

February 7, 2022

Richard Bettencourt  
Blue Sky Dairy, LP  
2395 Sierra Spring Court  
Atwater, CA 95301

**Re: Notice of Preliminary Decision - Authority to Construct**  
**Facility Number: N-6733**  
**Project Number: N-1211945**

Dear Mr. Bettencourt:

Enclosed for your review and comment is the District's analysis of Blue Sky Dairy, LP's application for an Authority to Construct for the installation of a 917 bhp diesel-fired emergency engine powering an electrical generator, at 4390 Fox Road, Atwater.

The notice of preliminary decision for this project has been posted on the District's website ([www.valleyair.org](http://www.valleyair.org)). After addressing all comments made during the 30-day public notice period, the District intends to issue the Authority to Construct. Please submit your written comments on this project within the 30-day public comment period, as specified in the enclosed public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Fred Cruz of Permit Services at (209) 557-6456.

Sincerely,



Brian Clements  
Director of Permit Services

BC:fjc

Enclosures

cc: Courtney Graham, CARB (w/ enclosure) via email

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

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**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

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1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
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**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: (661) 392-5500 FAX: (661) 392-5585

**San Joaquin Valley Air Pollution Control District**  
Authority to Construct Application Review  
Emergency Standby IC Engine

Facility Name:	Blue Sky Dairy	Date:	November 29, 2021
Mailing Address:	2395 Sierra Spring Court Atwater, CA 95301	Engineer:	Fred Cruz
Contact Person:	Richard Bettencourt	Lead Engineer:	James Harader
Telephone:	209-678-		
Email:	rbblueskydairy@gmail.com		
Application No:	N-6733-7-0		
Project No:	N-1211945		
Deemed Complete:	June 25, 2021		

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**I. Proposal:**

Blue Sky Dairy submitted an Authority to Construct application to install a 917 bhp (intermittent) diesel-fired emergency engine powering a 600 kW electrical generator. Pursuant to the applicant, this engine will replace unit N-6733-6, which is a 560 BHP Tier 0 emergency IC engine. The applicant has requested 50 hours for maintenance and testing for the proposed engine.

**II. Applicable Rules:**

Rule 2201 New and Modified Stationary Source Review Rule (8/15/2019)  
Rule 2410 Prevention of Significant Deterioration (6/16/2011)  
Rule 2520 Federally Mandated Operating Permits (8/15/2019)  
Rule 4001 New Source Performance Standards (4/14/1999)  
Rule 4002 National Emission Standards for Hazardous Air Pollutants (5/20/2004)  
Rule 4101 Visible Emissions (2/17/2005)  
Rule 4102 Nuisance (12/17/1992)  
Rule 4201 Particulate Matter Concentration (12/17/1992)  
Rule 4701 Stationary Internal Combustion Engines – Phase 1 (8/21/2003)  
Rule 4702 Stationary Internal Combustion Engines – Phase 2 (8/19/2021)  
Rule 4801 Sulfur Compounds (12/17/1992)  
CH&SC 41700 Health Risk Assessment  
CH&SC 42301.6 School Notice  
Title 17 CCR, Section 93115 - Airborne Toxic Control Measure (ATCM) for Stationary Compression-Ignition (CI) Engines  
California Environmental Quality Act (CEQA)  
Public Resources Code 21000-21177: California Environmental Quality Act (CEQA)  
California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387: CEQA Guidelines

**III. Project Location:**

The facility is located at 4390 Fox Road, Atwater, CA. The project is not located within 1,000 feet of a K-12 school. Therefore, the school notification requirements of CH&SC Section 42301.6 are not required.

**IV. Process Description:**

The 917 bhp Volvo diesel-fired emergency engine powers a 600 kW electrical generator.

**V. Equipment Listing:**

N-6733-7-0: 917 BHP (INTERMITTENT) VOLVO MODEL TWD1644GE TIER 2  
CERTIFIED DIESEL-FIRED EMERGENCY ENGINE STANDBY IC ENGINE  
POWERING AN ELECTRICAL GENERATOR

**VI. Emission Control Technology Evaluation:**

The applicant has proposed to install a Tier 2 certified diesel-fired IC engine.

The proposed engine meets the latest Tier Certification requirements for emergency standby engines; therefore, the engine meets the latest ARB/EPA emissions standards for diesel particulate matter, hydrocarbons, nitrogen oxides, and carbon monoxide.

The use of CARB certified diesel fuel (0.0015% by weight sulfur maximum) reduces SO<sub>x</sub> emissions by over 99% from standard diesel fuel.

**VII. Emission Calculations:**

**A. Assumptions:**

Emergency operating schedule: 24 hours/day  
Non-emergency operating schedule: 50 hours/year  
Density of diesel fuel: 7.1 lb/gal  
EPA F-factor (adjusted to 60 °F): 9,051 dscf/MMBtu  
Fuel heating value: 137,000 Btu/gal  
BHP to Btu/hr conversion: 2,542.5 Btu/bhp-hr  
Thermal efficiency of engine: commonly ≈ 35%  
PM<sub>10</sub> fraction of diesel exhaust: 0.96 (CARB, 1988)  
Conversion factor: 1.34 bhp/kw

**B. Emission Factors:**

The engine manufacturer supplied the emissions factor for NO<sub>x</sub>, CO, VOC and PM<sub>10</sub> emissions.

Pollutant	Emission Factor (g/bhp-hr)	Source
NO <sub>x</sub>	4.20	Engine manufacturer
CO	0.31	Engine manufacturer
VOC	0.15	Engine manufacturer
PM <sub>10</sub>	0.06	Engine manufacturer
SO <sub>x</sub>	0.0051	See calculation below

The emission factor for SO<sub>x</sub> may be calculated based on the current CARB standard for diesel sulfur content, which is 15 ppm by weight.

$$\frac{0.000015 \text{ lb-S}}{\text{lb-fuel}} \times \frac{7.1 \text{ lb-fuel}}{\text{gallon}} \times \frac{2 \text{ lb-SO}_2}{1 \text{ lb-S}} \times \frac{1 \text{ gal}}{137,000 \text{ Btu}} \times \frac{1 \text{ bhp input}}{0.35 \text{ bhp out}} \times \frac{2,542.5 \text{ Btu}}{\text{bhp-hr}} \times \frac{453.6 \text{ g}}{\text{lb}} = 0.0051 \frac{\text{g-SO}_x}{\text{bhp-hr}}$$

**C. Calculations:**

**1. Pre-Project Emissions (PE1)**

This emergency engine is considered as new emission units and PE1 will equal zero for all pollutants.

**2. Post Project PE (PE2)**

The daily and annual PE2 are calculated as follows:

$$\text{Daily PE2 (lb-pollutant/day)} = \text{EF (g-pollutant/bhp-hr)} \times \text{rating (bhp)} \times \text{operation (hr/day)} / 453.6 \text{ g/lb}$$

$$\text{Annual PE2 (lb-pollutant/yr)} = \text{EF (g-pollutant/bhp-hr)} \times \text{rating (bhp)} \times \text{operation (hr/yr)} / 453.6 \text{ g/lb}$$

Post Project Emissions (PE2)						
Pollutant	Emissions Factor (g/bhp-hr)	Rating (bhp)	Daily Hours of Operation (hrs/day)	Annual Hours of Operation (hrs/year)	Daily PE2 (lb/day)	Annual PE2 (lb/yr)
NO <sub>x</sub>	4.20	917	24	50	<b>203.8</b>	<b>425</b>
SO <sub>x</sub>	0.0051	917	24	50	<b>0.2</b>	<b>1</b>
PM <sub>10</sub>	0.06	917	24	50	<b>2.9</b>	<b>6</b>
CO	0.31	917	24	50	<b>15.0</b>	<b>31</b>
VOC	0.15	917	24	50	<b>7.3</b>	<b>15</b>

**3. Pre-Project Stationary Source Potential to Emit (SSPE1):**

Pursuant to Section 4.9 of District Rule 2201, the Pre-Project Stationary Source Potential to Emit (SSPE1) is the Potential to Emit (PE) from all units with valid ATCs or PTOs at the Stationary Source and the quantity of Emission Reduction Credits

(ERCs) which have been banked since September 19, 1991 for Actual Emissions Reductions that have occurred at the source, and which have not been used on-site. This is an existing facility and SSPE1 emissions are from project N-1191038, unless otherwise noted.

<b>SSPE1</b>							
Permit Unit	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	CO	VOC	NH <sub>3</sub>	H <sub>2</sub> S
N-6733-1-1 (milking parlor)	0	0	0	0	1,100	376	0
N-6733-2-1 (cow housing)	0	0	2,201	0	36,026	74,092	0
N-6733-3-2 (liquid manure handling)	0	0	0	0	5,562	17,171	416
N-6733-4-1 (solid manure handling)	0	0	0	0	1,296	9,936	0
N-6733-5-1 (feed storage/handling)	0	0	0	0	43,586	0	0
N-6733-6-0 (IC engine)	1,213	1	58	369	138	0	0
ERCs	0	0	0	0	0	0	0
<b>Total</b>	<b>1,213</b>	<b>1</b>	<b>2,259</b>	<b>369</b>	<b>87,708</b>	<b>101,575</b>	<b>416</b>

**4. Post Project Stationary Source Potential to Emit (SSPE2):**

Pursuant to Section 4.10 of District Rule 2201, the Post Project Stationary Source Potential to Emit (SSPE2) is the Potential to Emit (PE) from all units with valid ATCs or PTOs, except for emissions units proposed to be shut down as part of the Stationary Project, at the Stationary Source and the quantity of Emission Reduction Credits (ERCs) which have been banked since September 19, 1991 for Actual Emissions Reductions that have occurred at the source, and which have not been used on-site.

SSPE2							
Permit Unit	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	CO	VOC	NH <sub>3</sub>	H <sub>2</sub> S
N-6733-1-1 (milking parlor)	0	0	0	0	1,100	376	0
N-6733-2-1 (cow housing)	0	0	2,201	0	36,026	74,092	0
N-6733-3-2 (liquid manure handling)	0	0	0	0	5,562	17,171	416
N-6733-4-1 (solid manure handling)	0	0	0	0	1,296	9,936	0
N-6733-5-1 (feed storage/handling)	0	0	0	0	43,586	0	0
N-6733-6-0 (emergency IC engine)	0	0	0	0	0	0	0
<b>N-6733-7-0 (ATC)</b> (emergency IC engine)	<b>425</b>	<b>1</b>	<b>6</b>	<b>31</b>	<b>15</b>	<b>0</b>	<b>0</b>
ERCs	0	0	0	0	0	0	0
<b>Total</b>	<b>425</b>	<b>1</b>	<b>2,207</b>	<b>31</b>	<b>87,585</b>	<b>101,575</b>	<b>416</b>

\*ATC N-6733-7-0 will replace this permit unit.

## 5. Major Source Determination:

Pursuant to District Rule 2201, a Major Source is a stationary source with a SSPE2 equal to or exceeding one or more of the following threshold values. For the purposes of determining major source status, the following shall not be included:

- Any ERCs associated with the stationary source
- Emissions from non-road IC engines (i.e. IC engines at a particular site at the facility for less than 12 months)
- Fugitive emissions, except for the specific source categories specified in 40 CFR 51.165

Since emissions at a dairy, besides the covered lagoon, are not actually collected, a determination of whether emissions could be reasonably collected must be made by the permitting authority. The California Air Pollution Control Association (CAPCOA) prepared guidance in 2005 for estimating potential to emit of Volatile Organic Compounds from dairy farms. The guidance states *“VOC emissions from the milking centers, cow housing areas, corrals, common manure storage areas, and land application of manure are not physically contained and could not reasonably pass through a stack, chimney, vent, or other functionally-equivalent opening. No collection technologies currently exist for VOC emissions from these emissions units. Therefore, the VOC emissions from these sources are considered fugitive.”* The guidance also concludes that, because VOC collection technologies do exist for liquid waste systems at dairies, *“... the VOC emissions from waste lagoons and storage ponds are considered non-fugitive.”* The District has researched this issue and concurs with the CAPCOA assessment, as discussed in more detail below.

Cow Housing: Although there are smaller dairy farms that have partially enclosed freestall barns, these barns are not fully enclosed and none of the barns have been found to vent the exhaust through a collection device. The airflow requirements through dairy barns are extremely high, primarily for herd health purposes. The airflow requirements will be even higher in the San Joaquin valley, where temperatures reach in excess of 110 degrees in the hot summer. Collection and control of the exhaust including the large amounts of airflow have not yet been achieved by any facility. Due to this difficulty, the District cannot reasonably demonstrate that emissions can pass through a stack, chimney, vent, or other functionally equivalent opening.

Please note that EPA has determined that emissions from open-air cattle feedlots are fugitive in nature.<sup>1</sup> In the District's judgment, this determination for emissions from open feedlots necessitates a similar determination for the open-sided freestalls (usually with open access to corrals or pens and free movement of cattle in and out of the covered area) typical of the San Joaquin Valley since the typical open freestall barn in the San Joaquin Valley bears a far greater resemblance to an extensive shade structure located in a large open lot than an actual enclosed building. Therefore, emissions from open freestall barns are most appropriately treated as fugitive.

Manure Storage Areas: Many dairies have been found to cover dry manure piles. Covering dry manure piles is also a mitigation measure included in District Rule 4570. However, the District was not able to find any facility, which currently captures the emissions from the storage or handling of manure piles. Although some of these piles are covered, the emissions cannot reasonably be captured. Therefore, the District cannot reasonably demonstrate that these emissions can pass through a stack, chimney, vent, or other functionally equivalent opening. In addition, emissions from manure piles have been shown to be insignificant in recent studies.

Land Application: Emissions generated from the application of manure on land cannot reasonably be captured due to the extremely large areas, in some cases thousands of acres, of cropland at dairies. Therefore, the District cannot reasonably demonstrate that these emissions can pass through a stack, chimney, vent, or other functionally equivalent opening.

Feed Handling and Storage: The majority of dairies store the silage piles underneath a tarp or in an Ag-bag. The entire pile is covered except for the face of the pile. The face of the pile is kept open due to the continual need to extract the silage for feed purposes. The silage pile is disturbed 2-3 times per day. Because of the ongoing disturbance to these piles, it makes it extremely difficult to design a system to capture the emissions from these piles. There are no systems been

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<sup>1</sup> Letter from William Wehrum, EPA Acting Administrator, to Terry Stokes, CEO – National Cattlemen's Beef Association (November 2, 2006) (<http://www.epa.gov/Region7/programs/artd/air/nsr/nsrmemos/cowdust.pdf>)

designed to successfully extract the gases from the face of the pile and capture them. As important, there has been no study that has assessed the potential impacts on silage quality from a continuous airflow across the silage pile, as would be required by such a collection system. Therefore, the District cannot demonstrate that these emissions can be reasonably expected to pass through a stack, chimney, vent, or other functionally equivalent opening.

As discussed above, the VOC emissions from the cow housing, manure storage areas, land application of manure and feed handling and storage are considered fugitive. The District has determined that control technology to capture emissions from lagoons (biogas collection systems, for instance) is in use; therefore, these emissions can be reasonably collected and are not fugitive. Therefore, only emissions from the non-fugitive sources and existing IC engine are used to determine if this facility is a major source. The facility’s non-fugitive stationary source potential emissions are listed in the following table:

Pre-Project Major Source Determination:

Pre-Project lagoon emissions for this project are based on emission calculations from project N-1191038, unless otherwise noted, and summarized in Appendix B.

<b>Pre-Project Major Source Determination (lb/year)</b>						
	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO	VOC
N-6733-3-2 (liquid manure handling – Lagoon(s)/storage pond(s))	0	0	0	0	0	2,663
N-6733-6-0 (emergency IC engine)	1,213	1	58	58	369	138
<b>Non-Fugitive SSPE1</b>	<b>1,213</b>	<b>1</b>	<b>58</b>	<b>58</b>	<b>369</b>	<b>2,801</b>
<b>Major Source Threshold</b>	<b>20,000</b>	<b>140,000</b>	<b>140,000</b>	<b>200,000</b>	<b>200,000</b>	<b>20,000</b>

Note: PM<sub>2.5</sub> assumed to be equal to PM<sub>10</sub>

Post-Project Major Source Determination:

<b>Post-Project Major Source Determination (lb/year)</b>						
	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO	VOC
N-6733-3-2 (liquid manure handling – Lagoon(s)/storage pond(s))	0	0	0	0	0	2,663
N-6733-7-0 * (emergency IC engine)	425	1	6	6	31	15
<b>Non-Fugitive SSPE2</b>	<b>425</b>	<b>1</b>	<b>6</b>	<b>6</b>	<b>31</b>	<b>2,678</b>
<b>Major Source Threshold</b>	<b>20,000</b>	<b>140,000</b>	<b>140,000</b>	<b>200,000</b>	<b>200,000</b>	<b>20,000</b>

Note: PM<sub>2.5</sub> assumed to be equal to PM<sub>10</sub>

\*Per the applicant, ATC N-6733-7-0 will replace permit unit N-6733-6-0.

The major source determination is as summarized in the following table:



<b>Rule 2201 Major Source Determination (lb/year)</b>						
	<b>NO<sub>x</sub></b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>	<b>CO</b>	<b>VOC</b>
SSPE1	1,213	1	58	58	369	2,801
SSPE2	425	1	6	6	31	2,678
Major Source Threshold	20,000	140,000	140,000	140,000	200,000	20,000
Major Source?	No	No	No	No	No	No

Note: PM<sub>2.5</sub> assumed to be equal to PM<sub>10</sub>.

As seen in the table above, the facility is not an existing Major Source and does not become a Major Source from this project.

**Rule 2410 Major Source Determination:**

The facility or the equipment evaluated under this project is not listed as one of the categories specified in 40 CFR 52.21 (b)(1)(iii). Therefore, the PSD Major Source threshold is 250 tpy for any regulated NSR pollutant. Note, that fugitive emissions are not included in the table below.

<b>PSD Major Source Determination (tons/year)</b>						
	<b>NO<sub>2</sub></b>	<b>VOC</b>	<b>SO<sub>2</sub></b>	<b>CO</b>	<b>PM</b>	<b>PM<sub>10</sub></b>
Estimated Facility PE before Project Increase	0.61	1.33	0.001	0.18	0.03	0.03
PSD Major Source Thresholds	250	250	250	250	250	250
PSD Major Source? (Y/N)	N	N	N	N	N	N

As shown above, the facility is not an existing PSD major source for any regulated NSR pollutant emitted at this facility.

**6. Baseline Emissions (BE):**

The BE calculation (in lb/year) is performed on a pollutant-by-pollutant basis to determine the amount of offsets required, where necessary. However, agricultural operations that are not major sources are exempt from offsets pursuant to Section 4.6.9 of District Rule 2201. Therefore, BE calculations are not required for the dairy permits.

**7. SB 288 Major Modification:**

SB 288 Major Modification is defined in 40 CFR Part 51.165 as "any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act."

Since this facility is not a major source for any of the pollutants addressed in this project, this project does not constitute a SB 288 major modification.

**8. Federal Major Modification:**

District Rule 2201 states that a Federal Major Modification is the same as a “Major Modification” as defined in 40 CFR 51.165 and part D of Title I of the CAA. Since this source is not included in the 28 specific source categories specified in 40 CFR 51.165, increases in fugitive emissions are not included in the Federal Major Modification determination.

Since this facility is not a Major Source for any pollutants, this project does not constitute a Federal Major Modification.

**9. Rule 2410 – Prevention of Significant Deterioration (PSD) Applicability Determination**

The project potential to emit, by itself, will not exceed any PSD major source thresholds. Therefore Rule 2410 is not applicable and no further discussion is required.

**10. Quarterly Net Emissions Change (QNEC):**

The QNEC is calculated solely to establish emissions that are used to complete the District’s PAS emissions profile screen. Detailed QNEC calculations are included in Appendix C.

**VII. Compliance**

**Rule 2201 New and Modified Stationary Source Review Rule**

**A. Best Available Control Technology (BACT):**

**1. BACT Applicability:**

BACT requirements are triggered on a pollutant-by-pollutant basis and on an emissions unit-by-emissions unit basis for the following\*:

- a) Any new emissions unit with a potential to emit exceeding 2.0 pounds per day,
- b) The relocation from one Stationary Source to another of an existing emissions unit with a potential to emit exceeding 2.0 pounds per day,
- c) Modifications to an existing emissions unit with a valid Permit to Operate resulting in an AIPE exceeding 2.0 pounds per day, and/or
- d) Any new or modified emissions unit, in a stationary source project, which results in a Major Modification.

\*Except for CO emissions from a new or modified emissions unit at a Stationary Source with an SSPE2 of less than 200,000 pounds per year of CO.

**a. New emissions units – PE > 2.0 lb/day**

As discussed in Section I, the facility is proposing to install a new emergency standby IC engine. Additionally, as determined in Sections VII.C.7 and VII.C.8, this project does not result in a SB288 Major Modification or a Federal Major Modification, respectively. Therefore, BACT can only be triggered if the daily emissions exceed 2.0 lb/day for any pollutant. The daily emissions from the new engine are compared to the BACT threshold levels in the following table:

New Emissions Unit BACT Applicability				
Pollutant	Daily Emissions for unit -7-0 (lb/day)	BACT Threshold (lb/day)	SSPE2 (lb/yr)	BACT Triggered?
NO <sub>x</sub>	203.8	> 2.0	N/A	Yes
SO <sub>x</sub>	0.2	> 2.0	N/A	No
PM <sub>10</sub>	2.9	> 2.0	N/A	Yes
CO	15.0	> 2.0 and SSPE2 ≥ 200,000 lb/yr	31	No
VOC	7.3	> 2.0	N/A	Yes

BACT will be triggered for NO<sub>x</sub>, VOC and PM<sub>10</sub> emissions for this engine.

**2. BACT Guideline:**

BACT Guideline 3.1.1, which appears in Appendix D of this report, covers diesel-fired emergency IC engines.

**3. Top Down BACT Analysis:**

Per District Policy APR 1305, Section IX, “A top down BACT analysis shall be performed as a part of the Application Review for each application subject to the BACT requirements pursuant to the District’s NSR Rule for source categories or classes covered in the BACT Clearinghouse, relevant information under each of the following steps may be simply cited from the Clearinghouse without further analysis.”

Pursuant to the attached top down BACT Analysis, which appears in Appendix D of this report, BACT is satisfied with:

- NO<sub>x</sub>: Latest Available Tier Certification level for applicable horsepower
- VOC: Latest Available Tier Certification level for applicable horsepower
- PM<sub>10</sub>: Use of an engine with emissions of 0.15 g/bhp-hr, or less

The applicant has proposed to install certified Tier 2 engine with PM emissions below 0.15 g/bhp-hr. and BACT requirements are satisfied for NO<sub>x</sub>, VOC and PM<sub>10</sub>.

**B. Offsets:**

**1. Offset Applicability:**

Pursuant to Section 4.6.2 of this rule, offsets are not required for emergency IC engines. The engine in this project is an emergency IC engine; therefore, this exemption is applicable to this project.

However, even when there is an applicable exemption, the SSPE2 values are compared to the offset threshold to determine if offsets are triggered. In its PAS database, the District keeps track of facilities where offsets are triggered but an exemption applies. SSPE2 values are compared to the offset trigger thresholds in the following table:

<b>Offset Determination (lb/year)</b>					
	<b>NOx</b>	<b>SOx</b>	<b>PM<sub>10</sub></b>	<b>CO</b>	<b>VOC</b>
SSPE2	425	1	2,207	31	87,585
Offset Thresholds	20,000	54,750	29,200	200,000	20,000
Offsets Triggered?	No	No	No	No	Yes

**2. Quantity of Offsets Required:**

The post project SSPE for VOC emissions exceeds the VOC offset threshold level. However, per Section 4.6.9 of Rule 2201, offsets are not required for agricultural sources unless they are a major source. As determined in Section VII.C.5 of this evaluation, the proposed facility is not a major source for any pollutants. Offsets are not required.

**C. Public Notification:**

**1. Applicability:**

Public noticing is required for:

- a. New Major Sources, which is a new facility that also becomes a Major Source,
- b. Major Modifications,
- c. Any new emissions unit with a Potential to Emit greater than 100 pounds during any one day for any one pollutant,
- d. Any project which results in the offset thresholds being surpassed, and/or
- e. Any project with an SSPE of greater than 20,000 lb/year for any pollutant,
- f. Title V Significant Modification.

Public noticing is required for:

a. New Major Sources, SB288 Major Modifications, and Federal Major Modifications

As shown in Sections VII.C.5, VII.C.7, and VII.C.8, this facility is not a new Major Source, not an SB 288 Major Modification, and not a Federal Major Modification, respectively.

b. Any new emissions unit with a Potential to Emit greater than 100 pounds during any one day for any pollutant

As calculated in Section VII.C.2, daily emissions for NO<sub>x</sub> are greater than 100 lb/day.

c. Any project which results in the offset thresholds being surpassed

The SSPE1 and SSPE2 are compared to the offset thresholds in the following table.

Offset Thresholds				
Pollutant	SSPE1 (lb/yr)	SSPE2 (lb/yr)	Offset Threshold (lb/yr)	Public Notice Required?
NO <sub>x</sub>	1,213	425	20,000	No
SO <sub>x</sub>	1	1	54,750	No
PM <sub>10</sub>	2,259	2,207	29,200	No
CO	369	31	200,000	No
VOC	87,708	87,585	20,000	No

As detailed in the preceding table, there are no offset thresholds surpassed with this project. Therefore, public noticing is not required for this project

d. Any project with a Stationary Source Project Increase in Permitted Emissions (SSIPE) greater than 20,000 lb/year for any pollutant

For this project, the proposed engine is the only emissions unit that will generate an increase in Potential to Emit. Since the proposed engine emissions are well below 20,000 lb/year for all pollutants (See Section VII.C.2), the SSIPE for this project will be below the public notice threshold.

e. Any project which results in a Title V significant permit modification

Since this facility does not have a Title V operating permit, this change is not a Title V significant Modification, and therefore public noticing is not required.

## 2. Public Notice Action

As demonstrated above, this project will require public noticing. Therefore, public notice documents will be submitted to the California Air Resources Board (CARB) and a public notice will be electronically published on the District's website prior to the issuance of the ATC for this equipment.

## D. Daily Emissions Limits

Daily Emissions Limitations (DELs) and other enforceable conditions are required by Rule 2201 to restrict a unit's maximum daily emissions, to a level at or below the emissions associated with the maximum design capacity. The DEL must be contained in the latest ATC and contained in or enforced by the latest PTO and enforceable, in a practicable manner, on a daily basis. Therefore, the following conditions will be listed on the ATC as a mechanism to ensure compliance:

- Emissions from this IC engine shall not exceed any of the following limits: 4.20 g-NO<sub>x</sub>/bhp-hr, 0.31 g-CO/bhp-hr, or 0.15 g-VOC/bhp-hr. [District Rule 2201 and 17 CCR 93115]
- Emissions from this IC engine shall not exceed 0.06 g-PM<sub>10</sub>/bhp-hr based on USEPA certification using ISO 8178 test procedure. [District Rules 2201 and 4102, and 17 CCR 93115]
- {4258} Only CARB certified diesel fuel containing not more than 0.0015% sulfur by weight is to be used. [District Rules 2201 and 4801, and 17 CCR 93115]

## E. Compliance Assurance:

### 1. Source Testing

Pursuant to District Policy APR 1705, source testing is not required for emergency standby IC engines to demonstrate compliance with District Rule 2201.

### 2. Monitoring

Monitoring is not required to demonstrate compliance with District Rule 2201.

### 3. Recordkeeping

Recordkeeping requirements, in accordance with District Rule 4702, will be discussed in Section VIII, District Rule 4702, of this evaluation.

### 4. Reporting

Reporting is not required to ensure compliance with District Rule 2201.

## **F. Ambient Air Quality Analysis (AAQA)**

An AAQA shall be conducted for the purpose of determining whether a new or modified Stationary Source will cause or make worse a violation of an air quality standard. The District's Technical Services Division conducted the required analysis. Refer to Appendix E of this document for the AAQA summary sheet.

The proposed location is in an attainment area for NO<sub>x</sub>, CO, and SO<sub>x</sub>. As shown by the AAQA summary sheet the proposed equipment will not cause a violation of an air quality standard for NO<sub>x</sub>, CO, or SO<sub>x</sub>.

The proposed location is in a non-attainment area for the state's PM<sub>10</sub> as well as federal and state PM<sub>2.5</sub> thresholds. As shown by the AAQA summary sheet the proposed equipment will not cause a violation of an air quality standard for PM<sub>10</sub> and PM<sub>2.5</sub>.

### **Rule 2410 Prevention of Significant Deterioration**

As shown in Section VII.C.9 above, this project does not result in a new PSD major source or PSD major modification. No further discussion is required.

### **Rule 2520 Federally Mandated Operating Permits**

Since this facility's potential to emit does not exceed any major source thresholds of Rule 2201, this facility is not a major source and Rule 2520 does not apply.

### **Rule 4001 New Source Performance Standards (NSPS)**

#### **40 CFR 60 Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

The District has not been delegated the authority to implement Subpart III requirements for non-Major Sources; therefore, no requirements shall be included on the permit.

### **Rule 4002 National Emission Standards for Hazardous Air Pollutants**

#### **40 CFR 63 Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Emissions (RICE)**

The District has not been delegated the authority to implement NESHAP regulations for Area Source requirements for non-Major Sources; therefore, no requirements shall be included on the permit.

### **Rule 4101 Visible Emissions**

Rule 4101 states that no air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. Therefore, the following condition will be listed on the ATC to ensure compliance:

- {15} No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]

**Rule 4102 Nuisance**

Rule 4102 states that no air contaminant shall be released into the atmosphere, which causes a public nuisance. Public nuisance conditions are not expected as a result of this operation provided the equipment is well maintained. Therefore, the following condition will be listed on the ATC to ensure compliance:

- {98} No air contaminant shall be released into the atmosphere, which causes a public nuisance. [District Rule 4102]

**California Health & Safety Code 41700 (Health Risk Assessment)**

District Policy APR 1905 - Risk Management Policy for Permitting New and Modified Sources (dated 3/2/01) specifies that for an increase in emissions associated with a proposed new source or modification, the District perform an analysis to determine the possible impact to the nearest resident or worksite.

An HRA is not required for a project with a total facility prioritization score of less than one. According to the Technical Services Memo for this project (Appendix E), the total facility prioritization score including this project was greater than one. Therefore, an HRA was required to determine the short-term acute and long-term chronic exposure from this project.

Units	Prioritization Score	Acute Hazard Index	Chronic Hazard Index	Maximum Individual Cancer Risk	T-BACT Required	Special Permit Requirements
7-0	3.47	N/A <sup>1</sup>	0.00	2.46E-07	No	Yes
<b>Project Totals</b>	3.47	N/A <sup>1</sup>	0.00	2.46E-07		
<b>Facility Totals</b>	>1	0.27	0.07	1.42E-05		

Notes:

1. Acute Hazard Index was not calculated for Unit 7-0 since there is no risk factor or the risk factor is so low that it has been determined to be insignificant for this type of unit.

BACT for toxic emission control (T-BACT) is required if the cancer risk exceeds one in one million. As demonstrated above, T-BACT is not required for this project because the HRA indicates that the risk is not above the District’s thresholds for triggering T-BACT requirements; therefore, compliance with the District’s Risk Management Policy is expected.

The following conditions will be listed on the ATC as a mechanism to ensure compliance with the RMR:



Unit N-6733-7-0:

1. The PM<sub>10</sub> emissions rate shall not exceed 0.06 g/bhp-hr based on US EPA certification using ISO 8178 test procedure.
2. The exhaust stack shall vent vertically upward. The vertical exhaust flow shall not be impeded by a rain cap (flapper ok), roof overhang, or any other obstruction.
3. This engine shall be operated only for testing and maintenance of the engine, required regulatory purposes, and during emergency situations. Operation of the engine for maintenance, testing, and required regulatory purposes shall not exceed 50 hours per calendar year.

**Rule 4201 Particulate Matter Concentration**

Rule 4201 limits particulate matter emissions from any single source operation to 0.1 g/dscf, which, as calculated below, is equivalent to a PM<sub>10</sub> emission factor of 0.4 g-PM<sub>10</sub>/bhp-hr.

$$0.1 \frac{\text{grain} - PM}{\text{dscf}} \times \frac{g}{15.43 \text{ grain}} \times \frac{1 \text{ Btu}_{in}}{0.35 \text{ Btu}_{out}} \times \frac{9,051 \text{ dscf}}{10^6 \text{ Btu}} \times \frac{2,542.5 \text{ Btu}}{1 \text{ bhp} - \text{hr}} \times \frac{0.96 \text{ g} - PM_{10}}{1 \text{ g} - PM} = 0.4 \frac{\text{g} - PM_{10}}{\text{bhp} - \text{hr}}$$

The new engine has a PM<sub>10</sub> emission factor less than 0.4 g/bhp-hr. Therefore, compliance is expected and the following condition will be listed on the ATC as a mechanism to ensure compliance:

- {14} Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]

**Rule 4701 Internal Combustion Engines – Phase 1**

The purpose of this rule is to limit the emissions of nitrogen oxides (NOx), carbon monoxide (CO), and volatile organic compounds (VOC) from internal combustion engines. Except as provided in Section 4.0, the provisions of this rule apply to any internal combustion engine, rated greater than 50 bhp that requires a PTO.

The proposed engine is also subject to District Rule 4702, Internal Combustion Engines. Since emissions limits of District Rule 4702 and all other requirements are equivalent or more stringent than District Rule 4701 requirements for emergency engines, compliance with District Rule 4702 requirements will satisfy requirements of District Rule 4701.

**Rule 4702 Internal Combustion Engines – Phase 2**

Emergency standby engines are subject to District Rule 4702 requirements. Emergency standby engines are defined in Section 3.0 of District Rule 4702 as follows:

*3.15 Emergency Standby Engine: an internal combustion engine, which operates as a temporary replacement for primary mechanical or electrical power during an unscheduled outage caused by sudden and reasonably unforeseen natural disasters or sudden and reasonably unforeseen events beyond the control of the operator. An engine shall be*

*considered to be an emergency standby engine if it is used only for the following purposes: (1) periodic maintenance, periodic readiness testing, or readiness testing during and after repair work; (2) unscheduled outages, or to supply power while maintenance is performed or repairs are made to the primary power supply; and (3) if it is limited to operate 100 hours or less per calendar year for non-emergency purposes. An engine shall not be considered to be an emergency standby engine if it is used: (1) to reduce the demand for electrical power when normal electrical power line service has not failed, or (2) to produce power for the utility electrical distribution system, or (3) in conjunction with a voluntary utility demand reduction program or interruptible power contract.*

Emergency standby engines cannot be used to reduce the demand for electrical power when normal electrical power line service has not failed, or to produce power for the electrical distribution system, or in conjunction with a voluntary utility demand reduction program or interruptible power contract. The following conditions will be included on the permit:

- {3807} An emergency situation is an unscheduled electrical power outage caused by sudden and reasonably unforeseen natural disasters or sudden and reasonably unforeseen events beyond the control of the permittee. [District Rule 4702 and 17 CCR 93115]
- {3808} This engine shall not be used to produce power for the electrical distribution system, as part of a voluntary utility demand reduction program, or for an interruptible power contract. [District Rule 4702 and 17 CCR 93115]

The 100 hour requirement is less stringent than the Air Toxic Control Measure operating limitations for emergency standby engines. Therefore, compliance with the applicable Air Toxic Control Measure requirements ensures compliance with the 100 hour requirement.

Operation of emergency standby engines are limited to 100 hours or less per calendar year for non-emergency purposes. The Air Toxic Control Measure for Stationary Compression Ignition Engines (Stationary ATCM) limits this engine's maintenance and testing to 50 hours/year; therefore, compliance is expected. The following conditions will be included on the permit:

- {4920} This engine shall be operated only for testing and maintenance of the engine, required regulatory purposes, and during emergency situations. Operation of the engine for maintenance, testing, and required regulatory purposes shall not exceed 50 hours per calendar year. [District Rules 2201, 4102, and 4702, and 17 CCR 93115]

*4.2 Except for the requirements of Sections 5.10 and 6.2.3, the requirements of this rule shall not apply to an emergency standby engine or a low-use engine, provided that the engine is operated with a functional nonresettable elapsed time meter.*

*4.2.1 In lieu of operating a nonresettable elapsed time meter, the operator may use an alternative device, method, or technique, in determining operating time, provided that the*

*alternative is approved by the APCO and EPA and is allowed by the Permit-to-Operate or Permit-Exempt Equipment Registration. The operator must demonstrate that the alternative device, method, or technique is equivalent to using a nonresettable elapsed time meter.*

*4.2.2 The operator shall properly maintain and operate the nonresettable elapsed time meter or alternative device in accordance with the manufacturer's instructions.*

Pursuant to the exemption in Section 4.2, the following requirements of Section 5.10 are applicable to emergency standby engines:

Section 5.10 requires the owner to:

*5.10.2 Properly operate and maintain each engine as recommended by the engine manufacturer or emission control system supplier.*

*5.10.3 Monitor the operational characteristics of each engine as recommended by the engine manufacturer or emission control system supplier.*

*5.10.4 Install and operate a nonresettable elapsed operating time meter.*

*5.10.4.1 In lieu of installing a nonresettable time meter, the owner of an engine may use an alternative device, method, or technique, in determining operating time provided that the alternative is approved by the APCO and is allowed by Permit-to-Operate or Permit-Exempt Equipment Registration condition.*

*5.10.4.2 The owner of the engine shall properly maintain and operate the time meter or alternative device in accordance with the manufacturer's instructions.*

Properly operate and maintain each engine as recommended by the engine manufacturer or emission control system supplier. The following condition will be included on the permit:

- {4261} This engine shall be operated and maintained in proper operating condition as recommended by the engine manufacturer or emissions control system supplier. [District Rule 4702]

Monitor the operational characteristics of each engine as recommended by the engine manufacturer or emission control system supplier. The following condition will be included on the permit:

- {3478} During periods of operation for maintenance, testing, and required regulatory purposes, the permittee shall monitor the operational characteristics of the engine as recommended by the manufacturer or emission control system supplier (for example: check engine fluid levels, battery, cables and connections; change engine oil and filters; replace engine coolant; and/or other operational characteristics as recommended by the manufacturer or supplier). [District Rule 4702]

Install and operate a nonresettable elapsed time meter. In lieu of installing a nonresettable elapsed time meter, the operator may use an alternative device, method, or technique, in determining operating time provided that the alternative is approved by the APCO and EPA and is allowed by Permit-to-Operate condition. The operator shall properly maintain and operate the nonresettable elapsed time meter or alternative device in accordance with the manufacturer's instructions. The following condition will be included on the permit:

- {4749} This engine shall be equipped with a non-resettable hour meter with a minimum display capability of 9,999 hours, unless the District determines that a non-resettable hour meter with a different minimum display capability is appropriate in consideration of the historical use of the engine and the owner or operator's compliance history. [District Rule 4702 and 17 CCR 93115]

The exemption in Rule 4702 Section 4.2 for emergency standby engines requires the engines to comply with Section 6.2.3, shown below.

*6.2.3 An owner claiming an exemption under Section 4.2 or Section 4.3 shall maintain annual operating records. This information shall be retained for at least five years, shall be readily available, and provided to the APCO upon request. The records shall include, but are not limited to, the following:*

*6.2.3.1 Total hours of operation,*

*6.2.3.2 The type of fuel used,*

*6.2.3.3 The purpose for operating the engine,*

*6.2.3.4 For emergency standby engines, all hours of non-emergency and emergency operation shall be reported, and*

*6.2.3.5 Other support documentation necessary to demonstrate claim to the exemption.*

Records of the total hours of operation, type of fuel used, purpose for operating the engine, all hours of non-emergency and emergency operation, and other support documentation must be maintained. All records shall be retained for a period of at least five years, shall be readily available, and be made available to the APCO upon request. The following conditions will be included on the permit:

- {3496} The permittee shall maintain monthly records of emergency and non-emergency operation. Records shall include the number of hours of emergency operation, the date and number of hours of all testing and maintenance operations, the purpose of the operation (for example: load testing, weekly testing, rolling blackout, general area power outage, etc.) and records of operational characteristics monitoring. For units with automated testing systems, the operator may, as an alternative to keeping records of actual operation for testing purposes, maintain a readily accessible written record of the automated testing schedule. [District Rule 4702 and 17 CCR 93115]
- {4263} The permittee shall maintain monthly records of the type of fuel purchased. [District Rule 4702 and 17 CCR 93115]

- {3475} All records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rule 4702 and 17 CCR 93115]

**Rule 4801 Sulfur Compounds**

Rule 4801 requires that sulfur compound emissions (as SO<sub>2</sub>) shall not exceed 0.2% by volume. Using the ideal gas equation, the sulfur compound emissions are calculated as follows:

$$\text{Volume SO}_2 = (n \times R \times T) \div P$$

n = moles SO<sub>2</sub>

T (standard temperature) = 60 °F or 520 °R

$$R \text{ (universal gas constant)} = \frac{10.73 \text{ psi} \cdot \text{ft}^3}{\text{lb} \cdot \text{mol} \cdot \text{°R}}$$

$$\frac{0.000015 \text{ lb} - S}{\text{lb} - \text{fuel}} \times \frac{7.1 \text{ lb}}{\text{gal}} \times \frac{64 \text{ lb} - \text{SO}_2}{32 \text{ lb} - S} \times \frac{1 \text{ MMBtu}}{9,051 \text{ scf}} \times \frac{1 \text{ gal}}{0.137 \text{ MMBtu}} \times \frac{\text{lb} - \text{mol}}{64 \text{ lb} - \text{SO}_2} \times \frac{10.73 \text{ psi} \cdot \text{ft}^3}{\text{lb} - \text{mol} \cdot \text{°R}} \times \frac{520 \text{°R}}{14.7 \text{ psi}} \times 1,000,000 = 1.0 \text{ ppmv}$$

Since 1.0 ppmv is ≤ 2,000 ppmv, each engine is expected to comply with Rule 4801. Therefore, the following condition will be listed on the ATC to ensure compliance:

- Only CARB certified diesel fuel containing not more than 0.0015% sulfur by weight is to be used. [District Rules 2201 and 4801, and 17 CCR 93115]

**California Health & Safety Code 42301.6 (School Notice)**

The District has verified that this site is not located within 1,000 feet of a school. Therefore, pursuant to California Health and Safety Code 42301.6, a school notice is not required.

**Title 17 California Code of Regulations (CCR), Section 93115 - Airborne Toxic Control Measure (ATCM) for Stationary Compression-Ignition (CI) Engines**

T Title 17 CCR Section 93115 Requirements for New Emergency IC Engines Powering Electrical Generators	Proposed Method of Compliance with Title 17 CCR Section 93115 Requirements
The requirements in Sections 93115.6, 93115.7, and 93115.10(a) do not apply to new stationary diesel-fueled CI engines used in agricultural operations.	The following condition will be added to the permit: <ul style="list-style-type: none"> <li>• This IC engine shall only be used for the growing and harvesting of crops or the raising of fowl or animals for the primary purpose of making a profit, providing a livelihood, or conducting agricultural research or instruction by an educational institution. [District Rule 4701 and 17 CCR 93115]</li> </ul>
Emergency engine(s) must be fired on CARB diesel fuel, or an approved	The applicant has proposed the use of CARB certified diesel fuel. The proposed permit condition, requiring

<p>alternative diesel fuel.</p>	<p>the use of CARB certified diesel fuel, was included earlier in this evaluation.</p>
<p>The engine(s) must meet Table 6 of the ATCM, which requires the Off-road engine certification standard for the specific power rating of the proposed engine on the date of acquisition (purchase date) or permit application submittal to the District, whichever is earliest.</p>	<p>For emergency engines, the Off-road engine certification standards are identified in Table 1 of the ATCM<sup>2</sup>. The applicant has proposed the use of an emergency engine that meets the Table 1 emission standards (Off-road engine certification standards) for the applicable horsepower range).</p>
<p>A non-resettable hour meter with a minimum display capability of 9,999 hours shall be installed upon engine installation, or by no later than January 1, 2005, on all engines subject to all or part of the requirements of sections 93115.6, 93115.7, or 93115.8(a) unless the District determines on a case-by-case basis that a non-resettable hour meter with a different minimum display capability is appropriate in consideration of the historical use of the engine and the owner or operator's compliance history.</p>	<p>The following condition will be included on the permit:</p> <ul style="list-style-type: none"> <li>• {4749} This engine shall be equipped with a non-resettable hour meter with a minimum display capability of 9,999 hours, unless the District determines that a non-resettable hour meter with a different minimum display capability is appropriate in consideration of the historical use of the engine and the owner or operator's compliance history. [District Rule 4702 and 17 CCR 93115]</li> </ul>
<p>An owner or operator shall maintain monthly records of the following: emergency use hours of operation; maintenance and testing hours of operation; hours of operation for emission testing; initial start-up testing hours; hours of operation for all other uses; and the type of fuel used. All records shall be retained for a minimum of 36 months.</p>	<p>Permit conditions enforcing these requirements were shown earlier in the evaluation.</p>

**California Environmental Quality Act (CEQA)**

The California Environmental Quality Act (CEQA) requires each public agency to adopt objectives, criteria, and specific procedures consistent with CEQA Statutes and the CEQA Guidelines for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents. The San Joaquin Valley Unified

<sup>2</sup> Although Section 93115.8 of the ATCM states that new IC engines used in agricultural operations must meet the emissions limits in Table 6, the ATCM Staff Report clarifies that all new emergency standby IC engines must meet the emissions limits specified in Table 1 of the ATCM. This eliminates the requirement that new agricultural emergency standby IC engines would otherwise have to meet the after-treatment based Tier 4 standards specified in Table 6.

Air Pollution Control District (District) adopted its *Environmental Review Guidelines* (ERG) in 2001.

The basic purposes of CEQA are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects with alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

The District performed an Engineering Evaluation (this document) for the proposed project and determined that the project qualifies for ministerial approval under the District's Guideline for Expedited Application Review (GEAR). Section 21080 of the Public Resources Code exempts from the application of CEQA those projects over which a public agency exercises only ministerial approval. Therefore, the District finds that this project is exempt from the provisions of CEQA.

#### **Indemnification Agreement/Letter of Credit Determination**

According to District Policy APR 2010 (CEQA Implementation Policy), when the District is the Lead or Responsible Agency for CEQA purposes, an indemnification agreement and/or a letter of credit may be required. The decision to require an indemnity agreement and/or a letter of credit is based on a case-by-case analysis of a particular project's potential for litigation risk, which in turn may be based on a project's potential to generate public concern, its potential for significant impacts, and the project proponent's ability to pay for the costs of litigation without a letter of credit, among other factors.

The criteria pollutant emissions and toxic air contaminant emissions associated with the proposed project are not significant, and there is minimal potential for public concern for this particular type of facility/operation. Therefore, an Indemnification Agreement and/or a Letter of Credit will not be required for this project in the absence of expressed public concern.

#### **IX. Recommendation:**

Compliance with all applicable prohibitory rules and regulations is expected. Issue the Authority to Construct permit subject to the conditions on the attached permit.

**X. Billing Information:**

<b>Permit Number</b>	<b>Fee Schedule</b>	<b>Fee Description</b>
N-6733-7-0	3020-10-F	917 bhp (\$900)

Appendix A: Authority to Construct permit N-6733-7-0

Appendix B: Lagoon emissions N-6733-3-2

Appendix C: QNEC Calculations

Appendix D: RMR Summary

Appendix E: BACT Guideline and Top-down Analysis



# **Appendix A**

Draft ATC

*San Joaquin Valley  
Air Pollution Control District*

## AUTHORITY TO CONSTRUCT

**PERMIT NO:** N-6733-7-0

**ISSUANCE DATE:** DRAFT

**LEGAL OWNER OR OPERATOR:** BLUE SKY DAIRY  
**MAILING ADDRESS:** 2395 SIERRA SPRING CT  
ATWATER, CA 95301

**LOCATION:** 4390 N FOX RD  
MERCED, CA 95348

**EQUIPMENT DESCRIPTION:**

917 BHP (INTERMITTENT) VOLVO MODEL TWD1644GE TIER 2 CERTIFIED DIESEL-FIRED EMERGENCY ENGINE  
STANDBY IC ENGINE POWERING AN ELECTRICAL GENERATOR

### CONDITIONS

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1. This IC engine shall only be used for the growing and harvesting of crops or the raising of fowl or animals for the primary purpose of making a profit, providing a livelihood, or conducting agricultural research or instruction by an educational institution. [District Rule 4701 and 17 CCR 93115]
2. {98} No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
3. {15} No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as, or darker than, Ringelmann 1 or 20% opacity. [District Rule 4101]
4. {14} Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
5. {1898} The exhaust stack shall vent vertically upward. The vertical exhaust flow shall not be impeded by a rain cap (flapper ok), roof overhang, or any other obstruction. [District Rule 4102]
6. {4749} This engine shall be equipped with a non-resettable hour meter with a minimum display capability of 9,999 hours, unless the District determines that a non-resettable hour meter with a different minimum display capability is appropriate in consideration of the historical use of the engine and the owner or operator's compliance history. [District Rule 4702 and 17 CCR 93115]
7. {4258} Only CARB certified diesel fuel containing not more than 0.0015% sulfur by weight is to be used. [District Rules 2201 and 4801, and 17 CCR 93115]

CONDITIONS CONTINUE ON NEXT PAGE

**YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT.** This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Samir Sheikh, Executive Director / APCO

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Brian Clements, Director of Permit Services  
N-6733-7-0 - Jan 13 2022 8:08AM -- HARADERJ : Joint Inspection NOT Required

Northern Regional Office • 4800 Enterprise Way • Modesto, CA 95356-8718 • (209) 557-6400 • Fax (209) 557-6475

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8. Emissions from this IC engine shall not exceed any of the following limits: 4.20 g-NOx/bhp-hr, 0.31 g-CO/bhp-hr, or 0.15 g-VOC/bhp-hr. [District Rule 2201 and 17 CCR 93115]
9. Emissions from this IC engine shall not exceed 0.06 g-PM10/bhp-hr based on USEPA certification using ISO 8178 test procedure. [District Rules 2201 and 4102, and 17 CCR 93115]
10. {4261} This engine shall be operated and maintained in proper operating condition as recommended by the engine manufacturer or emissions control system supplier. [District Rule 4702]
11. {3478} During periods of operation for maintenance, testing, and required regulatory purposes, the permittee shall monitor the operational characteristics of the engine as recommended by the manufacturer or emission control system supplier (for example: check engine fluid levels, battery, cables and connections; change engine oil and filters; replace engine coolant; and/or other operational characteristics as recommended by the manufacturer or supplier). [District Rule 4702]
12. {3807} An emergency situation is an unscheduled electrical power outage caused by sudden and reasonably unforeseen natural disasters or sudden and reasonably unforeseen events beyond the control of the permittee. [District Rule 4702 and 17 CCR 93115]
13. {3808} This engine shall not be used to produce power for the electrical distribution system, as part of a voluntary utility demand reduction program, or for an interruptible power contract. [District Rule 4702 and 17 CCR 93115]
14. {3496} The permittee shall maintain monthly records of emergency and non-emergency operation. Records shall include the number of hours of emergency operation, the date and number of hours of all testing and maintenance operations, the purpose of the operation (for example: load testing, weekly testing, rolling blackout, general area power outage, etc.) and records of operational characteristics monitoring. For units with automated testing systems, the operator may, as an alternative to keeping records of actual operation for testing purposes, maintain a readily accessible written record of the automated testing schedule. [District Rule 4702 and 17 CCR 93115]
15. {4920} This engine shall be operated only for testing and maintenance of the engine, required regulatory purposes, and during emergency situations. Operation of the engine for maintenance, testing, and required regulatory purposes shall not exceed 50 hours per calendar year. [District Rules 2201, 4102, and 4702, and 17 CCR 93115]
16. {4263} The permittee shall maintain monthly records of the type of fuel purchased. [District Rule 4702 and 17 CCR 93115]
17. {3475} All records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rule 4702 and 17 CCR 93115]
18. When this Authority to Construct is implemented into a Permit to Operate, permit unit N-6733-6 shall be cancelled. [District Rule 2201]

DRAFT



# Appendix C

## QNEC Calculations

### Quarterly Net Emissions Change (QNEC)

The Quarterly Net Emissions Change is used to complete the emission profile screen for the District's PAS database. The QNEC shall be calculated as follows:

QNEC = PE2 - PE1, where:

- QNEC = Quarterly Net Emissions Change for each emissions unit, lb/qtr
- PE2 = Post-Project Potential to Emit for each emissions unit, lb/qtr
- PE1 = Pre-Project Potential to Emit for each emissions unit, lb/qtr

Using the emission calculations in this evaluation, PE2<sub>quarterly</sub> and BE<sub>quarterly</sub> can be calculated as follows:

This calculation is required for application emission profile purposes. It is assumed that each unit's annual emissions are evenly distributed throughout the year as follows:  $\Delta PE \text{ (lb/qtr)} = PE \text{ (lb/yr)} \div 4 \text{ qtr/yr}$

N-6733-7-0:

- $\Delta PE_{NOx} = 425 \text{ lb-NOx/year} - 0 \text{ lb-NOx/year} = 425 \text{ lb/year}$
- $\Delta PE_{CO} = 31 \text{ lb-CO/year} - 0 \text{ lb-CO/year} = 31 \text{ lb/year}$
- $\Delta PE_{VOC} = 15 \text{ lb-VOC/year} - 0 \text{ lb-VOC/year} = 15 \text{ lb/year}$
- $\Delta PE_{PM10} = 6 \text{ lb-PM10/year} - 0 \text{ lb-PM10/year} = 6 \text{ lb/year}$
- $\Delta PE_{SOx} = 1 \text{ lb-SOx/year} - 0 \text{ lb-SOx/year} = 1 \text{ lb/year}$

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
<b>NOx</b>	106	106	106	107
<b>CO</b>	7	8	8	8
<b>VOC</b>	3	4	4	4
<b>PM<sub>10</sub></b>	1	1	2	2
<b>SOx</b>	0	0	0	1

# **Appendix D**

## **BACT Guideline and BACT Analysis**

# San Joaquin Valley Unified Air Pollution Control District

**Best Available Control Technology (BACT) Guideline 3.1.1**  
**Last Update: 6/13/2019**  
**Emergency Diesel IC Engine**

Pollutant	Achieved in Practice or in the SIP	Technologically Feasible	Alternate Basic Equipment
CO	Latest EPA Tier Certification level for applicable horsepower range		
NOx	Latest EPA Tier Certification level for applicable horsepower range		
PM <sub>10</sub>	0.15 g/bhp-hr or the Latest EPA Tier Certification level for applicable horsepower range, whichever is more stringent. (ATCM)		
SOx	Very low sulfur diesel fuel (15 ppmw sulfur or less)		
VOC	Latest EPA Tier Certification level for applicable horsepower range		

BACT is the most stringent control technique for the emissions unit and class of source. Control techniques that are not achieved in practice or contained in a state implementation plan must be cost effective as well as feasible. Economic analysis to demonstrate cost effectiveness is required for all determinations that are not achieved in practice or contained in an EPA approved State Implementation Plan.

## Top Down BACT Analysis for the Emergency IC Engine

This application was deemed complete on June 25, 2021. Therefore, BACT Guideline 3.1.1 (June 13, 2019) was in effect at the time the project was deemed complete and will be used for this emergency diesel IC engine. In accordance with the District BACT policy, information from that guideline will be utilized without further analysis.

### 1. BACT Analysis for NO<sub>x</sub> and VOC Emissions:

#### a. Step 1 - Identify all control technologies

BACT Guideline 3.1.1 identifies only the following option:

- *Latest EPA Tier Certification level for applicable horsepower range*

To determine the latest applicable Tier level, the following steps were taken:

- Conduct a survey of all the emergency IC engines permitted in the District to determine the latest EPA Tier certification level that has been permitted for the proposed engine size
- Conduct a survey of the major IC engine manufacturers/genset vendors to determine the latest EPA Tier certification level that is readily available for the proposed engine size and use
- Review Title 17 CCR, Section 93115 - Airborne Toxic Control Measure (ATCM) for Stationary Compression-Ignition (CI) Engines to determine the latest Tier certification level required in California for the proposed engine size

#### Survey of Permitted Units:

The proposed emergency IC engine is rated at 917 BHP. Based on the latest survey of all permitted emergency IC engines powering electrical generators in the horsepower range applicable to the proposed unit, the District found that there are several Tier 4 final certification level engines that have been permitted.

#### Survey of IC Engine Manufacturers/Genset Vendors:

Based on the latest survey of the major IC engine/genset manufacturers and vendors (Cummins, Caterpillar, Kohler, MQ Power, etc.) to determine the availability of Tier 4F certified units in the size range associated with the proposed project that are suitable for stationary emergency standby applications, the District concluded that no Tier 4F certified was currently available for the proposed operation. Lead times for engines appropriate for this operation were at least 6 months. Thus, a Tier 4F engine is not currently available.

#### Stationary ATCM:

Table 1 of the CARB Stationary Air Toxic Control Measure (ATCM) for stationary emergency standby diesel-fired IC engines requires a Tier 2 certification level for IC engines rated greater than 750 bhp. The ATCM does not require a Tier certification level higher than Tier 2 for engines rated greater than 750 bhp.



Summary:

The proposed emergency IC engine is rated at 917 BHP. Based on the above analysis, the District finds that a Tier 4F emergency IC engine/generator with a rating of approximately 917 bhp is not readily available for this specific application.

Consequently, the District considers a Tier 2 certification level to be the latest available Tier certification level for the proposed engine size. Furthermore, a Tier 2 certification level satisfies the stationary ATCM requirement for emergency standby IC engines rated greater than 750 bhp.

**b. Step 2 - Eliminate technologically infeasible options**

The control option listed in Step 1 is not technologically infeasible.

**c. Step 3 - Rank remaining options by control effectiveness**

Ranking is not necessary since there is only one control option listed in Step 1.

**d. Step 4 - Cost Effectiveness Analysis**

The applicant has proposed the only control option remaining under consideration. Therefore, a cost effectiveness analysis is not required.

**e. Step 5 - Select BACT**

BACT for NO<sub>x</sub> and VOC will be the use of an EPA Tier 2 certified engine. The applicant is proposing such a unit. Therefore, BACT will be satisfied.

## **2. BACT Analysis for PM<sub>10</sub> Emissions:**

### **a. Step 1 - Identify all control technologies**

BACT Guideline 3.1.1 identifies only the following option:

- 0.15 g/bhp-hr or the latest EPA Tier Certification level for applicable horsepower range, whichever is more stringent. (ATCM)

### **b. Step 2 - Eliminate technologically infeasible options**

The control option listed in Step 1 is not technologically infeasible.

### **c. Step 3 - Rank remaining options by control effectiveness**

Ranking is not necessary since there is only one control option listed in Step 1.

### **d. Step 4 - Cost Effectiveness Analysis**

The applicant has proposed the only control option remaining under consideration. Therefore, a cost effectiveness analysis is not required.

### **e. Step 5 - Select BACT**

BACT for PM<sub>10</sub> is emissions of 0.15 g/hp-hr, or less. The applicant is proposing an engine with PM<sub>10</sub> emissions of 0.06 g/bhp-hr that meets this requirement. Therefore, BACT will be satisfied.

# Appendix E

## RMR Summary

Date: June 28, 2021

Facility Name: Blue Sky Dairy

Location: 4390 N. Fox Rd., Merced, CA

Application No: N-6733-7-0

Project #: N-1211945

### Summary

#### RMR

Units	Prioritization Score	Acute Hazard Index	Chronic Hazard Index	Maximum Individual Cancer Risk	T-BACT Required	Special Permit Requirements
7-0	3.47	N/A <sup>1</sup>	0.00	2.46E-07	No	Yes
<b>Project Totals</b>	3.47	N/A <sup>1</sup>	0.00	2.46E-07		
<b>Facility Totals</b>	>1	0.27	0.07	1.42E-05		

Notes:

- Acute Hazard Index was not calculated for Unit 7-0 since there is no risk factor or the risk factor is so low that it has been determined to be insignificant for this type of unit.

#### AAQA

Pollutant	Air Quality Standard (State/Federal)				
	1 Hour	3 Hours	8 Hours	24 Hours	Annual
<b>CO</b>	NA		NA		
<b>NO<sub>x</sub></b>	NA				Pass
<b>SO<sub>x</sub></b>	NA	NA		NA	Pass
<b>PM<sub>10</sub></b>				NA	Pass
<b>PM<sub>2.5</sub></b>				NA	Pass
<b>Ozone</b>	NA		NA		

Notes:

- Results were taken from the attached AAQA Report.
- The project is an intermittent source as defined in APR-1920. In accordance with APR-1920, compliance with short-term (i.e., 1-hour, 3-hour, 8-hour and 24-hour) standards is not required.
- The criteria pollutants are below EPA's level of significance as found in 40 CFR Part 51.165 (b)(2) unless otherwise noted.
- Modeled PM<sub>10</sub> concentrations were below the District SIL for non-fugitive sources of 1 µg/m<sup>3</sup> for the annual concentration.
- Modeled PM<sub>2.5</sub> concentrations were below the District SIL for non-fugitive sources of 0.2 µg/m<sup>3</sup> for the annual concentration.

#### Proposed Permit Requirements

To ensure that human health risks will not exceed District allowable levels; the following shall be included as requirements for:

## Unit # 7-0

1. The PM<sub>10</sub> emissions rate shall not exceed 0.06 g/bhp-hr based on US EPA certification using ISO 8178 test procedure.
2. The exhaust stack shall vent vertically upward. The vertical exhaust flow shall not be impeded by a rain cap (flapper ok), roof overhang, or any other obstruction.
3. This engine shall be operated only for testing and maintenance of the engine, required regulatory purposes, and during emergency situations. Operation of the engine for maintenance, testing, and required regulatory purposes shall not exceed 50 hours per calendar year.

## **Project Description**

Technical Services received a request on June 23, 2021 to perform a Risk Management Review (RMR) and Ambient Air Quality Analysis (AAQA) for the following:

- Unit -7-0: 917 BHP VOLVO MODEL TWD1644GE DIESEL-FIRED EMERGENCY ENGINE POWERING A 600 KW ELECTRICAL GENERATOR

## **RMR Report**

### **Analysis**

The District performed an analysis pursuant to the District's Risk Management Policy for Permitting New and Modified Sources (APR 1905, May 28, 2015) to determine the possible cancer and non-cancer health impact to the nearest resident or worksite. This policy requires that an assessment be performed on a unit by unit basis, project basis, and on a facility-wide basis. If a preliminary prioritization analysis demonstrates that:

- A unit's prioritization score is less than the District's significance threshold and;
- The project's prioritization score is less than the District's significance threshold and;
- The facility's total prioritization score is less than the District's significance threshold

Then, generally no further analysis is required.

The District's significant prioritization score threshold is defined as being equal to or greater than 1.0. If a preliminary analysis demonstrates that either the unit(s) or the project's or the facility's total prioritization score is greater than the District threshold, a screening or a refined assessment is required

If a refined assessment is greater than one in a million but less than 20 in one million for carcinogenic impacts (Cancer Risk) and less than 1.0 for the Acute and Chronic hazard indices (Non-Carcinogenic) on a unit by unit basis, project basis and on a facility-wide basis the proposed application is considered less than significant. For unit's that exceed a cancer risk of 1 in one million, Toxic Best Available Control Technology (TBACT) must be implemented.

Toxic emissions for this project were calculated using the following methods:

- Toxic emissions for the proposed unit were calculated and provided by the processing engineer.

These emissions were input into the San Joaquin Valley APCD's Hazard Assessment and Reporting Program (SHARP). In accordance with the District's Risk Management Policy, risks from the proposed unit's toxic emissions were prioritized using the procedure in the 2016 CAPCOA Facility Prioritization Guidelines. The prioritization score for this proposed facility was greater than 1.0 (see RMR Summary Table). Therefore, a refined health risk assessment was required.

The AERMOD model was used, with the parameters outlined below and meteorological data for 2013-2017 from Merced (rural dispersion coefficient selected) to determine the dispersion factors (i.e., the predicted concentration or X divided by the normalized source strength or Q) for a receptor grid. These dispersion factors were input into the SHARP Program, which then used the Air Dispersion Modeling and Risk Tool (ADMRT) of the Hot Spots Analysis and Reporting Program Version 2 (HARP 2) to calculate the chronic and acute hazard indices and the carcinogenic risk for the project.

The following parameters were used for the review:

Source Process Rates					
Unit ID	Process ID	Process Material	Process Units	Hourly Process Rate	Annual Process Rate
7-0	1	PM <sub>10</sub>	Lbs.	0.12	6.00

Point Source Parameters						
Unit ID	Unit Description	Release Height (m)	Temp. (°K)	Exit Velocity (m/sec)	Stack Diameter (m)	Vertical/Horizontal/Capped
7-0	917 BHP Diesel IC Engine	3.66	768	58.86	0.20	Vertical

## AAQA Report

The District modeled the impact of the proposed project on the National Ambient Air Quality Standard (NAAQS) and/or California Ambient Air Quality Standard (CAAQS) in accordance with District Policy APR-1925 (Policy for District Rule 2201 AAQA Modeling) and EPA's Guideline for Air Quality Modeling (Appendix W of 40 CFR Part 51). The District uses a progressive three level approach to perform AAQAs. The first level (Level 1) uses a very conservative approach. If this analysis indicates a likely exceedance of an AAQS or Significant Impact Level (SIL), the analysis proceeds to the second level (Level 2) which implements a more refined approach. For the 1-hour NO<sub>2</sub> standard, there is also a third level that can be implemented if the Level 2 analysis indicates a likely exceedance of an AAQS or SIL.

The modeling analyses predicts the maximum air quality impacts using the appropriate emissions for each standard's averaging period. Required model inputs for a refined AAQA include background ambient air quality data, land characteristics, meteorological inputs, a receptor grid, and source parameters including emissions. These inputs are described in the sections that follow.

Ambient air concentrations of criteria pollutants are recorded at monitoring stations throughout the San Joaquin Valley. Monitoring stations may not measure all necessary pollutants, so background data may need to be collected from multiple sources. The following stations were used for this evaluation:

Monitoring Stations				
Pollutant	Station Name	County	City	Measurement Year
CO	Modesto-14th Street	Stanislaus	Modesto	2018
NO <sub>x</sub>	Merced-Coffee	Merced	Merced	2018
PM <sub>10</sub>	2334 'M' ST.	Merced	Merced	2018
PM <sub>2.5</sub>	Merced-Coffee	Merced	Merced	2018
SO <sub>x</sub>	Fresno - Garland	Fresno	Fresno	2018

Technical Services performed modeling for directly emitted criteria pollutants with the emission rates below:

Emission Rates (lbs/year)						
Unit ID	Process	NOx	SOx	CO	PM10	PM2.5
7-0	1	4,256	1	31	6	6

The AERMOD model was used to determine if emissions from the project would cause or contribute to an exceedance of any state of federal air quality standard. The parameters outlined below and meteorological data for 2013-2017 from Merced (rural dispersion coefficient selected) were used for the analysis:

The following parameters were used for the review:

Point Source Parameters						
Unit ID	Unit Description	Release Height (m)	Temp. (°K)	Exit Velocity (m/sec)	Stack Diameter (m)	Vertical/Horizontal/Capped
7-0	917 BHP Diesel IC Engine	3.66	768	58.86	0.20	Vertical

## Conclusion

### RMR

The cumulative acute and chronic indices for this facility, including this project, are below 1.0; and the cumulative cancer risk for this facility, including this project, is less than 20 in a million. In addition, the cancer risk for each unit in this project is less than 1.0 in a million. **In accordance with the District's Risk Management Policy, the project is approved without Toxic Best Available Control Technology (T-BACT).**

To ensure that human health risks will not exceed District allowable levels; the permit requirements listed on page 1 of this report must be included for this proposed unit.

These conclusions are based on the data provided by the applicant and the project engineer. Therefore, this analysis is valid only as long as the proposed data and parameters do not change.

### AAQA

The emissions from the proposed equipment will not cause or contribute significantly to a violation of the State and National AAQS.

## Attachments

- A. Modeling request from the project engineer
- B. Additional information from the applicant/project engineer
- C. Prioritization score w/ toxic emissions summary
- D. Facility Summary
- E. AAQA results