proposed amended Rule 61.2 with existing or proposed District rules and guidelines and existing federal rules, requirements, and guidelines applying to the same source category.

Analysis

Proposed amended Rule 61.2 applies to the transfer of organic compounds (e.g., gasoline and diesel) into mobile transport tanks at bulk plants, bulk terminals and intermediate refuelers. The proposed amended rule will align with the updated Reasonably Available Control Technology (RACT) requirements per the U.S. Environmental Protection Agency (EPA). The proposal will not significantly affect existing bulk plants, bulk terminal and intermediate refueler operations because these facilities currently comply with the proposed amendments.

In addition, District New Source Review (NSR) Rule 20.2 – Non-Major Stationary Sources, applies to any new or modified operation that would be subject to proposed amended Rule 61.2. Rule 20.2 requires any non-major new or modified emission unit that has a post-project potential to emit of 10 pounds per day or more of volatile organic compounds to be equipped with Best Available Control Technology (BACT). For the transfer of organic compounds into mobile transport tanks, BACT is identified as the use of a California Air Resources Board (CARB) certified add-on emission control system. Since proposed amended Rule 61.2 contains increased control efficiency, a lower emission limit than the existing rule, and the use of CARB certified emission control equipment, the proposed amendments will represent the new BACT requirements.

Conclusion

There are no conflicts or contradictions between proposed amended Rule 61.2 and BACT requirements.