APPENDIX E

Rule Consistency Analysis
For Proposed Amendments to Rules 4306 and 4320

November 25, 2020

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RULE CONSISTENCY ANALYSIS FOR PROPOSED AMENDMENTS TO RULE 4311

I. REQUIREMENTS FOR RULE CONSISTENCY ANALYSIS

Pursuant to Section 40727.2 of the California Health and Safety Code, prior to adopting, amending, or repealing a rule or regulation, the District performs a written analysis that identifies and compares the air pollution control elements of the rule or regulation with corresponding elements of existing or proposed District and United States Environmental Protection Agency (EPA) rules, regulations, and guidelines that apply to the same source category. The rule elements analyzed are emission limits; monitoring and testing requirements; recordkeeping and reporting requirements; and operating parameters and work practice requirements.

II. ANALYSIS

A. District Rules

Facilities could be subject to other District rules including:

- Rule 1070 Inspections
- Rule 1081 Source sampling
- Rule 1100 Equipment Breakdown
- Rule 2010 Permits Required
- Rule 2201 New and Modified Stationary Source Review Rule
- Rule 2520 Federally Mandated Operating Permits
- Rule 4001 New Source Performance Standards
- Rule 4101 Visible Emissions
- Rule 4102 Nuisance
- Rule 4201 Particulate Matter Concentration
- Rule 4454 Refinery Process Unit Turnaround
- Rule 4623 Storage of Organic Liquids
- Rule 4624 Organic Liquid Loading
- Rule 4801 Sulfur Compounds

The above-listed rules are not in conflict with, nor are they inconsistent with the requirements of Proposed Rules 4306 and 4320.

B. Federal Rules, Regulations, and Policies

1. EPA Control Techniques Guideline (CTG) Document

Based on the EPA "Control Techniques Guidelines and Alternative Control Techniques Documents for Reducing Ozone-Causing Emissions" document[1], there are no EPA CTGs applicable to this source category and, therefore, no conflicts or inconsistencies with the proposed requirements of Rules 4306 and 4320.

2. EPA Alternative Control Techniques (ACT) Document

EPA-453/R-93-034 (ACT Document – NOx emissions from Process Heaters)

The District evaluated the requirements contained within the ACT for NOx Emissions from Process Heaters and found no requirements that were more stringent than those already in Rules 4306 and 4320.

EPA-453/R-94-022 (ACT Document – NOx Emissions from Industrial/Commercial/Institutional Boilers)

The District evaluated the requirements contained within the ACT for NOx Emissions from Industrial/Commercial/Institutional Boilers and found no requirements that were more stringent than those already in Rules 4306 and 4320.

EPA-453/R-94-023 (ACT Document – NOx Emissions from Utility Boilers)

The District evaluated the requirements contained within the ACT for NOx Emissions from Utility Boilers and found no requirements that were more stringent than those already in Rules 4306 and 4320.

3. EPA New Source Performance Standard (NSPS)

40 CFR 60 Subpart D (Standards of Performance for Fossil-Fuel Fired Steam Generators for which Construction Is Commenced After August 17, 1971)

The District evaluated the requirements contained within 40 CFR 60 Subpart D and found no requirements that were more stringent than those already in Rules 4306 and 4320.

40 CFR 60 Subpart Db (Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units)

[1] Control Techniques Guidelines and Alternative Control Techniques Documents for Reducing Ozone-Causing Emissions. (2016). Retrieved November 5, 2020 from https://www.epa.gov/ground-level-ozone-pollution/control-techniques-guidelines-and-alternative-control-techniques

The District evaluated the requirements contained within 40 CFR 60 Subpart Db and found no requirements that were more stringent than those already in Rules 4306 and 4320.

40 CFR 60 Subpart Dc (Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units)

The District evaluated the requirements contained within 40 CFR 60 Subpart Dc and found no requirements that were more stringent than those already in Rules 4306 and 4320.

40 CFR Part 60 Subpart J (Standards of Performance for Petroleum Refineries)

The District evaluated the requirements contained within 40 CFR 60 Subpart J and found no requirements that were more stringent than those already in Rules 4306 and 4320.

40 CFR Part 60 Subpart Ja (Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007

The District evaluated the requirements contained within 40 CFR 60 Subpart Ja and found no requirements that were more stringent than those already in Rules 4306 and 4320.

4. National Emission Standard for Hazardous Air Pollutants (NESHAP)

40 CFR 63 Subpart DDDDD (NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters)

40 CFR 63 Subpart DDDDD was amended on January 31, 2013 to include new emission limits for PM, CO, and total selective metals (TSM), replace numeric dioxin emission limits with work practice standards, add new subcategories of facilities, and add alternative monitoring approaches for compliance with the PM limit. The PM control requirements in District Rule 4320 are more stringent for liquid fuels because it only allows liquid fuels to be burned during PUC quality natural gas curtailment periods. Rule 4320 requirements are equivalent to that of the Subpart DDDDD for gaseous fuels used in the District permitted units except for the gaseous fuels that exceed 40 $\mu g/m^3$ of mercury.

III. CONCLUSION

Based on the above analysis, District staff found that the proposed amendments to Rules 4306 and 4320 would not conflict with any District or federal rules, regulations, or policies covering similar stationary sources.