

**SAN DIEGO COUNTY  
AIR POLLUTION CONTROL DISTRICT**

**DRAFT PROPOSED AMENDMENTS TO  
RULE 69.3.1 – STATIONARY GAS TURBINE ENGINES &  
RULE 69.4.1 – STATIONARY RECIPROCATING INTERNAL COMBUSTION  
ENGINES**

**RESPONSE TO COMMENTS REPORT  
December 15, 2025**

The San Diego County Air Pollution Control District (District) held a virtual public workshop on October 22, 2025, to discuss and receive input on draft proposed amendments to Rule 69.3.1 (Stationary Gas Turbine Engines) and Rule 69.4.1 (Stationary Reciprocating Internal Combustion Engines). A workshop notice was mailed on September 22, 2025, to over 2,850 owners or operators of turbines or engines potentially subject to the draft proposed amendments to Rules 69.3.1 and 69.4.1, interested stakeholders, and Chambers of Commerce in San Diego County. An electronic workshop notice was also sent to over 12,800 interested parties subscribed to the District's electronic mail service, the California Air Resources Board (CARB), and the U.S. Environmental Protection Agency (EPA). The District also notified members of the Portside Community Steering Committee (CSC) and International Border CSC on September 23, 2025, and October 15, 2025, respectively, of the virtual workshop. The workshop notice was also posted on the District's website and on social media. Comments were accepted through November 7, 2025.

A summary of the comments and District responses during the virtual workshop, and submitted written comments prior or after the virtual workshop, are provided below:

**1. PUBLIC COMMENT**

Do the proposed amendments to Rule 69.4.1 intend to minimize the number of startups and shutdowns for engines that might occur during a month/year?

**DISTRICT RESPONSE**

The proposed amendments to Rule 69.4.1 do not contain numerical limits on the number of startups and shutdowns per month or year. Startup and shutdown occurrences can vary significantly depending on the size, type, and operation of each engine. However, the amendments do propose to minimize the frequency and duration of startup and shutdown periods and their associated emissions to the greatest extent practicable. Additionally, existing permits may already contain specific numerical limitations of startups and shutdown occurrences for other required reasons.

**2. PUBLIC COMMENT**

Will the proposed startup and shutdown limits within Rule 69.4.1 apply to portable emergency engines?

**DISTRICT RESPONSE**

No. The proposed amendments, and Rule 69.4.1 overall, generally do not apply to portable emergency engines. Rule 69.4.1 generally applies only to stationary engines, as well as engines that operate with aftermarket emission control technology. However, maintenance requirements found within Rule 69.4.1 do apply to portable engines if they are currently registered with the District.

**3. PUBLIC COMMENT**

Do Rule 69.3.1 and/or Rule 69.4.1 apply to industrial diesel generators?

**DISTRICT RESPONSE**

Rule 69.4.1 applies to applicable stationary engines, which can include industrial stationary diesel generators. Rule 69.3.1 only applies to stationary gas turbines.

**4. PUBLIC COMMENT**

The District should consider aligning the periodic maintenance amendment proposed in Rule 69.4.1 to only require oil and filter changes to the specific subgroup of engines specified for the federal Reciprocating Internal Combustion Engines (RICE) National Emission Standards for Hazardous Air Pollutants (NESHAP). The proposed amendments require all stationary engines subject to Rule 69.4.1 to comply with the periodic maintenance requirements, whereas the RICE NESHAP only specifies that new or reconstructed engines (on or after June 12, 2006) and existing engines (before June 12, 2006) located at a residential, commercial, or institutional facilities require maintenance in accordance with manufacturer's instructions. Oil and filter changes are costly, and the additional maintenance required will have no significant emission reduction benefit, considering that most emergency engines operate only a few hours each year. Additional oil and filter changes on emergency engines will also generate more hazardous waste, which is costly to dispose of.

**DISTRICT RESPONSE**

The District appreciates the comment. The comment is correct in that the new periodic maintenance requirements found within the RICE NESHAP apply to a specific subgroup of engines. Specifically, Table 2d in 40 CFR Part 63, Subpart ZZZZ, requires oil and filter changes at defined intervals (e.g., every 500 hours of operation or within 1 year plus 30 days of the previous change) for emergency engines located at area sources, which includes commercial and institutional facilities. Only certain non-emergency or small-scale engines have the flexibility to follow manufacturer instructions without fixed intervals.

Rule 69.4.1 includes the option to test oil in lieu of changing the oil and filter in accordance with the requirements of 40 CFR Part 63, Sections 63.6625(i) or 63.6625(j), if the oil is still suitable for use, which will avoid potential additional hazardous waste being generated and/or additional costs to facilities associated with numerous oil changes.

The District maintains the regulatory authority to be more stringent than State or federal law requirements. For example, all engines subject to existing Rule 69.4.1 today must already change oil and/or test on an annual basis. Consequently, staff determined that requiring the revised proposed oil and filter change provisions only to engines specified in the RICE NESHAP, would be a relation of existing requirements that would result in significant enforcement and permitting constraints. Having similar periodic maintenance provisions apply to all engines subject to Rule 69.4.1 will result in more consistent enforceability for District inspectors. As a co-benefit, it may also result in more expedient permitting revisions if the amendments are adopted, which in turn may result in lower annual renewal costs of permits associated with making such changes. These potential cost savings for facilities may (in part) mitigate potential additional costs associated with potentially more frequent oil and filter changes.

## **5. PUBLIC COMMENT**

The District should consider specifying that portable engine units (i.e., engines subject to the Portable Diesel Engine Airborne Toxic Control Measure (ATCM) that move within the facility from location to location) be excluded from the specific maintenance requirements proposed in amended Rule 69.4.1. These units are non-road engines that are not subject to the RICE NESHAP federal regulation maintenance requirements. Neither the Portable Diesel Engine ATCM nor the Stationary Diesel Engine ATCM include periodic maintenance requirements for diesel engines.

### **DISTRICT RESPONSE**

The District appreciates the comment. As mentioned in Response #4, the District maintains the regulatory authority to be more stringent than State or federal law requirements. While the respective State ATCMs do not contain periodic maintenance requirements associated with portable engines, the District has previously determined that such requirements are appropriate and reasonable to ensure engines are operating efficiently to avoid unnecessary emissions. Definitions for a “Portable Emission Unit” and a “Stationary Source” can be found in District Rules 12.1 and 20.1. The District defines portable engines that reside at the same facility for more than 12 consecutive months as a stationary source of air pollution.

## **6. PUBLIC COMMENT**

The District should consider starting implementation of the new periodic maintenance requirements found in Rule 69.4.1 at a future date (e.g., 2026 or 2027) rather than upon adoption of the rule amendments. The starting point is critical for facilities that plan out maintenance years

in advance. The change will allow permit holders, especially ones with many permitted engines, to create a sensible schedule while avoiding a potential log jam of maintenance in 2025/2026.

### **DISTRICT RESPONSE**

The District agrees. Proposed amended Rule 69.4.1, Subsection (f)(2), has been revised to specify the new periodic maintenance requirement (i.e., “1 year plus 30 days of the previous maintenance event”) which will now begin on January 1, 2027, instead of upon rule adoption.

## **7. PUBLIC COMMENT**

The periodic maintenance requirement in proposed amended Rule 69.4.1 that states “within 1 year plus 30 days” needs to be better defined with examples. One year plus 30 days is too vague for the end user and the District Compliance inspector. We recommend, as an alternative, allowing for the entire month for maintenance to be performed plus an additional 30 days as the window for periodic maintenance. In other words, if maintenance is performed on July 15, 2025, the next maintenance would be due anytime within the month of July 2026 plus 30 days.

### **DISTRICT RESPONSE**

The District disagrees. The current language included within proposed amended Rule 69.4.1 for periodic maintenance is consistent and verbatim with the federal RICE NESHAP (40 CFR Part 63, Subpart ZZZZ), which specifies that periodic maintenance be conducted within “1 year + 30 days” as a fixed maximum interval. To illustrate this, if periodic maintenance is performed on January 15, 2027, the deadline to conduct the next periodic maintenance (and/or testing) would be February 15, 2028. To ensure the amended rule maintains alignment with federal requirements, the District must retain this language.

## **8. PUBLIC COMMENT**

The public should be encouraged to report license plate numbers of vehicles that violate emission laws to an agency that will issue citations. Vehicles stopped in traffic that are spewing fumes, smoke, etc., are hazardous and affect public health. If citation(s) are ignored, these vehicles should be confiscated.

### **DISTRICT RESPONSE**

The comment received is beyond the scope of the proposed amendments applicable to the consideration of proposed amended Rules 69.3.1 and 69.4.1. Nonetheless, the District does not have authority to regulate on-road vehicles. Resources are available online on the California Air Resources Board website (<http://ww2.arb.ca.gov/environmental-complaints>) that allow the public to report smoking passenger and commercial vehicles that appear to be out of compliance with emission regulations.

**9. DISTRICT COMMENT**

The District made additional administrative edits to proposed amended Rule 69.4.1, Subsection (f)(2), to remove two references of the word “annual” for additional clarity due to the proposed new periodic maintenance requirement (i.e., “1 year plus 30 days of the previous maintenance event”).