



Air Pollution Control Board
Greg Cox District 1
Dianne Jacob District 2
Pam Slater District 3
Ron Roberts District 4
Bill Horn District 5
Air Pollution Control District
R. J. Sommerville Director

DATE: July 26, 2000
TO: San Diego County Air Pollution Control Board
SUBJECT: AMENDMENT OF RULE 61.2 - TRANSFER OF ORGANIC COMPOUNDS INTO MOBILE TRANSPORT TANKS (District: All)

SUMMARY:

Overview

Rule 61.2 controls volatile organic compound (VOC) emissions during the transfer of liquids (e.g., gasoline or diesel fuel) into mobile transport tanks. The rule applies to bulk terminals, bulk plants, stationary storage tanks, and mobile transport tanks. It requires VOC emissions be controlled by at least 90%. In addition, the rule prohibits fugitive liquid and vapor leaks and requires spillage be minimized.

The proposed amendments will exempt specified gasoline transfer operations conducted by the Navy from the 90% emission control requirements provided such transfers are limited to a maximum of 21,000 gallons per year. The District has determined the VOC emission increase from this exemption is insignificant (179 pounds per year) and that add-on control equipment for this operation is clearly not cost-effective. These transfer operations will still remain subject to other emission control requirements of the rule, such as the minimum spillage requirement and the liquid leak prohibition.

The proposed amendments also lower the control equipment exemption from 5,000,000 to 500,000 gallons throughput of gasoline per year for six bulk plants constructed before 1984. No facility will be impacted, since all facilities operating under the exemption have gasoline throughputs of less than 500,000 gallons per year. Finally, the proposed amendments also require that all Phase I vapor recovery systems be certified by the California Air Resources Board (ARB).

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study was prepared evaluating potential environmental consequences resulting from the proposed amendments. No significant adverse environmental effects were identified. Accordingly, a proposed Negative Declaration has been prepared (Attachment II). Pursuant to CEQA, the Board must certify that the Negative Declaration reflects the Board's independent judgment of potential environmental consequences resulting from the proposed amendments. Attachment III is the Resolution making these findings and adopting the Negative Declaration.

SUBJECT: AMENDMENT OF RULE 61.2 - TRANSFER OF ORGANIC COMPOUNDS INTO MOBILE TRANSPORT TANKS (District: All)

A public workshop was held on May 27, 1999. The workshop report is provided in Attachment VI.

Recommendation(s)
AIR POLLUTION CONTROL OFFICER

- (1) Consider the Initial Study and proposed Negative Declaration and adopt the Resolution adopting the Negative Declaration, making appropriate findings that:
(a) the Initial Study and Negative Declaration reflect the Board's independent judgment and analysis; (b) considering the entire record before the Board, there is no substantial evidence that the proposed amended rule may have a significant adverse environmental effect; (c) the Negative Declaration is adopted as a true and complete statement of potential environmental consequences resulting from proposed amendments to Rule 61.2; and (d) there is no evidence in the entire record that proposed amendment to Rule 61.2 will have an adverse effect on wildlife resources and, on the basis of substantial evidence, the presumption of adverse effect in California Code of Regulations, Title 14, Section 753.5(d) has been rebutted.
- (2) After adopting the Negative Declaration, adopt the resolution amending Rule 61.2 and make appropriate findings:
 - (i) of necessity, authority, clarity, consistency, non-duplication, and reference as required by Section 40727 of the State Health and Safety Code;
 - (ii) that amending Rule 61.2 will alleviate a problem and will not interfere with the attainment of ambient air quality standards (Section 40001 of the State Health and Safety Code); and
 - (iii) that an assessment of the socioeconomic impact of proposed amended Rule 61.2 is not required by Section 40728.5 of the State Health and Safety Code because amending Rule 61.2 will not significantly affect air quality or emission limitations.
- (3) Approve the Certificate of Fee Exemption for De Minimis Impact Finding exempting the District from payment of fees to the California Department of Fish and Game.

Fiscal Impact

Amending Rule 61.2 will have no fiscal impact on the District.

Business Impact Statement

Amending Rule 61.2 will have a positive impact on local business because it will allow the Navy to conduct specified gasoline transfer operations without having to install a control device that is not cost-effective or without requiring a variance from the District Hearing Board to transfer gasoline without a control device.

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INTO MOBILE TRANSPORT TANKS (District: All)

Lowering the exemption limit to 500,000 gallons per year will have no impact on local business since all potentially affected facilities operate below the threshold.

Advisory Board Statement

The Air Pollution Control Advisory Committee recommended amending Rule 61.2 at its September 22, 1999, meeting.

BACKGROUND:

Attachment I contains background information, information on compliance with Board policy on adopting new rules, information on compliance with the California Environmental Quality Act, and Health and Safety Code Sections 40727.2 and 40920.6.

Additional Information

Attachment II contains the Negative Declaration and Initial Study addressing potential environmental consequences resulting from the proposed amendment to Rule 61.2.

Attachment III contains the Resolution adopting the Negative Declaration.

Attachment IV contains the Certificate of Fee Exemption for De Minimis Impact Finding exempting the District from payment of fees to the California Department of Fish and Game.

Attachment V contains the Resolution and Change Copy amending Rule 61.2 of the District's Rules and Regulations.

Attachment VI contains the report for the workshop held on May 27, 1999.

Respectfully submitted,



R. J. SOMMERVILLE
Air Pollution Control Officer

ROBERT R. COPPER
Deputy Chief Administrative Officer

SUBJECT: AMENDMENT OF RULE 61.2 - TRANSFER OF ORGANIC COMPOUNDS INTO MOBILE TRANSPORT TANKS (District: All)

AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW	<input checked="" type="checkbox"/> Yes	<i>D 7/6/00</i>
CHIEF FINANCIAL OFFICER Requires Four Votes	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/> No
GROUP/AGENCY FINANCE DIRECTOR	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
CHIEF TECHNOLOGY OFFICER	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
DEPARTMENT OF HUMAN RESOURCES	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A

Other Concurrence(s): N/A

ORIGINATING DEPARTMENT: Air Pollution Control District County of San Diego

CONTACT PERSON(S):

Richard J. Smith

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AUTHORIZED REPRESENTATIVE:



R. J. Sommerville, Air Pollution Control Officer

SUBJECT: AMENDMENT OF RULE 61.2 - TRANSFER OF ORGANIC COMPOUNDS
INTO MOBILE TRANSPORT TANKS (District: All)

AGENDA ITEM INFORMATION SHEET
(continued)

PREVIOUS RELEVANT BOARD ACTIONS:
October 16, 1990 (3A) Approved adoption of amendments to Rule 61.2.

BOARD POLICIES APPLICABLE: N/A

BOARD POLICY STATEMENTS: N/A

ATTACHMENT I

SUBJECT: AMENDMENT OF RULE 61.2 - TRANSFER OF ORGANIC COMPOUNDS INTO MOBILE TRANSPORT TANKS

BACKGROUND INFORMATION

Rule 61.2 controls volatile organic compound (VOC) emissions caused by transferring organic liquids. It applies mostly to transferring fuel such as gasoline from bulk terminals, bulk plants, stationary storage tanks, and mobile transport tanks into other mobile transport tanks. The rule requires VOC emissions be reduced by at least 90% during such transfer. In addition, the rule prohibits any fugitive liquid and vapor leaks, and requires transfer equipment to be handled in a manner to minimize spillage.

Rule 61.2 applies to Navy operations that off-load unleaded gasoline from holding tanks on amphibious ships into mobile transport tanks to supply tactical vehicles used in amphibious landings. When a ship comes into port, the gasoline is off-loaded, primarily for safety reasons, to allow maintenance work to be performed. In addition, the fuel has a limited storage tank life, so it must be replaced from time to time. Once off-loaded, the fuel is trucked to various Navy Public Works Center gasoline stations for sale or use in government vehicles because this avoids the necessity of fuel disposal.

Several years ago the Navy applied for and was granted a variance from the 90% emission control requirement by the District Hearing Board because installing an add-on control device would not be cost-effective. The District supported the variance because an emissions test determined VOC emissions for the off-loading operation were negligible. The actual amount of gasoline transferred from ships into mobile transport tanks totaled approximately 7,000 gallons during the last few years, resulting in 60 pounds of VOC emissions. In addition, the District confirmed installing add-on emission control equipment would not be cost-effective. The estimated cost-effectiveness of the control equipment is \$83 per pound of VOC reduced which is significantly higher than the cost-effectiveness of other VOC control rules adopted by the District (between \$1 and \$3 per pound of VOC reduced).

Accordingly, this rule revision will alleviate the need for the Navy to continue to operate under a variance by exempting Navy transfer operations from the 90% emission control requirement provided the total annual throughput for such transfers does not exceed 21,000 gallons per year. These operations remain subject to other emission control requirements, such as the minimum spillage requirement and the liquid leak prohibition. The proposed exemption will result in a maximum VOC emission increase of 179 pounds per year.

The annual gasoline throughput in San Diego County is more than one billion gallons. The annual maximum emissions allowed by the proposed amendment represent 0.002% of total VOC emissions from all gasoline transfer operations subject to Rule 61.2. Assuming the overall control efficiency of the rule is about 95%, the after control (residual) VOC emissions are 265 tons per year. The proposed exemption will increase this amount by 179 pounds, or 0.03%. This increase is considered insignificant.

ATTACHMENT I: Rule 61.2 Background Information

In addition, the California Air Resources Board (ARB) requested the exemption level to achieve a 90% VOC reduction during transfer operations be lower than 5,000,000 gallons per year. Lowering the exemption limit to less than 500,000 gallons per year could require six existing bulk plants to install add-on control equipment at a cost of \$6.50 to \$18.40 per pound of VOC reduced. Since it would not be cost-effective to do so, the exemption level has been lowered from 5,000,000 to 500,000 gallons per year. The six bulk plants will not be affected.

The proposed amendments will also require vapor recovery control systems be ARB certified, update test methods, and provide other minor updates and clarifications.

Socioeconomic Impact Assessment

Section 40728.5 of the State Health and Safety Code requires the District to perform a socioeconomic impact assessment for new and revised rules and regulations significantly affecting air quality or emission limitations. Amending Rule 61.2 will not affect air quality or emission limitations because the VOC emission increase as a result of adding an additional exemption is insignificant. Therefore, a socioeconomic impact assessment is not required.

Compliance with Board Policy on Adopting New Rules

On February 2, 1993, the Board directed that, with the exception of a regulation requested by business or a regulation for which a socioeconomic impact assessment is not required, no new or revised regulation shall be implemented unless specifically required by federal or state law. The proposed amendments to Rule 61.2 were requested by business (U.S. Navy) and a socioeconomic impact assessment is not required. The amendments are consistent with this Board directive.

California Environmental Quality Act

The District prepared an Initial Study pursuant to the California Environmental Quality Act (CEQA) to determine whether there is evidence that proposed amendments to Rule 61.2 may have a significant environmental impact. The Initial Study revealed no substantial evidence that the proposed amendments may have a significant environmental impact.

Based on the Initial Study findings, a proposed Negative Declaration was prepared. The District published a Notice of Intent to adopt the proposed Negative Declaration and solicited comments during a 30-day review period. No public comments were received.

CEQA requires the Board to review the Initial Study, Negative Declaration, and any comments received. The Board must certify that the Negative Declaration reflects the Board's independent judgment of potential environmental consequences resulting from the proposed Rule 61.2 amendments.

Additionally, the District prepared a Certificate of Fee Exemption for De Minimis Impact Finding pursuant to California Code of Regulations, Title 14, Section 753.5(c). The District will be exempt from payment of fees to the California Department of Fish and Game for reviewing the Negative Declaration if the Board finds, after considering the Initial Study and the record as a whole, there is no evidence that the proposed Rule 61.2 amendments will have a potential for an adverse effect on wildlife resources or the habitat on which the wildlife

ATTACHMENT I: Rule 61.2 Background Information

depends, and the Board finds, on the basis of substantial evidence, that the presumption of adverse effect in California Code of Regulations, Title 14, Section 753.5(d) has been rebutted.

Comparison With Existing Requirements

Health and Safety Code Section 40727.2(a) requires that whenever the District proposes adopting, amending, or repealing a rule or regulation, an analysis be prepared to identify and compare the air pollution control elements of the proposal with corresponding elements of existing or proposed federal or District requirements. Pursuant to Section 40727.2 (g), however, this analysis is not necessary if it is demonstrated that the proposed rule does not make an existing emission limit or standard more stringent, nor imposes new or more stringent monitoring, reporting, or recordkeeping requirements.

The proposed amendments to Rule 61.2 do not impose more stringent emission standards or monitoring, recordkeeping, or reporting requirements. Therefore, the analysis described in Health and Safety Code Section 40727.2 (a) is not required.



Air Pollution Control Board

Greg Cox	District 1
Dianne Jacob	District 2
Pam Slater	District 3
Ron Roberts	District 4
Bill Horn	District 5

Air Pollution Control District

R. J. Sommerville	Director
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NEGATIVE DECLARATION

1. Project Title:

Adoption of Amended Rule 61.2, Transfer of Organic Compounds into Mobile Transport Tanks, as part of the San Diego Air Pollution Control District Rules and Regulations.

2. Project Applicant:

San Diego County Air Pollution Control District
9150 Chesapeake Drive
San Diego, California 92123-1096

3. Project Location:

Entire area within the boundaries of San Diego County. San Diego County is the southwestern-most county in California.

4. Project Description:

The San Diego County Air Pollution Control District (the District) is proposing to adopt amendments to Rule 61.2, Transfer of Organic Compounds into Mobile Transport Tanks, as part of the San Diego County Air Pollution Control District Rules and Regulations.

Rule 61.2 controls volatile organic compound (VOC) emissions from the transfer into mobile transport tanks of any liquid compound, which displaces or results in the generation of VOC vapors, by requiring a minimum of 90% control of hydrocarbon vapors from those transfers and minimization of spillage and liquid and vapor leaks. Rule 61.2 currently applies to US Navy operations which consist of transferring (off-loading) motor vehicle fuel (Mogas) from holding tanks on amphibious ships into mobile transport tanks. These gasoline transfer operations occur at the US Navy Fleet Industrial Supply Center, Point Loma, Pier 180. The nearest intersection is Front and Dock Streets. The proposed amendment to Rule 61.2 will exempt these Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. The District has

determined that installing equipment to satisfy the 90% control requirement would be cost prohibitive. Fugitive leaks minimization provisions will still apply to these operations. In addition, the proposed amendments would update test methods used for determining compliance with the rule and provide other updates and minor clarification.

5. Finding:

The San Diego County Air Pollution Control District, acting as lead agency, has completed an Initial Study for the project pursuant to the California Environmental Quality Act. The Initial Study shows that proposed amended Rule 61.2 will not conflict with or obstruct air quality plan implementation; violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation; expose sensitive receptors to substantial criteria pollutant concentrations; create objectionable odors affecting a substantial number of people; or result in a cumulative adverse air quality impact. Based on the Initial Study and the entire record before the District, there is no substantial evidence that the project may have a significant adverse effect on the environment and the adoption of proposed amended Rule 61.2, Transfer of Organic Compounds into Mobile Transport Tanks, does not require preparation of an Environmental Impact Report.

This Negative Declaration reflects the independent judgment of the decision-making authority.

6. Required Mitigation Measures:

No mitigation measures are required.

7. Critical Project Design Elements That Must Become Conditions of Approval:

None required.

Note: This Negative Declaration becomes final upon approval by the Air Pollution Control Board.

INITIAL STUDY

San Diego County Air Pollution Control District

**Adoption of Amended Rule 61.2 - Transfer of
Organic Compounds into Mobile Transport Tanks**

August 1999

San Diego Air Pollution Control District
9150 Chesapeake Drive
San Diego, CA 92123-1096

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INITIAL STUDY. Adoption of Amended Rule 61.2,
Transfer of Organic Compounds into Mobile Transport Tanks

I. INTRODUCTION

1. Project Title:

Adoption of Amended Rule 61.2, Transfer of Organic Compounds into Mobile Transport Tanks, as part of the San Diego Air Pollution Control District Rules and Regulations.

2. Project Applicant:

San Diego County Air Pollution Control District
9150 Chesapeake Drive
San Diego, California 92123-1096

3. Lead Agency Contact Person and Phone Number:

Richard Smith, Assistant Director
San Diego County Air Pollution Control District
(858) 694-3303

4. Project Location:

Entire area within the boundaries of San Diego County. San Diego County is the southwestern-most county in California.

5. State Agencies Having Jurisdiction by Law over Natural Resources Affected by Project:

Air Resources Board

6. Participants in Preparation of Initial Study:

Robert Mross, San Diego County APCD
Robert Reider, San Diego County APCD
Natalie Zlotin, San Diego County APCD
Angela Durr, San Diego County APCD
Debbie Ryan, San Diego County APCD
Thomas Weeks, San Diego County APCD
Richard Brightman, San Diego County APCD

II. PROJECT DESCRIPTION

The San Diego County Air Pollution Control District (the District) is proposing to adopt amendments to Rule 61.2, Transfer of Organic Compounds into Mobile Transport Tanks, as part of the San Diego County Air Pollution Control District Rules and Regulations.

Rule 61.2 controls volatile organic compounds (VOC) emissions from the transfer into mobile transport tanks of any liquid compound, which displaces or results in the generation of VOC vapors, by requiring a minimum of 90% control of hydrocarbon vapors from those transfers and minimization of spillage and liquid and vapor leaks. Rule 61.2 currently applies to US Navy operations which consist of transferring (off-loading) motor vehicle fuel (Mogas) from holding tanks on amphibious ships into mobile transport tanks. These gasoline transfer operations occur at the US Navy Fleet Industrial Supply Center, Point Loma, Pier 180. The nearest intersection is Front and Dock Streets. The proposed amendment to Rule 61.2 will exempt these Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. The District has determined that installing such equipment would be cost-prohibitive. Fugitive leaks minimization provisions will still apply to these operations. In addition, the proposed amendments would update test methods used for determining compliance with the rule and provide other updates and minor clarification.

III. ENVIRONMENTAL SETTING

National and state air quality standards are set for criteria pollutants, which are widespread common pollutants known to be harmful to human health and welfare. Standards are set to protect the elderly, very young, and chronically sensitive portions of our population. Areas not meeting a particular standard are referred to as a nonattainment area for that pollutant. Of the six air pollutants regulated by the federal Environmental Protection Agency, and eight regulated by the California Air Resources Board, only ozone (smog) and inhalable particulate matter occur in concentrations sufficient to violate either federal or state standards in San Diego County.

San Diego County has experienced substantial improvement in ambient ozone levels over the past several years. The number of days above the federal one-hour ozone standard has decreased from 45 days in 1988 to 9 days in 1998. Similarly, the number of days above the more stringent state standard has decreased from 160 days in 1988 to 54 days in 1998. Federal standards for PM₁₀ (particulate matter equal to or less than 10 microns in size) have never been exceeded. However, the stricter state standards are not met at this time.

INITIAL STUDY. Adoption of Amended Rule 61.2,
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Toxic air pollutants can have more serious adverse health effects, in particular cancer, and may have no threshold or safe levels. Toxic exposure levels are evaluated using health risk assessments. Supplementing federal and state efforts to control toxics, the District has developed Regulation XII, Toxic Air Contaminants, to identify and regulate stationary source toxic air pollutants and reduce associated public health risks to below significant risk levels.

Industrial facilities emit about 3,500 tons per year of toxic air contaminants, down 13 percent from approximately 4,000 tons reported for 1996.¹ This trend is supported by declining ambient levels of toxic air contaminants from all sources measured at District monitoring sites in El Cajon and Chula Vista from 1991 through 1996. Ambient toxic air contaminant levels that have declined between 1990 and 1996 include benzene (down approximately 70 percent), Butadiene (down approximately 45 percent), and hexavalent chromium (down approximately 60 percent).

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated in the "Environmental Checklist."

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Material | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Utilities / Service
Systems |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Mandatory Findings of Significance | |

None of the environmental factors listed above would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact."

V. ENVIRONMENTAL CHECKLIST

Explanation:

The following questions are answered either "Potentially Significant Impact," "Potentially Significant Unless Mitigation Incorporated," "Less Than Significant Impact," or "No Impact."

A "**Potentially Significant Impact**" answer indicates that there is substantial evidence that the project has a potentially significant environmental effect and the effect is not clearly avoidable with mitigation measures or feasible project changes. Any "Potentially Significant Impact" entry in the following form indicates that the preparation of an Environmental Impact Report (EIR) for the project is recommended.

A "**Less Than Significant With Mitigation Incorporation**" answer indicates that, while there is substantial evidence that the project may have a potentially significant adverse effect on the resource, the incorporation of mitigation measures or project changes agreed to by the applicant has clearly reduced the effect to a less than significant level.

A "**Less Than Significant Impact**" answer indicates, while the project may have an effect on the resource that is the subject of the question, there is no substantial evidence that the effect is potentially significant and/or adverse.

A "**No Impact**" answer indicates that, as a result of the nature of the project or the existing environment, there is no potential that the proposed project could have an effect on the resource that is the subject of the question.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

NOTE: (a through d) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

INITIAL STUDY. Adoption of Amended Rule 61.2,
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II. AGRICULTURE RESOURCES -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE: (a through c) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

III. AIR QUALITY -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE: (a through e) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2. See Attachment A, Analysis of Potential Air Quality Effects, for further discussion.

IV. BIOLOGICAL RESOURCES -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

INITIAL STUDY. Adoption of Amended Rule 61.2,
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- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE: (a through f) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

V. CULTURAL RESOURCES -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE: (a through d) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

VI. GEOLOGY AND SOILS -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE: (a through e) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE: (a through h) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

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Transfer of Organic Compounds into Mobile Transport Tanks

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j. Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE: (a through j) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

IX. LAND USE AND PLANNING -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE: (a through c) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

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X. MINERAL RESOURCES -- Would the project:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

NOTE: (a through b) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

XI. NOISE -- Would the project:

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

NOTE: (a through f) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

XII. POPULATION AND HOUSING -- Would the project:

- a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

NOTE: (a through b) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

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XIII. PUBLIC SERVICES --

- a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection? Police protection? Schools? Parks? Other public facilities?

NOTE: The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

XIV. RECREATION --

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

NOTE: (a through b) The project will amend Rule 61.2 exempting gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

XV. TRANSPORTATION/TRAFFIC -- Would the project:

- a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e. Result in inadequate emergency access?
- f. Result in inadequate parking capacity?
- g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

NOTE: (a through g) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

INITIAL STUDY. Adoption of Amended Rule 61.2,
Transfer of Organic Compounds into Mobile Transport Tanks

XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE: (a through g) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

NOTE: The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE: (b and c) The project will amend Rule 61.2 exempting US Navy gasoline transfer operations from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County. See proposed amended Rule 61.2. See Attachment A, Analysis of Potential Air Quality Effects, for further discussion.

VI. DETERMINATION OF CONSISTENCY WITH EXISTING ZONING, PLANS, AND LAND-USE CONTROLS

Adopting amended Rule 61.2 will be consistent with existing zoning, plans, and other applicable land use controls.

VII. DETERMINATION OF DE MINIMIS IMPACT FINDING FOR DEPARTMENT OF FISH & GAME


Based on the information contained in the environmental checklist of this Initial Study, and the technical documentation in Attachment A and the entire record as a whole, there is no evidence before the San Diego County Air Pollution Control District that adopting amended Rule 61.2 will have any potential for adverse effect on wildlife resources or the habitat upon which the wildlife depends; and,

The San Diego County Air Pollution Control District has, on the basis of substantial evidence, rebutted the presumption of adverse effect set forth in 14 California Code of Regulations Section 753.5(d).

VIII. DETERMINATION OF ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation and the entire record before the District:

- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION should be prepared.
- I find the proposed project MAY have a significant effect on the environment and determine that an ENVIRONMENTAL IMPACT REPORT is required.
- I find that although the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing is required.



ROBERT REIDER
Supervising Air Resources Specialist
County of San Diego
Air Pollution Control District

8-16-99

Date

ATTACHMENT A: ANALYSIS OF POTENTIAL AIR QUALITY EFFECTS

1.0 EXISTING CONDITIONS

Rule 61.2 regulates volatile organic compound (VOC) emissions for transfer of organic liquids into mobile transport tanks with a capacity of 550 gallons or greater. The rule requires VOC emissions during transfer operations be controlled with an efficiency of at least 90 percent. In addition, the rule prohibits any fugitive liquid and vapor leaks and requires handling of transfer equipment in a manner to minimize spillage.

Rule 61.2 currently applies to US Navy operations which off-load motor vehicle fuel (Mogas) from holding tanks on amphibious ships into mobile transport tanks. Mogas is unleaded gasoline carried by amphibious ships to supply tactical vehicles used in amphibious landings. When a ship comes into port, Mogas is off-loaded primarily for safety reasons. Maintenance work is performed on the ships, and the presence of gasoline creates a hazard. In addition, Mogas has a limited shelf-life, so it cannot be stored for extended periods. Once off-loaded, Mogas is trucked to various Navy Public Works Center gas stations for sale and for use in government vehicles. This allows the fuel to be used, avoiding the necessity of disposal.

Mogas off-loading operations from Navy ships into mobile transport tanks have occurred in two of the last seven years. An average Mogas transfer in those two years has involved approximately 3,800 gallons per year resulting in 32.3 pounds of VOC emissions per year.² An exemption from the rule's 90% emission reduction requirement for off-loading Mogas from Navy ships is proposed because the District has determined that installing add-on control equipment would be cost-prohibitive. Operations would remain subject to other control requirements of the rule, including minimizing spillage and prohibition of fugitive liquid and vapor leaks.

2.0 THRESHOLDS OF SIGNIFICANCE

Criteria were developed based on Appendix G of the Guidelines for Implementation of the California Environmental Quality Act (CEQA) (Cal. Code Regs. Title 14, §15000 et seq.) to evaluate the potential for significant adverse air quality impacts resulting from the proposed project. The proposed project will be deemed to have a significant air quality effect if it will:

- Conflict with or obstruct air quality plan implementation;
- Violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation or expose sensitive receptors to substantial pollutant concentrations;
- Result in a significant increase of toxic air contaminant emissions;
- Create objectionable odors affecting a substantial number of people; or
- Result in a cumulative adverse air quality impact.

3.0 ANALYSIS OF PROJECT EFFECTS AND DETERMINATION AS TO SIGNIFICANCE

Potential worst-case emissions associated with the proposed amendments to Rule 61.2 have been evaluated to determine significance of potential environmental effects. A worst-case VOC emissions increase would occur if the proposed maximum limit of 21,000 gallons of motor vehicle fuel per year is transferred. The uncontrolled VOC emission factor is 8.5 pounds per thousand gallons of off-loaded fuel.³ The worst-case annual and daily emission rates are determined assuming the maximum transfer of 21,000 gallons occurred in yearly and daily time periods, respectively. The worst-case hourly emission rate is determined using the maximum flow rate of 83 gallons per minute.⁴ Accordingly, worst-case emissions estimates are as follows:

$$\text{Annual} = \frac{21000 \text{ gal}}{\text{year}} \times \frac{8.5 \text{ lb VOC}}{1000 \text{ gal}} = \frac{178.5 \text{ lb VOC}}{\text{year}}$$

$$\text{Daily} = \frac{21000 \text{ gal}}{\text{day}} \times \frac{8.5 \text{ lb VOC}}{1000 \text{ gal}} = \frac{178.5 \text{ lb VOC}}{\text{day}}$$

$$\text{Hourly} = \frac{83 \text{ gal}}{\text{minute}} \times \frac{60 \text{ min}}{\text{hour}} \times \frac{8.5 \text{ lb VOC}}{1000 \text{ gal}} = \frac{42.3 \text{ lb VOC}}{\text{hour}}$$

3.1 Threshold: Conflict with or Obstruct Air Quality Plan Implementation

The District's adopted air quality plans consist of the San Diego Regional Air Quality Strategy (RAQS) and the San Diego portion of the California State Implementation Plan (SIP). These plans are designed to evaluate regional air quality conditions and apply strategies for attaining applicable air quality standards. The RAQS encompasses District plans and control measures to assure attainment of state ambient air quality standards. The SIP includes District plans and control measures to assure attainment of national ambient air quality standards. The pollutants addressed in these air quality plans are VOC and oxides of nitrogen (NOx), precursors to the photochemical formation of ozone, the primary component of smog. The District does not yet attain state and national ambient air quality standards for ozone.

These plans accommodate ozone-precursor emissions from all sources through control measures on sources to attain the standards. Information used to develop the plans include: monitored ambient air quality concentrations; emissions inventory from existing sources; potential emissions from new industrial sources and human and vehicle population growth; pollution transported from other regions; anticipated control efficiency of control measures; estimated compliance rates; and expected emission reductions.

Emission inventories used in developing both the RAQS and SIP include estimated regionwide emissions from sources subject to Rule 61.2 (Transfer of Organic Compounds into Mobile Transport Tanks.) The assumed control efficiency for this emission source category is 70%, a

INITIAL STUDY. Adoption of Amended Rule 61.2
Attachment A. Analysis of Potential Air Quality Effects

conservative value used for air quality plan development purposes. Rule 61.2 requires 90% control efficiency (Section (c)(1)). Even accounting for excess emissions associated with the proposed exemption of the Navy transfer operations, (See Section 3.0), Rule 61.2 achieves more emission reductions than assumed in the RAQS and SIP. Approximately 1.12 billion gallons of gasoline were transferred in 1998⁵ subject to the 90% control efficiency requirement, therefore, a maximum 21,000 gallons per year of gasoline throughput uncontrolled would reduce the total efficiency insignificantly. Therefore, the amendments to Rule 61.2 would not conflict with or obstruct air quality plan implementation.

An additional analysis was conducted to determine whether or not the proposed rule amendments meet the federal requirement that the SIP contain rules reflecting Reasonably Available Control Technology (RACT) for sources of ozone precursors. RACT is defined as the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technical and economic feasibility. The Environmental Protection Agency (EPA) has published Control Technique Guidelines (CTGs) which identify the RACT standards for industries emitting VOCs. A District may also apply a stricter emission standard which will then become RACT for that source category within the District. Based on the 1.12 billion gallons of gasoline transferred in 1998, the maximum emissions allowed by CTG RACT is 375 tons of VOC per year, whereas the maximum emissions from operations subject to Rule 61.2 is 266 tons of VOC per year. Rule 61.2 is substantially more stringent than CTG RACT, thus it reflects District RACT for operations subject to Rule 61.2.

3.2 Thresholds: Violate Any Ambient Air Quality Standard or Contribute Substantially to an Existing or Projected Air Quality Violation; or Expose Sensitive Receptors to Substantial Pollutant Concentrations⁶

The projected impact of the worst-case emissions increase on ambient air quality is best judged through ozone modeling which relates ozone precursors to predicted maximum ambient ozone concentrations. A previously modeled emission control scenario using the District's Urban Airshed Model predicted that an increase in annual ozone precursor emissions of 7,347 tons of VOC and 4,964 tons of NO_x would cause an increase in maximum ozone concentrations of 0.1 parts per hundred million (pphm) in 1999,⁷ with a margin of error of 1.1 pphm. Thus, the previously modeled emissions increase results in no statistically significant change in modeled concentrations.

The proposed rule amendment would allow off-loading motor vehicle fuel at a maximum annual limit of 21,000 gallons. The worst-case annual VOC emissions increase would be 178.5 pounds, or only 0.001 percent of the previously modeled VOC emissions increase which resulted in no statistically significant change in modeled concentrations. Therefore, the proposed rule amendment would not produce a significant increase in ambient ozone concentrations in San Diego County, nor expose sensitive receptors to substantial pollutant concentrations.

3.3 Threshold: Result in a Significant Increase of Toxic Air Contaminant Emissions

Potential worst-case emissions associated with off-loading motor vehicle fuel were compared to toxic air contaminants screening emission rates established pursuant to District Rule 1200. The screening emission rates are health protective and were developed as a tool to evaluate toxic emissions. Emissions below screening rates meet cancer risk standards of Rule 1200 and are considered de minimis. Emissions exceeding screening rates require further analysis using a health risk assessment but do not necessarily present a health hazard.

Worst-case emissions of toxic air contaminants which are found in Mogas were compared to the toxic screening emission rates to identify the ratio of potential emissions to allowable emissions for each toxic compound evaluated. To be conservative, the effect of each toxic compound is assumed to be additive. Consequently, if the total sum of ratios of potential emissions to screening emission rates is less than 1.0, the toxic emissions meet Rule 1200 standards and are considered de minimis.

Table A-1 identifies toxic air contaminants associated with the proposed rule amendment. The three compounds in gasoline for which there are established health risk-related toxic emission thresholds are benzene, toluene, and isomers of xylene.⁸ The total sum of ratios of potential emissions to allowance emissions is less than 1.0. Therefore, potential worst-case toxic emissions are considered de minimis and there is no potential for the proposed project to result in a significant increase of toxic emissions.

**Table A-1.
 Transfer of Motor Vehicle Fuel into Mobile Storage Tanks**

Toxic Air Contaminant	Toxic Air Contaminant Speciation ^a (wt.%)	"Worst Case" Estimate of Toxic Air Contaminant ^b		Toxic Air Contaminant Screening Rates ^c		Ratio of "Worst Case" Estimate to Screening Rate	
		lbs/year	lbs/hr	lbs/year	lbs/hr	Yearly	Hourly
Benzene	0.4%	0.71	0.17	2.52	0.67	0.28	0.25
Toluene	1.1%	1.96	0.47	14,600	19.06	0.00013	0.024
Xylene, Isomers of	0.4%	0.71	0.17	21,913	11.33	0.000033	0.015
Sum of Ratios						0.28	0.29
Less than 1.0?						Yes	Yes

^a Based on gasoline speciation data in the USEPA NESHAP Document for the Gasoline Distribution Industry.
^b Worst-case annual emission rate is determined using the proposed maximum transfer limit of 21,000 gallons. Worst-case hourly emission rate is determined using the maximum flow rate of 83 gallons per minute.
^c The screening emission rates⁹ are determined for an emission source estimated at 10 feet in height reflecting vapor release at the top of a mobile transport tank, and a distance to the nearest sensitive receptor estimated at 25 meters.

3.4. Threshold: Create Objectionable Odors Affecting a Substantial Number of People

As described in Sections 3.1 through 3.3 above, no significant emission impacts are associated with the proposed amendments to Rule 61.2. Therefore, the proposed project under normal operating conditions would not be expected to result in the creation of objectionable odors. Further, US Navy gasoline transfer operations must comply with District Rule 51, Nuisance, which prohibits objectionable odors affecting a substantial number of people. Therefore, no significant odor impacts are anticipated.

3.5 Threshold: Result in a Cumulative Adverse Air Quality Impact

CEQA Guidelines §15130(a)(4) indicates a project's contribution to a cumulative impact may be determined de minimis and, thus, not significant if environmental conditions would essentially be the same whether or not the proposed project is implemented. Based on the evaluations discussed in Sections 3.1 through 3.3 above, it is concluded that environmental conditions would essentially be the same whether or not the proposed project is implemented. On this basis, the contribution of proposed amended Rule 61.2 to a cumulative impact is determined de minimis and, thus, not significant.

4.0 MITIGATION

Proposed Rule 61.2 would not result in any significant adverse air quality impacts. Therefore, no mitigation measures are required.

5.0 CONCLUSION

Based on the evaluations discussed in Sections 3.1 through 3.5 above, there is no substantial evidence indicating proposed amendments to Rule 61.2 would: conflict with or obstruct air quality plan implementation; violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation; expose sensitive receptors to substantial pollutant concentrations; result in a significant increase of toxic air contaminant emissions; create objectionable odors affecting a substantial number of people; or result in a cumulative adverse air quality impact. Therefore, it is concluded that the proposed project will not have a significant adverse effect upon air quality in San Diego County.

ENDNOTES

1. San Diego County Air Pollution Control District. 1997 Air Toxics "Hot Spots" Report for San Diego County. July 1998.
2. In 1995, 750 gallons were off-loaded on July 24 and 2,000 gallons off-loaded on October 10. In 1997, 4,900 gallons were off-loaded on May 12. Average VOC emissions were estimated as follows:
$$\text{VOC Emissions} = \frac{750 + 2000 + 4900 \text{ gal}}{2 \text{ years}} \times \frac{8.5 \text{ lb VOC}}{1000 \text{ gal}} = \frac{32.3 \text{ lb VOC}}{\text{year}}$$
3. San Diego County Air Pollution Control District. Source Tests Conducted in December 1995. The emission factor was determined by weight of the source test carbon bed.
4. Department of the Navy, Commander Navy Region Southwest. Letter to Myrna Alzaga from Martha F. Gandy. February 19, 1999.
5. San Diego County Air Pollution Control District. "1998 CALTRANS data for San Diego County." Discussion with District staff. 1999.
6. The second and third thresholds are similar and are discussed together.
7. San Diego County Air Pollution Control District. "Socioeconomic Assessment of the San Diego 1991 Regional Air Quality Strategy (RAQS)." Prepared by Regional Economic Models, Inc. 1997.
8. San Diego County Air Pollution Control District. "Gasoline Storage and Dispensing." Updated July 16, 1998.
9. San Diego County Air Pollution Control District, Toxic Emission Screening Rates with Corrections for OEHHA-approved Health Values. July 1999.

Re Rules and Regulations of the)
Air Pollution Control District)
of San Diego County)

No. 00-275

**RESOLUTION ADOPTING
THE NEGATIVE DECLARATION
FOR PROPOSED AMENDED RULE 61.2, TRANSFER
OF ORGANIC COMPOUNDS INTO MOBILE TRANSPORT TANKS**

On motion of Member Slater, Seconded by Member Roberts, the following Resolution is adopted:

WHEREAS, pursuant to a formal request from the Department of the Navy and to address necessary updates to the rule, the San Diego County Air Pollution Control District (District) has proposed amendments to Rule 61.2, Transfer of Organic Compounds into Mobile Transport Tanks, exempting US Navy gasoline transfer operations which consist of transferring motor vehicle fuel from holding tanks on amphibious ships into mobile transport tanks from the 90% emission control requirement provided that the total gasoline throughput does not exceed 21,000 gallons per year within San Diego County; updating test methods used for determining compliance with the rule, and providing other updates and minor clarification;

WHEREAS, pursuant to the California Environmental Quality Act, adoption of proposed amendments to Rule 61.2 is a project requiring environmental review;

WHEREAS, the San Diego County Air Pollution Control District has the principal responsibility for adopting proposed amendments to Rule 61.2 and, therefore, pursuant to the California Environmental Quality Act, is the lead agency for the requisite environmental review;

WHEREAS, pursuant to the California Environmental Quality Act, an Initial Study was prepared evaluating potential environmental consequences resulting from proposed amendments to Rule 61.2;

WHEREAS, the Initial Study revealed no substantial evidence that proposed amendments to Rule 61.2 may have a significant adverse environmental effect;

WHEREAS, based on the Initial Study findings, a proposed Negative Declaration was prepared pursuant to the California Environmental Quality Act;

WHEREAS, the proposed Negative Declaration was circulated for a 30-day public comment period and comments were received;

WHEREAS, upon analysis of the comments no significant adverse environmental effects were identified;

WHEREAS, written responses to comments received have been prepared and are contained in the final Negative Declaration;

WHEREAS, the final Negative Declaration concludes there is no substantial evidence indicating proposed amendments to Rule 61.2 will have a significant adverse impact on the environment;

WHEREAS, the San Diego County Air Pollution Control Board reviewed and considered the information contained in the Initial Study and final Negative Declaration; and

WHEREAS, the documents and other materials on which the decision to adopt the Negative Declaration is based are located at the San Diego County Air Pollution Control District, 9150 Chesapeake Drive, San Diego, California 92123-1096; the custodian is R. J. Sommerville, Director.

NOW THEREFORE, IT IS RESOLVED AND ORDERED that the Initial Study and Negative Declaration reflect the Board's independent judgement and analysis of potential environmental consequences resulting from proposed amendments to Rule 61.2;

IT IS FURTHER RESOLVED AND ORDERED that, considering the entire record before the Board, there is no substantial evidence that proposed amendments to Rule 61.2 will have a significant adverse effect upon the environment;

IT IS FURTHER RESOLVED AND ORDERED that the Negative Declaration is hereby adopted as a true and complete statement of potential environmental consequences resulting from proposed amendments to Rule 61.2;

IT IS FURTHER RESOLVED AND ORDERED that there is no evidence in the entire record that proposed amendments to Rule 61.2 will have an adverse effect on wildlife resources, and on the basis of substantial evidence, the presumption of adverse effect in California Code of Regulations, Title 14, Section 753.5(d) has been rebutted.

PASSED AND ADOPTED by the Air Pollution Control Board of the San Diego County Air Pollution Control District, State of California, this 26th day of July, 2000, by the following votes:

AYES: Cox, Jacob, Slater, Roberts, Horn
NOES:
ABSENT:

Resolution/Rule 61.2 Neg. Dec.
7/26/00 (APCD 2)

- 2 -



APPROVED AND FORWARDED
BY: H. Outler
CLERK DEPUTY

This is a true and certified copy of the original on file or of record in my office. It bears the seal of the County of San Diego and signature of the Clerk of the Board of Supervisors, imprinted in purple ink.
Thomas J. Pastorek
Clerk of the Board, San Diego County, California
Date: 7/26/00 by Deputy, S. Paul

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title: Adoption of Amendments to Rule 61.2 - Transfer of Organic Compounds into Mobile Transport Tanks

Project Location: Entire Area of San Diego County, California

Project Proponent: San Diego Air Pollution Control District
9150 Chesapeake Drive
San Diego CA 92123-1096

Project Description:

Adoption of amendments to Rule 61.2, Transfer of Organic Compounds into Mobile Transport Tanks, to exempt from the 90 percent emission control requirement the transfer of volatile organic compounds from or to any U. S. Navy ship used primarily for purposes of maintenance for other ships provided the total annual throughput for such transfers does not exceed 21,000 gallons; to specify new updated test methods used for determining compliance with the rule; and to provide other minor clarifications and updates.

Findings of Exemption:

An Initial Study and Draft Negative Declaration have been prepared for the subject project; and,

Based on the entire record before the Lead Agency, the San Diego County Air Pollution Control District, there is no evidence that the project may have any potential for adverse effect on wildlife resources or the habitat upon which the wildlife depends; and,

The San Diego County Air Pollution Control District has, on the basis of substantial evidence, rebutted the presumption of adverse effect to the resources listed in Title 14, California Code of Regulations, Section 753.5(d).

Certification:

I hereby certify that the lead agency has made the above findings of fact and that based upon the Initial Study and Draft Negative Declaration and record as a whole that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.



R. J. SOMMERVILLE

Title: Air Pollution Control Officer
Lead Agency: San Diego County Air Pollution Control District

Date: _____

Re Rules and Regulations of the)
Air Pollution Control District)
of San Diego County)

No. 00- 309

**RESOLUTION AMENDING RULE 61.2
OF REGULATION IV OF THE RULES AND
REGULATIONS OF THE SAN DIEGO COUNTY
AIR POLLUTION CONTROL DISTRICT**

On motion of Member Slater, seconded by Member Roberts,
the following resolution is adopted:

WHEREAS, the San Diego County Air Pollution Control Board, pursuant to Section 40702 of the Health and Safety Code, adopted Rules and Regulations of the Air Pollution Control District of San Diego County; and

WHEREAS, said Board now desires to amend said Rules and Regulations; and

WHEREAS, notice has been given and a public hearing has been had relating to the amendment of said Rules and Regulations pursuant to Section 40725 of the Health and Safety Code.

NOW THEREFORE IT IS RESOLVED AND ORDERED by the San Diego County Air Pollution Control Board that the Rules and Regulations of the Air Pollution Control District of San Diego County be and hereby are amended as follows:

Proposed amended Rule 61.2 is to read as follows:

**RULE 61.2. TRANSFER OF ORGANIC COMPOUNDS INTO MOBILE
TRANSPORT TANKS**

(a) APPLICABILITY

Except as otherwise provided in Section (b), this rule is applicable to the transfer of any volatile organic compound (VOC) into a mobile transport tank with a capacity of 550 gallons (2,082 liters) or greater. It is also applicable to the transfer of any liquid compound, regardless of its vapor pressure, into any mobile transport tank with a capacity of 550 gallons (2,082 liters) or greater where the transfer involves the displacement or results in the generation of VOC vapors.

(b) EXEMPTIONS

(1) Transfer into any mobile transport tank from any stationary tank specified in Rule 11 shall not be subject to the provisions of Section (c) of this rule.

(2) The provisions of Subsection (c)(4) shall not apply to any bulk plant in operation prior to March 1, 1984, and for which the throughput does not exceed 500,000 gallons (1,892,700 liters) per year of VOC. To qualify for this exemption, the owner or operator of the bulk plant shall maintain monthly records of VOC and diesel fuel throughputs that demonstrate the applicability of the exemption. Records shall be maintained on-site for at least two years and shall be made readily available to the District upon request.

(3) The provisions of Subsection (c)(4) shall not apply during the calibration of the marker inside a cargo tank when done in accordance with the San Diego County Department of Weights and Measures test procedure.

(4) The provisions of Subsections (c)(6)(i) and (c)(8) shall not apply to any bulk plant or bulk terminal where the VOC throughput does not exceed 5,000,000 gallons (18,927,000 liters) per year. To qualify for this exemption, the owner or operator of the bulk plant shall maintain monthly records of VOC and diesel fuel throughputs that demonstrate the applicability of the exemption. Records shall be maintained on-site for at least two years and shall be made readily available to the District upon request.

(5) The provisions of Subsection (c) (10) shall not apply to any bulk plant or bulk terminal owned by any branch of the United States Armed Forces.

(6) The provisions of this rule, except for Subsections (c)(3), (c)(7), and (c)(10), shall not apply to the transfer of VOC liquid from any United States military ship, provided that the total annual throughput for such transfers occurring in San Diego County does not exceed 21,000 gallons (79,494 liters) per year. It shall be the responsibility of any person claiming this exemption to maintain monthly records of VOC liquid transfer. The records shall be maintained on-site for at least two years and made readily available to the District upon request.

(7) This rule shall not apply to:

(i) Emergency work that the Air Pollution Control Officer determines is necessary to protect persons or property from imminent exposure to danger or damage;

(ii) VOC liquid transfers involving less than 500 gallons (1,893 liters) from one compartment to another within the same mobile transport tank; and

(iii) VOC liquid transfers to any mobile transport tank from any disabled mobile transport tank which cannot be driven for the purpose of facilitating the hauling of the disabled vehicle to a repair facility.

(c) **STANDARDS**

(1) No person shall transfer or allow the transfer of VOC from any stationary storage tank into any mobile transport tank, each with a capacity of more than 550 gallons (2,082 liters), unless 90 percent by weight of the hydrocarbon vapors resulting from the transfer, including any venting losses associated with the transfer, are prevented from being released to the atmosphere.

(2) There shall be no fugitive vapor leaks along the vapor transfer path. For purposes of this rule the vapor transfer path is that combination of piping, hoses, valves, fittings, storage tanks, saturator tanks, vapor processor, and other devices through which hydrocarbon vapors are transferred, stored, or processed to meet the requirements of this rule. The vapor transfer path shall include the interface between a mobile transport tank having a capacity greater than 550 gallons (2,082 liters) and the stationary storage tank facility vapor control fittings. The vapor transfer path shall not include any mobile transport tank, vapor control processor exhaust, or designated vapor control system vent from which the vapor-air mixtures are released after passing through a vapor processor.

There shall be no fugitive vapor leaks from any pressure/vacuum relief valve unless the vapors have passed through a vapor processor, except at bulk plants where a vapor processor is not required by this rule.

(3) No person shall transfer or allow the transfer of VOC into any mobile transport tank as described above when there are any fugitive liquid leaks along the liquid path including the transport tank and associated fittings through which the VOC are being transferred. There shall be no spillage upon disconnect at the loading head-transport tank interface except for spillage which would normally occur when the equipment is handled in a manner designed to minimize spillage. Equipment used to transfer fuel shall be free of defects and properly maintained in a manner designed to minimize spillage.

(4) No person shall transfer or allow the transfer of compounds not subject to the requirements of this rule into any mobile transport tank, having a capacity of more than 550 gallons (2,082 liters) which was transporting VOC or VOC vapor prior to said transfer unless at least 90 percent by weight of the hydrocarbon vapors resulting from the transfer, including any venting losses associated with the transfer, are prevented from being released to the atmosphere.

(5) No person shall displace or allow the displacement of vapors of compounds not subject to the requirements of this rule into a saturator using a VOC unless at least 90 percent by weight of all organic compound vapors resulting from transfers into mobile transports at the facility, are prevented from being released to the atmosphere. This includes any venting losses associated with such transfer.

(6) No person shall transfer or allow the transfer of any liquid into any mobile transport tank having a capacity of more than 550 gallons (2,082 liters) if the transfer displaces VOC, unless:

(i) The displaced vapors are vented to a vapor recovery or disposal unit where the emissions from the unit into the atmosphere do not exceed 0.29 lbs of non-methane organic compounds per 1,000 gallons (35 milligrams of non-methane organic compounds per liter) of the liquid that displaces the VOC vapor-air mixtures, and

(ii) The pressure does not exceed 18 inches of water gauge and the vacuum does not exceed six inches of water gauge in the mobile transport tank vapor space or the vapor space of any of its compartments during the transfer.

(7) The hydrocarbon vapor concentration measured at a distance of 1/2 inch (1.3 cm) or more from the bladder in any bladder tank shall not exceed 500 parts per million by volume (ppmv) measured as propane or 1,375 ppmv measured as methane.

(8) Every product line at each loading rack connected to the vapor recovery system shall be equipped with a dual automatic shutoff overfill prevention system. Each system shall consist of:

(i) A fill meter with automatic flow shutoff at a preset fill quantity; and

(ii) A transport tank compartment high liquid level thermistor or optic sensor-activated automatic loading shutdown system; or

(iii) A float switch type liquid level sensor overfill prevention system, if a loading rack is not compatible with (ii) above.

In lieu of (i), and (ii) or (iii) above, each loading rack shall be equipped with a combination of overfill devices and/or procedures, approved in writing by the Air Pollution Control Officer, that is at least as effective in preventing overfill spillage as the sum of (i), and (ii) or (iii) above.

Each loading rack shutdown system shall, upon overfill sensor activation, automatically stop all liquid transfer to the transport tank(s) being loaded. The system shall be designed so that after sensor activation the additional liquid quantity transferred (meter overrun) shall not exceed 3.0% of the full-level volume of the tank compartment being loaded.

(9) No person shall transfer or allow the transfer of VOC from any mobile transport tank into any other mobile transport tank, each with a capacity of more than 550 gallons (2,082 liters), unless:

(i) 90 percent by weight of the hydrocarbon vapors resulting from the transfer, including any venting losses associated with the transfer, are prevented from being released to the atmosphere, and

(ii) 90 percent by weight of the hydrocarbon vapors generated by daily cycles of heating and cooling in the mobile transport tank from which the VOC are transferred are prevented from being released to the atmosphere. This emission limit applies only when the mobile transport is stationary.

(10) No person shall transfer or allow the transfer of VOC into any mobile transport tank unless the liquid transferred enters within six inches of the bottom of the mobile transport tank or compartment.

(11) A maintenance program, designed to ensure that the vapor collection and/or vapor recovery/disposal systems are in continuous compliance with the provisions of this rule, shall be submitted to the Air Pollution Control Officer by the equipment owner within 45 days of a request. The owner shall adhere to the maintenance plan as approved by the Air Pollution Control Officer.

(12) No person shall install a Phase I vapor recovery system unless it is certified by the State of California Air Resources Board (ARB), pursuant to Section 41954 of the Health and Safety Code.

(d) TEST METHODS

Testing shall be performed in accordance with the following:

(1) Mobile transport tanks shall be certified and tested annually using ARB "Certification Procedure for Vapor Recovery Systems of Cargo Tanks" (CP-204) and ARB Test Method TP-204.1 "Determination of Five Minute Static Pressure Performance of Vapor Recovery Systems of Cargo Tanks." Ongoing testing shall be performed using either ARB Test Method TP-204.1, or ARB Test Method TP-204.2 "Determination of One Minute Static Pressure Performance of Vapor Recovery Systems of Cargo Tanks" as approved by Environmental Protection Agency (EPA).

(2) Vapor control systems at bulk plants and bulk terminals shall be tested using the ARB Test Methods TP-202.1 "Determination of Emission Factor of Vapor Recovery Systems of Bulk Plants" and TP-203.1 "Determination of Emission Factor of Vapor Recovery Systems of Terminals," respectively, as they exist on (*date of adoption*).

(3) Fugitive leaks shall be tested using either EPA Method 21 "Determination of Volatile Organic Leaks" or ARB Test Method TP-204.3 "Determination of Leak(s)," as they exist on (*date of adoption*).

(4) Any other test procedure approved by EPA and ARB for determining the performance of systems used to control VOC emissions from the transfer of organic compounds into mobile transport tanks may be used.

All test procedures shall be performed in accordance with a protocol approved in writing by the Air Pollution Control Officer.

IT IS FURTHER RESOLVED AND ORDERED that the subject amendments to Rule 61.2 of Regulation IV, shall take effect upon adoption.

PASSED AND ADOPTED by the Air Pollution Control Board of the San Diego County Air Pollution Control District, State of California, this 26th day of July, 2000, by the following votes:

AYES: Cox, Jacob, Slater, Roberts, Hdrn
NOES:
ABSENT:

APPROVED AS TO FORM BY _____
COUNTY CLERK

BY Dutton
SENIOR DEPUTY

This is a true certified copy of the original document on file or of record in my office. It bears the seal of the County of San Diego and signature of the Clerk of the Board of Supervisors, imprinted in purple ink.

Thomas J. Probst
Clerk of the Board, San Diego County, California

Date: 7/26/00 By Deputy: S. Reed



SAN DIEGO AIR POLLUTION CONTROL DISTRICT

PROPOSED AMENDMENTS TO RULE 61.2

Amendments are to read as follows:

RULE 61.2. TRANSFER OF ORGANIC COMPOUNDS INTO MOBILE TRANSPORT TANKS

(a) APPLICABILITY

Except as otherwise provided in Section (b), this rule is applicable to the transfer of any volatile organic compound (VOC) into a mobile transport tank with a capacity of 550 gallons (2,082 liters) or greater. It is also applicable to the transfer of any liquid compound, regardless of its vapor pressure, into any mobile transport tank with a capacity of 550 gallons (2,082 liters) or greater where the transfer involves the displacement or results in the generation of VOC vapors ~~of volatile organic compounds~~.

(b) EXEMPTIONS

(1) Transfer into any mobile transport tank from any stationary tank specified in Rule 11~~(e)~~ shall not be subject to the provisions of Section (c) of this rule.

(2) The provisions of Subsection (c)(4) shall not apply to any bulk plant in operation prior to March 1, 1984, and for which the throughput does not exceed ~~either 5,000,000 500,000~~ gallons (~~1,892,700 18,925~~ kiloliters) per year of ~~VOC, volatile organic compounds or 5,000,000 gallons (18,925 kiloliters) per year of diesel fuel~~. To qualify for this exemption, the owner or operator of the bulk plant shall maintain monthly records of VOC and diesel fuel throughputs that demonstrate the applicability of the exemption. Records shall be maintained on-site for at least two years and shall be made readily available to the District upon request. ~~Two full years of records do not have to be made available until September 1, 1992.~~

(3) The provisions of Subsection (c)(4) shall not apply during the calibration of the marker inside a cargo tank when done in accordance with the San Diego County Department of Weights and Measures test procedure.

(4) The provisions of Subsections (c)(6)(i) and (c)(8) shall not apply to any bulk plant or bulk terminal where the VOC throughput ~~of volatile organic compounds~~ does not exceed 5,000,000 gallons (~~18,927,000 18,925~~ kiloliters) per year. To qualify for this exemption, the owner or operator of the bulk plant shall maintain monthly records of VOC and diesel fuel throughputs that demonstrate the applicability of the exemption. Records shall be maintained on-site for at least two years and shall be made readily available to the District upon request. ~~Two full years of records do not have to be made available until September 1, 1992.~~

(5) The provisions of Subsection (c) ~~(10)~~ ~~(11)~~ shall not apply to any bulk plant or bulk terminal owned by any branch of the United States Armed Forces.

(6) The provisions of this rule, except for Subsections (c)(3), (c)(7), and (c)(10), shall not apply to the transfer of VOC liquid from any United States military ship, provided that the total annual throughput for such transfers occurring in San Diego County does not exceed 21,000 gallons (79,494 liters) per year. It shall be the responsibility of any person claiming this exemption to maintain monthly records of VOC liquid transfer. The records shall be maintained on-site for at least two years and made readily available to the District upon request.

~~(6)~~(7) This rule shall not apply to:

(i) Emergency work that the Air Pollution Control Officer determines is necessary to protect persons or property from imminent exposure to danger or damage;

(ii) VOC liquid transfers involving less than 500 gallons (1,893 liters) from one compartment to another within the same mobile transport tank; and

(iii) VOC liquid transfers to any mobile transport tank from any disabled mobile transport tank which cannot be driven for the purpose of facilitating the hauling of the disabled vehicle to a repair facility.

(c) **STANDARDS**

(1) No person shall transfer or allow the transfer of VOC ~~volatile organic compounds~~ from any stationary storage tank into any mobile transport tank, each with a capacity of more than 550 gallons (2,082 2,080 liters), unless 90 percent by weight of the hydrocarbon vapors resulting from the transfer, including any venting losses associated with the transfer, are prevented from being released to the atmosphere.

(2) There shall be no fugitive vapor leaks along the vapor transfer path. For purposes of this rule the vapor transfer path is that combination of piping, hoses, valves, fittings, storage tanks, saturator tanks, vapor processor, and other devices through which hydrocarbon vapors are transferred, stored, or processed to meet the requirements of this rule. The vapor transfer path shall include the interface between a mobile transport tank having a capacity greater than 550 gallons (2,082 liters) and the stationary storage tank facility vapor control fittings. The vapor transfer path shall not include any mobile transport tank, vapor control processor exhaust, or designated vapor control system vent from which the vapor-air mixtures are released after passing through a vapor processor.

There shall be no fugitive vapor leaks from any pressure/vacuum relief valve unless the vapors have passed through a vapor processor, except at bulk plants where a vapor processor is not required by this rule.

(3) No person shall transfer or allow the transfer of VOC ~~volatile organic compounds~~ into any mobile transport tank as described above when there are any fugitive liquid leaks along the liquid path including the transport tank and associated fittings through which the VOC ~~volatile organic compounds~~ are being transferred. There shall be no spillage upon disconnect at the loading head-transport tank interface except for spillage which would normally occur when the equipment is handled in a manner designed to minimize spillage. Equipment used to transfer fuel shall be free of defects and properly maintained in a manner designed to minimize spillage.

(4) No person shall transfer or allow the transfer of compounds not subject to the requirements of this rule into any mobile transport tank, having a capacity of more than 550 gallons (~~2,082~~ 2,080 liters) which was transporting VOC ~~volatile organic compounds~~ or VOC vapor of ~~volatile organic compounds~~ prior to said transfer unless at least 90 percent by weight of the hydrocarbon vapors resulting from the transfer, including any venting losses associated with the transfer, are prevented from being released to the atmosphere.

(5) ~~After December 31, 1984, n~~ No person shall displace or allow the displacement of vapors of compounds not subject to the requirements of this rule into a saturator using a VOC ~~volatile organic compound~~ unless at least 90 percent by weight of all organic compound vapors resulting from transfers into mobile transports at the facility, are prevented from being released to the atmosphere. This includes any venting losses associated with such transfer.

(6) No person shall transfer or allow the transfer of any liquid into any mobile transport tank having a capacity of more than 550 gallons (~~2,082~~ 2,080 liters) if the transfer displaces VOC ~~volatile organic compounds~~, unless:

(i) The displaced vapors are vented to a vapor recovery or disposal unit where the emissions from the unit into the atmosphere do not exceed 0.29 lbs of non-methane organic compounds per 1,000 gallons (35 milligrams of non-methane organic compounds per liter) of the liquid that displaces the VOC ~~volatile organic compound~~ vapor-air mixtures, and

(ii) The pressure does not exceed 18 inches of water gauge and the vacuum does not exceed ~~six~~ 6 inches of water gauge in the mobile transport tank vapor space or the vapor space of any of its compartments during the transfer.

(7) The hydrocarbon vapor concentration measured at a distance of 1/2 inch (1.3 cm) or more from the bladder in any bladder tank shall not exceed 500 parts per million by volume (ppmv) measured as propane or 1,375 ppmv measured as methane.

(8) Every product line at each loading rack connected to the vapor recovery system shall be equipped with a dual automatic shutoff overfill prevention system. Each system shall consist of:

(i) A fill meter with automatic flow shutoff at a preset fill quantity; and

(ii) A transport tank compartment high liquid level thermistor or optic sensor-activated automatic loading shutdown system; or and

(iii) ~~A loading rack which is not compatible with and shall prevent transfer into transport tanks relying on a~~ float switch type liquid level sensor overfill prevention system, if a loading rack is not compatible with (ii) above. ~~;~~

In lieu of (i), and (ii); or and (iii) above, each loading rack shall be equipped with a combination of overfill devices and/or procedures, approved in writing by the Air Pollution Control Officer, that is at least as effective in preventing overfill spillage as the sum of (i), and (ii) or and (iii) above.

Each loading rack shutdown system shall, upon overfill sensor activation, automatically stop all liquid transfer to the transport tank(s) being loaded. The system shall be designed so that after sensor activation the additional liquid quantity transferred (meter overrun) shall not exceed 3.0% of the full-level volume of the tank compartment being loaded.

~~Loading racks that are not required to have the above overfill prevention system as a condition of an Authority to Construct or Permit to Operate existing on July 1, 1988, shall be equipped with the above system on or before April 1, 1989.~~

(9) No person shall transfer or allow the transfer of VOC ~~volatile organic compounds~~ from any mobile transport tank into any other mobile transport tank, each with a capacity of more than 550 gallons (2,082 ~~2,080~~ liters), unless:

(i) 90 percent by weight of the hydrocarbon vapors resulting from the transfer, including any venting losses associated with the transfer, are prevented from being released to the atmosphere, and

(ii) 90 percent by weight of the hydrocarbon vapors generated by daily cycles of heating and cooling in the mobile transport tank from which the VOC ~~volatile organic compounds~~ are transferred are prevented from being released to the atmosphere. This emission limit applies only when the mobile transport is stationary.

~~(10) Testing used to demonstrate compliance with the requirements of this rule shall be done in accordance with the following test methods: (Rev. Effective 10/16/90)~~

~~(i) Transport tanks shall be tested using State of California Air Resources Board (ARB) Method 2-5 "Certification and Test Procedures for Vapor Recovery Systems of Gasoline Delivery Tanks" or ARB Executive Order G-70-106 "Test Procedure Gasoline Cargo Tanks". The test procedures used shall be those in effect on October 16, 1990.~~

~~(ii) Vapor control systems at bulk plants and bulk terminal shall be tested using the applicable test methods that are specified in the State of California Air Resources Board (ARB) "Stationary Source Test Methods Volume 2", as it exists on October 16, 1990, for determining exhaust emissions; and in the District's Manual of Procedures, as it exists on October 16, 1990, for determining aspects of compliance not addressed in ARB's "Stationary Source Test Methods Volume 2". An applicable test method is one that is specifically designed for the type of system to be tested. Equivalent U.S. Environmental Protection Agency (EPA) test methods, as determined by the Air Pollution Control Officer and EPA, may be used to determine exhaust emissions. All test methods and procedures used to determine compliance are required to have written approval from the Air Pollution Control Officer prior to their use.~~

~~(11)(10) No person shall transfer or allow the transfer of VOC volatile organic compounds into any mobile transport tank unless the liquid transferred enters within six inches of the bottom of the mobile transport tank or compartment.~~

~~(12)(11) A maintenance program, designed to ensure that the vapor collection and/or vapor recovery/disposal systems are in continuous compliance with the provisions of this rule, shall be submitted to the Air Pollution Control Officer by the equipment owner within 45 days of a request. The owner shall adhere to the maintenance plan as approved by the Air Pollution Control Officer.~~

~~(12) No person shall install a Phase I vapor recovery system unless it is certified by the State of California Air Resources Board (ARB), pursuant to Section 41954 of the Health and Safety Code.~~

(d) TEST METHODS

Testing shall be performed in accordance with the following:

(1) Mobile transport tanks shall be certified and tested annually using ARB "Certification Procedure for Vapor Recovery Systems of Cargo Tanks" (CP-204) and ARB Test Method TP-204.1 "Determination of Five Minute Static Pressure Performance of Vapor Recovery Systems of Cargo Tanks." Ongoing testing shall be performed using either ARB Test Method TP-204.1, or ARB Test Method TP-204.2 "Determination of One Minute Static Pressure Performance of Vapor Recovery Systems of Cargo Tanks" as approved by Environmental Protection Agency (EPA).

(2) Vapor control systems at bulk plants and bulk terminals shall be tested using the ARB Test Methods TP-202.1 “Determination of Emission Factor of Vapor Recovery Systems of Bulk Plants” and TP-203.1 “Determination of Emission Factor of Vapor Recovery Systems of Terminals,” respectively, as they exist on (date of adoption).

(3) Fugitive leaks shall be tested using either EPA Method 21 “Determination of Volatile Organic Leaks” or ARB Test Method TP-204.3 “Determination of Leak(s),” as they exist on (date of adoption).

(4) Any other test procedure approved by EPA and ARB for determining the performance of systems used to control VOC emissions from the transfer of organic compounds into mobile transport tanks may be used.

All test procedures shall be performed in accordance with a protocol approved in writing by the Air Pollution Control Officer.

**AIR POLLUTION CONTROL DISTRICT
SAN DIEGO COUNTY**

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

WORKSHOP REPORT

A workshop notice was mailed to all companies and government agencies in San Diego County that may be subject to the proposed amended Rule 61.2 - Transfer of Organic Compounds into Mobile Transport Tanks. Notices were also mailed to all Economic Development Corporations and Chambers of Commerce in San Diego County, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (ARB), and other interested parties.

The workshop was held on May 27, 1999, and was attended by three people. Written comments were also submitted. The comments and District responses are provided below.

1. WORKSHOP COMMENT

Subsection (c)(10) specifying test methods has been deleted and Section (d) added to include the new test methods. Will this result in any new additional testing requirements? What will be the impact of this revision on the facilities subject to Rule 61.2?

DISTRICT RESPONSE

There will be no additional testing requirements for the sources subject to Rule 61.2. Subsection (c)(10) in the current rule included test methods that have since been replaced. New Section (d) specifies the latest test methods that are currently being used by the District and ARB. This revision will not have any impact on affected facilities.

2. WORKSHOP COMMENT

Which test methods would apply to the operation of a transfer loading arm?

DISTRICT RESPONSE

The transfer loading arm would be subject to the fugitive liquid leak and liquid spillage standards of Section (c)(3) and should be inspected using either EPA Method 21 "Determination of Volatile Organic Leaks" or ARB Test Method TP-204.3 "Determination of Leak(s)."

3. WORKSHOP COMMENT

What test methods apply to the mobile transport tanks and who should perform these tests?

DISTRICT RESPONSE

Mobile transport tanks are certified and tested annually using ARB "Certification Procedure for Vapor Recovery Systems of Cargo Tanks" (CP-204) and ARB Test Method TP-204.1 "Determination of Five-Minute Static Pressure Performance of Vapor Recovery Systems of Cargo Tanks." Ongoing testing shall be performed using either ARB Test Method TP-204.1, or ARB Test Method TP-204.2 "Determination of One-Minute Static Pressure Performance of Vapor Recovery Systems of Cargo Tanks." The owner of the mobile transport tank is responsible for the testing of the tanks. The testing results must be sent to ARB to receive the certification sticker.

4. WRITTEN COMMENT

Subsection (b)(6) exempts transfers of volatile organic compound (VOC) liquid from or to United States military ships up to 6,500 gallons per year at any single location. The exemption limit of 6,500 gallons per year should be increased to 21,000 gallons per year to allow for contingencies in increased military naval activity.

DISTRICT RESPONSE

The District agrees. Subsection (b)(6) has been revised to specify that under this exemption, the annual throughput for VOC liquid transfer within San Diego County must not exceed 21,000 gallons. Subsection (b)(6) also specifies that the sources subject to this exemption will have to comply with the fugitive liquid leaks and liquid spillage standards of Sections (c)(3), (c)(7), and (c)(10) of the rule.

5. EPA COMMENT

Subsection (b)(6) exempts transfers of VOC liquid from or to United States military ships up to 6,500 gallons per year at any single location. The State Implementation Plan (SIP) version of Rule 61.2 does not allow such exemption. The District should either delete this proposed exemption or demonstrate that its addition is not a relaxation prohibited by Sections 110(l) and 193 of the Federal Clean Air Act (FCAA).

DISTRICT RESPONSE

VOC emissions associated with operations subject to the new exemption in Subsection (b)(6) are negligible. The calculations using both EPA AP-42 emission factors and the emission factors from the source test conducted by the District under actual operating conditions show that the transfer of 6,500 gallons of unleaded gasoline will result in 55 lbs per year of VOC emissions. The transfer of 21,000 gallons of gasoline from the Navy ships which will be allowed by the revised Subsection (b)(6) will produce, at maximum, 179 lbs per year. This represents 0.03% of total allowable VOC emissions from all gasoline transfer operations subject to Rule 61.2.

This increase in VOC emissions is insignificant and will not interfere with the District's attainment demonstration and reasonable further progress for attaining the National Ambient Air Quality Standard for ozone as required by Section 110(1) of the FCAA.

The amount of VOC emission increase as a result of the exemption in Subsection (b)(6) is not a relaxation prohibited by Section 193 of the FCAA. Since 1990, the District adopted a number of rules that reduced VOC emissions in San Diego County by more than 1,500 tons per year. These emission reductions will definitely offset the 179 lbs per year of VOC emission increase resulting from the exemption of the Navy operations from the add on emission control requirements of Rule 61.2. This will satisfy the requirements of Section 193 of the FCAA.

6. EPA COMMENT

The test methods specified in Section (d) must be approved by EPA. Section (d)(1) specifies ARB Test Method TP-204, which has not yet been approved by EPA. Pending approval, EPA Method 27 should be added to Section (d)(1).

DISTRICT RESPONSE

EPA Region IX notified the District that ARB Test Method TP-204 will be approved in the near future. Rule 61.2 has been revised to include language that requires EPA approval of TP-204 prior to using the test method.

ADDITIONAL ISSUES ADDRESSED DUE TO SUBSEQUENT AIR RESOURCES BOARD COMMENTS

At the time of the workshop, Air Resources Board (ARB) had no comments on the rule amendments. On September 30, 1999, the District received comments from ARB on revised draft Rule 62.1, dated June 30, 1999. ARB identified rule improvements necessary to satisfy the requirement that the District adopt all feasible measures in accordance with Health & Safety Code Section 40914.

The ARB comments and District responses are provided below.

1. ARB COMMENT

The exemption throughput limit of 5,000,000 gallons per year in Subsection (b)(2) should be reduced to require more facilities to install vapor recovery piping.

DISTRICT RESPONSE

The District agrees and has lowered the exemption throughput limit of Subsection (b)(2) from 5,000,000 to 500,000 gallons of gasoline per year.

2. ARB COMMENT

The exemption throughput limit of 5,000,000 gallons per year of Subsection (b)(4) should be reduced to require more facilities to install vapor recovery piping.

DISTRICT RESPONSE

The District disagrees. Subsection (b)(4) only exempts specified facilities from complying with the more stringent emission rate, not from installing vapor recovery piping.

3. ARB COMMENT

Section (c) should include language to require all gasoline vapor recovery control systems be ARB certified.

DISTRICT RESPONSE

The District agrees and has added language to Section (c) to require all gasoline vapor recovery control systems be ARB certified.