

WORKSHOP REPORT

RULE 19 - PROVISION OF SAMPLING AND TESTING FACILITIES AND EMISSION INFORMATION

RULE 19.3 - EMISSION INFORMATION

A workshop notice was mailed to all companies that may be affected by the amendment of Rule 19 and the adoption of Rule 19.3. Notices were also mailed to all Chambers of Commerce in San Diego County, all Economic Development Corporations, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (ARB), and other interested parties.

The workshop was held on October 1, 1992. The workshop comments and District responses are as follows:

RULE 19

WORKSHOP COMMENT:

Rule 19 Section (a) currently states that facilities shall "provide and maintain" access for source testing. Does this mean that when access is provided, it must always be permanent and must be maintained?

DISTRICT RESPONSE:

No. Special cases where access is to be maintained permanently are specified in District Permit to Operate conditions. For clarity, the requirement to "maintain" access will be deleted.

RULE 19.3

WORKSHOP COMMENT:

How would Emissions Statement and Process Information Forms required by the rule differ from the forms facilities receive currently?

DISTRICT RESPONSE:

The Emissions Statement Form would replace the Emissions Inventory Report Form facilities currently receive. This form would require facilities emitting 25 tons or greater per year VOC or NOx to report calculated annual emissions according to Federal law. The Emissions Statement Form will require a signed statement attesting to the accuracy of the calculated emissions reported. The District may also require an Emissions Statement Form from facilities emitting 5 tons per year or greater on a case-by-case basis. Most facilities emitting less than 25 tons per year of any one pollutant will submit the same emission inventory forms they have in the past. Section (c) of Rule 19.3 will be revised to clarify these requirements.

WORKSHOP COMMENT:

Emissions inventory forms currently submitted by industry are called "Emissions Inventory Report Forms." Can the same term be used in Rule 19.3 in place of "Process Information Form"?

DISTRICT RESPONSE:

Yes. The rule will be revised to reflect this suggestion.

WORKSHOP COMMENT:

Does a "stationary source" in this proposal mean an entire facility, or a single operation such as a paint spray booth?

DISTRICT RESPONSE:

A stationary source is the entire facility. For clarity, definitions for "Stationary Source", "Contiguous Property" and "Emission Unit" will be added to proposed Rule 19.3.

WORKSHOP COMMENT:

Will this rule require submitting total emissions for the entire facility, or would the emission information be broken down by individual processes, as is done currently?

DISTRICT RESPONSE:

A facility submitting an Emissions Statement Form would be required to submit information on individual processes as before, with the added step of calculating emissions for each process, then adding these emissions for the entire facility.

WORKSHOP COMMENT:

For combustion sources, a facility currently reports fuel usage, which the District uses to determine NOx emissions. How will this change under the new rule?

DISTRICT RESPONSE:

The Emission Statement Forms will require the facility to use the fuel usage figure and an emission factor to calculate NOx emissions. These emission factors will be provided by the District.

WORKSHOP COMMENT:

Would non-permitted as well as permitted sources be subject to the rule?

DISTRICT RESPONSE:

Yes. The rule applies to both permitted sources and non-permitted sources, including area sources (most of which are not permitted).

WORKSHOP COMMENT:

Would mobile sources or gasoline stations be subject to the rule?

DISTRICT RESPONSE:

Tailpipe emissions from mobile sources would not be subject to the rule, but gasoline stations would be subject to the rule, and may be required to submit Emissions Inventory Report Forms as an area source. Portable equipment and non-tailpipe emissions from mobile equipment at a stationary source would be subject to the rule.

WORKSHOP COMMENT:

For cases where source test data have been determined to provide the best available emission factor, would these data be used for the Emissions Statement Form?

DISTRICT RESPONSE:

Yes. The District will continue to use source test data for emission factors where appropriate.

WORKSHOP COMMENT:

Is 1993 the base year for this rule?

DISTRICT RESPONSE:

No. The base year for the rule is the 1992 calendar year with the first reporting due in 1993. In Subsection (c)(1), '1993 calendar year' will be changed to '1992 calendar year.' The latter is required by the 1990 federal CAAA.

WORKSHOP COMMENT:

In the definition of "air pollutant," is particulate matter intended to include PM10 (particulate matter less than 10 microns diameter)?

DISTRICT RESPONSE:

Particulate matter is currently measured and reported in most cases as total particulate matter, which includes PM10. Emission factors are then used to estimate the fraction of PM10, which is a criteria pollutant.

WORKSHOP COMMENT:

Subsection (c)(1) requires Emissions Statement Forms from facilities emitting 25 tons or greater per year of VOC or NOx. Does this apply to each VOC or NOx source separately or is it a cumulative amount of both VOC and NOx emissions?

DISTRICT RESPONSE:

It applies to a stationary source emitting 25 tons of either VOC or NOx separately, not the sum of VOC and NOx emissions. VOC or NOx emissions are summed for each emission unit of VOC or NOx, respectively, at a single stationary source.

WORKSHOP COMMENT:

If a facility is over 25 tons per year for one of these pollutants, would it have to complete the Emissions Statement Form for the other pollutants emitted by the facility, as well?

DISTRICT RESPONSE:

Yes. The District will require the Emissions Statement Form to include calculated emissions for all pollutants, using emission factors provided by the District.

WORKSHOP COMMENT:

The SCAQMD currently assesses emission fees on a dollars per ton basis, based on their emissions inventory submittals. Will this rule result in the District assessing emission fees in this manner?

DISTRICT RESPONSE:

This proposal will not by itself change the current methods of District emission fee assessment. However, the District is reconsidering that methodology and future emission fees may be based, in part, on information gathered under the authority of Rule 19.3.

WORKSHOP COMMENT:

Will these forms require information in addition to the information already required by the current forms?

DISTRICT RESPONSE:

The information requested in the Emissions Inventory Report Form will remain unchanged. For the Emissions Statement Form, in addition to the process, throughput, and material usage information currently required, affected facilities will be required to calculate and report estimated emissions, and to certify the accuracy of the report.

WORKSHOP COMMENT:

Is emissions inventory information intended to be used to determine compliance with hourly or daily emission limitations, or to be used for reconciliation with amounts calculated from daily recordkeeping?

DISTRICT RESPONSE:

Emissions Inventory submittals are not intended for use in determination of compliance with emission limitations or recordkeeping requirements. However, comparisons of emissions reporting and daily recordkeeping for a facility may be used to determine the adequacy of either of these on a case-by-case basis.

WORKSHOP COMMENT:

The degree of precision required in the daily recordkeeping provisions of other District rules is not clearly specified, and seems to increase as time passes. Will the degree of precision required by the Emissions Inventory Section become more stringent, as well?

DISTRICT RESPONSE:

The District examines opportunities for increased accuracy and precision in emissions reporting on a continuous basis. The District also intends to follow its current practice of addressing inaccurate emissions reporting from facilities on a case-by-case basis.

WORKSHOP COMMENT:

Industry would like to see the format of the Emissions Statement Forms as soon as possible.

DISTRICT RESPONSE:

The new forms will likely not be prepared before March, 1993. The District will work with the facilities that emit over 25 tons per year individually to develop its Emissions Statement Form program. Initially, the District will likely require the current inventory forms be completed and will itself calculate the emissions as is done currently. The District will then send these calculated emissions on Emissions Statement Forms back for the facilities to review, sign, and return, thereby meeting federal requirements.

WORKSHOP COMMENT:

At what frequency does the District intend to require the forms required by this rule?

DISTRICT RESPONSE:

The frequency will continue to be annual, except under special circumstances. For example, the mineral processing industry is undergoing a change in the method of emissions determination, and these facilities have worked with the District and submitted two emissions information forms in the past year.

WORKSHOP COMMENT:

Is there any chance daily recordkeeping requirements will be rolled back to weekly?

DISTRICT RESPONSE:

The District is proposing monthly recordkeeping for Rule 67.12, Polyester Resin Operations, in a forthcoming rule amendment proposal. If the EPA accepts this, the District will include monthly recordkeeping in VOC rules wherever possible. EPA may respond to the proposed amendments for Rule 67.12 by November 5, 1992.

WORKSHOP COMMENT:

Is daily recordkeeping an EPA policy or is it mandated by law?

DISTRICT RESPONSE:

The daily recordkeeping requirements contained in the District's VOC rules have been mandated by EPA policy. That policy was intended to provide a mechanism by which source compliance or violations could be determined on a daily basis by reviewing site records.

WORKSHOP COMMENT:

Facilities emitting 25 tons or more of a criteria pollutant were subject to Phase I of the AB 2588 toxics reporting program. Would the same facilities be subject to the federal requirement for Emissions Statement Forms?

DISTRICT RESPONSE:

Only those AB 2588 Phase I facilities which had VOC or NOx emissions equal to or greater than 25 tons per year will be subject to the Rule 19.3 federal requirements. Other facilities grouped in Phase I because of sulfur oxides (SOx) or total particulate matter (PM) emissions will not be subject to the same federal requirements.

TELEPHONE COMMENT:

Has the District statutory authority to require Emissions Statement Forms from sources smaller than 25 tons per year?

DISTRICT RESPONSE:

Yes. The 1990 Federal Clean Air Act Amendments, Title I, Section 182 (a)(3)(B) grants the District statutory authority to require Emissions Statement Forms from any source of VOC or NO_x emissions. The California Health and Safety Code Section 41511 provides additional statutory authority to require Emissions Statement Forms from any source of emissions.

TELEPHONE COMMENT:

The applicability of some of the requirements in the rule is not obvious, especially for sources from 5 to 25 tons per year.

DISTRICT RESPONSE:

In response to this comment and comments made at the workshop, the District will clarify Section (c) of proposed Rule 19.3.

TELEPHONE COMMENT:

The information that may be required in the Process Information Form definition is not clearly specified.

DISTRICT RESPONSE:

These forms need to be industry-specific. Generic forms applicable to all industry types would be unnecessarily confusing and burdensome. Accordingly, an all-inclusive definition for this form would be impractically lengthy and counter-productive. However, the District will reword Rule 19.3 to clarify this definition. As stated previously, the "Process Information Form" has been renamed "Emissions Inventory Report Form".

WRITTEN COMMENT:

Section (a) of Rule 19.3 includes suppliers and distributors, but section (c) on requirements does not address them.

DISTRICT RESPONSE:

Suppliers and distributors are subject to Subsection (c)(4). The District will clarify Section (c) to specify this.

WRITTEN COMMENT:

The applicability of this rule appears to address any size of wholesaler or retailer- even drug stores. Was this the intent of the District?

DISTRICT RESPONSE:

Yes. Occasionally, emissions information is required from these businesses. The District must determine emissions from area sources to comply with State law.

WRITTEN COMMENT:

Will this rule result in another form, in addition to the current Emissions Inventory and AB 2588 forms? Can these forms be consolidated to a greater extent to eliminate redundancy?

DISTRICT RESPONSE:

The Emissions Statement Form will replace the current Emissions Inventory Report Form where applicable. At present, sources will still be required to complete forms for toxic air contaminants separate from emissions inventory forms. However, the District is pursuing a consolidation of these two inventory programs. If this is possible, inventory reporting will also be consolidated.

ARB COMMENT:

To meet the federal requirements as cited by the District in proposed Rule 19.3, Subsection (c)(1), the first Emissions Statements have to be submitted by November 15, 1993. This would likely include emissions for the 1992 calendar year. In Subsection (c)(1), the requirement for the first submittal is for the 1993 calendar year. Is this the intent of the District?

DISTRICT RESPONSE:

No. The rule is being revised to apply to the 1992 calendar year.

EPA COMMENTS:

No comments were received from the EPA.

**AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO**

**PROPOSED AMENDMENTS TO
RULE 19 AND PROPOSED NEW RULE 19.3**

1. Proposed amendments to Rule 19 are to read as follows:

**RULE 19. PROVISION OF SAMPLING AND TESTING FACILITIES
AND EMISSION INFORMATION**

(a) Any person owning or operating any article, machine, equipment or other contrivance for which these rules require a permit shall provide ~~and maintain~~ access, facilities, utilities, and any necessary safety equipment, for inspection and testing such sampling and testing facilities as specified and approved by the Air Pollution Control Officer, in the Authority to Construct or Permit to Operate.

(b) ~~A person owning or operating any air pollution emission source, or selling or supplying any material the use of which may cause the emission of air contaminants, shall provide the Air Pollution Control Officer annually upon request, such information needed for the determination of emissions that affect or may affect a national, state, or county ambient air quality or emission standard.~~

2. New proposed Rule 19.3 is added to read as follows:

RULE 19.3. EMISSION INFORMATION

(a) **APPLICABILITY**

This rule is applicable to any person owning or operating any source of emissions of air pollutants, or to any person selling or supplying any material the use of which may cause the emission of air pollutants.

(b) **DEFINITIONS**

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

(1) **"Air Pollutant"** means any discharge, release, or other propagation into the atmosphere and includes, but is not limited to, any combination of the following: volatile organic compounds, exempt compounds, oxides of nitrogen, particulate matter, gaseous sulfur compounds, carbon monoxide, and toxic air contaminants, including hazardous air pollutants identified in the 1990 Federal Clean Air Act Amendments, Title I, Section 112(b).

(2) **"Contiguous Property"** means two or more parcels of land with a common boundary or separated solely by a public or private roadway or other public or private right-

of-way. Non-adjoining parcels of land separated solely by bodies of water designated "navigable" by the U.S. Coast Guard shall not be considered contiguous properties.

(3)(4) **"Emissions Inventory Report Form" "Process Information Form"** means a form provided by the District to a person subject to this rule, specifying direction on the complete and accurate submission of process information necessary to determine emissions of air pollutants. This form may include some or all of the following: process information or equipment specifications; material or fuel consumption; material throughput or production rates; material disposal or reclamation rates; material composition or characteristics; temporal specification of operations; location of emission origin; emission control equipment and operational parameters; material sales and distribution information; and, specification of applicable District Permits to Operate.

(4)(2) **"Emissions Statement Form"** means a form provided by the District to a person owning or operating a stationary source subject to this rule, specifying direction on the complete and accurate submission of information on emissions subject to this rule. ~~The District shall provide this form at such frequency and under such conditions as required by the 1990 Federal Clean Air Act Amendments, Title I, Section 182 (a)(3)(B).~~ Information subject to specification on this form may include, but is not limited to, emission factors and calculated emission rates of air pollutants, as well as any information subject to the **"Emissions Inventory Report Form" "Process Information Form"**.

(5) **"Emission Unit"** means any article, machine, equipment, process, process line, or contrivance, which emit(s) or reduce(s) or may cause to emit or reduce the emission of any air pollutant.

(6)(3) **"Exempt Compound"** means any of the following compounds: methylene chloride; 1,1,1-trichloroethane; trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (HCFC-22), trifluoromethane (HFC-23); trichlorotrifluoroethane (CFC-113); dichlorotetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); dichlorotrifluoroethane (HCFC-123); tetrafluoroethane (HFC-134a); dichlorofluoroethane (HCFC-141b); chlorodifluoroethane (HCFC-142b); 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); and the following four classes of perfluorocarbon (PFC) compounds:

- i) cyclic, branched, or linear, completely fluorinated alkanes;

- ii) cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
- iii) cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
- iv) sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

(7) "Stationary Source" means an emission unit or aggregation of emission units, located on the same or contiguous properties. Emission units which are on the same or contiguous property but which are not under the same ownership or entitlement to use and which are not related shall not be considered a single stationary source. Stationary sources also include those emission units or aggregation of emission units located in the California Coastal Waters.

(8)(5) "Toxic Air Contaminant" means an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health.

(9)(6) "Volatile Organic Compound (VOC)" means any volatile compound containing at least one atom of carbon excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonates, and exempt compounds which may be emitted to the atmosphere during operations or activities resulting in emissions of air pollutants.

(c) REQUIREMENTS

(1) Except as provided in Subsection (c)(2), and in accordance with the provisions in Subsections (c)(3), (c)(4) and (c)(5), any person subject to this rule shall be subject to requirements for submission of Emissions Statement Forms and/or Emissions Inventory Report Forms.

(2) Any person owning or operating any stationary source of emissions subject to this rule which emits less than 5 tons per year of each air pollutants, ~~excluding and does not emit~~ toxic air contaminants, shall not be required to submit an Emissions Statement Form. ~~but may be required to complete and submit Process Information Forms.~~

(3)(4) Any person owning or operating any stationary source of emissions subject to this rule which emits 25 tons per year or greater of volatile organic compounds or oxides of

nitrogen shall, ~~pursuant to~~ in accordance with the 1990 Federal Clean Air Act Amendments, Title I, Section 182 (a)(3)(B), submit Emissions Statement Forms to the District for the 1992 1993 calendar year and for each calendar year thereafter.

~~(4)~~ Any person owning or operating any stationary source subject to this rule which emits 5 or more tons per year but less than 25 tons per year of VOC or NOx, and any person who sells or supplies any material the use of which may cause the emission of air pollutants, may be required to submit an Emissions Statement Form and/or Emissions Inventory Report Form, as deemed appropriate by the Air Pollution Control Officer.

~~(5)(3)~~ The District shall require the completion and submission of Emissions Statement Forms and/or Emissions Inventory Report Forms ~~Process Information Forms~~ by ~~such persons subject to this rule stationary sources~~ and at such frequency as the Air Pollution Control Officer determines is necessary to comply with federal or state requirements or to develop or implement an air contaminant control program to meet federal or state requirements.

~~(6)(4)~~ Upon receipt of an Emissions Statement Form or Emissions Inventory Report Form ~~Process Information Form~~, a person subject to this rule shall:

(i) Complete the Form as directed and return it to the District by the due date, which shall be 60 days from the date the Form was first provided by the District.

(ii) Provide with the completed Form a signed statement by the person, or a responsible official, certifying that the information contained in the Form is accurate to the best knowledge of that person or official.

~~(7)(5)~~ Any person required to submit an Emissions Statement Form or Emissions Inventory Report Form ~~Process Information Form~~ to the District shall maintain the supporting documentation upon which the information in the Form was based. This documentation shall be retained on site for at least three years, and shall be made available to the District upon request.

~~(8)(6)~~ The Air Pollution Control Officer may grant, on a case-by-case basis, one extension of the Emissions Statement Form or Emissions Inventory Report Form ~~Process Information Form~~ due date, not to exceed 60 days, in those cases where the person can demonstrate that, due to circumstances beyond the control of that person, the original due date cannot be met. The person shall request the extension, in writing, specifying the circumstances and the number of additional days requested.