



MAR 01 2012

James T. McHarry  
Ampersand Chowchilla Biomass LLC  
16457 Avenue 24-1/2  
Chowchilla, CA 93610

**Re: Revised Notice of Preliminary Decision - Federally Mandated Operating Permit**  
**District Facility # C-6923**  
**Project # C-1091575**

Dear Mr. McHarry:

Enclosed for your review and comment is the District's analysis of Ampersand Chowchilla Biomass LLC's application for the Federally Mandated Operating Permit for its biomass-fired electrical power generation facility at 16457 Avenue 24-1/2, Chowchilla, CA, California. All comments received since the original preliminary decision performed on November 2, 2011 have been addressed by the District. A summary of the comments and the District's response to each comment is included as an attachment to the engineering evaluation.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 30-day comment period which begins on the date of publication of the public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,

David Warner  
Director of Permit Services

cc: Stanley Tom, Permit Services Engineer

Attachments

**Seyed Sadredin**  
Executive Director/Air Pollution Control Officer

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

**Central Region (Main Office)**  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Tel: (559) 230-6000 FAX: (559) 230-6061

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: 661-392-5500 FAX: 661-392-5585



MAR 01 2012

Gerardo C. Rios, Chief  
Permits Office (AIR-3)  
U.S. EPA - Region IX  
75 Hawthorne St  
San Francisco, CA 94105

**Re: Revised Notice of Preliminary Decision - Federally Mandated Operating Permit  
District Facility # C-6923  
Project # C-1091575**

Dear Mr. Rios:

Enclosed for your review and comment is the District's analysis of Ampersand Chowchilla Biomass LLC's application for the Federally Mandated Operating Permit for its biomass-fired electrical power generation facility at 16457 Avenue 24-1/2, Chowchilla, CA, California. All comments received since the original preliminary decision performed on November 2, 2011 have been addressed by the District. A summary of the comments and the District's response to each comment is included as an attachment to the engineering evaluation.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 45-day comment period which begins on the date of publication of the public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,



David Warner  
Director of Permit Services

cc: Stanley Tom, Permit Services Engineer

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MAR 01 2012

Mike Tollstrup, Chief  
Project Assessment Branch  
Air Resources Board  
P O Box 2815  
Sacramento, CA 95812-2815

**Re: Revised Notice of Preliminary Decision - Federally Mandated Operating Permit  
District Facility # C-6923  
Project # C-1091575**

Dear Mr. Tollstrup:

Enclosed for your review and comment is the District's analysis of Ampersand Chowchilla Biomass LLC's application for the Federally Mandated Operating Permit for its biomass-fired electrical power generation facility at 16457 Avenue 24-1/2, Chowchilla, CA, California. All comments received since the original preliminary decision performed on November 2, 2011 have been addressed by the District. A summary of the comments and the District's response to each comment is included as an attachment to the engineering evaluation.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 30-day comment period which begins on the date of publication of the public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,



David Warner  
Director of Permit Services

cc: Stanley Tom, Permit Services Engineer

Attachments

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Fresno Bee

**NOTICE OF REVISED PRELIMINARY DECISION  
FOR THE PROPOSED ISSUANCE OF  
FEDERALLY MANDATED OPERATING PERMITS**

NOTICE IS HEREBY GIVEN that the San Joaquin Valley Air Pollution Control District solicits public comment on the proposed issuance of the Federally Mandated Operating permits to Ampersand Chowchilla Biomass LLC for its biomass-fired electrical power generation facility at 16457 Avenue 24-1/2, Chowchilla, CA, California.

The District's analysis of the legal and factual basis for this proposed action, project #C-1091575, is available for public inspection at [http://www.valleyair.org/notices/public\\_notices\\_idx.htm](http://www.valleyair.org/notices/public_notices_idx.htm) and the District office at the address below. There are no emission changes associated with this proposed action. This will be the public's only opportunity to comment on the specific conditions of the proposed Federally Mandated Operating initial permits. If requested by the public, the District will hold a public hearing regarding issuance of this initial permit. For additional information, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900. Written comments on the proposed initial permit must be submitted within 30 days of the publication date of this notice to DAVID WARNER, DIRECTOR OF PERMIT SERVICES, SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT, 1990 E. GETTYSBURG AVE, FRESNO, CALIFORNIA 93726-0244.

# SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

## AMPERSAND CHOWCHILLA BIOMASS LLC

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# TITLE V APPLICATION REVIEW

Project #: C-1091575  
Deemed Complete: April 9, 2009

Engineer: Stanley Tom  
Date: January 18, 2012

Facility Number: C-6923  
Facility Name: Ampersand Chowchilla Biomass LLC  
Mailing Address: 16457 Avenue 24-1/2  
Chowchilla, CA 93610

Contact Name: James T. McHarry  
Phone: (559) 665-0807

Responsible Official: David Kandolha  
Title: Manager

## I. PROPOSAL

Ampersand Chowchilla Biomass LLC is proposing that an initial Title V permit be issued for its biomass-fired electrical power generation facility at 16457 Avenue 24-1/2, Chowchilla, CA. The purpose of this evaluation is to identify all applicable requirements, determine if the facility will comply with those applicable requirements, and to provide the legal and factual basis for proposed permit conditions.

All comments received since the original preliminary decision performed on November 2, 2011 have been addressed by the District. A summary of the comments and the District's response to each comment is included in Attachment E. The updated evaluation will be sent for a revised notice of preliminary decision.

## II. FACILITY LOCATION

Ampersand Chowchilla Biomass LLC is located at 16457 Avenue 24-1/2, in Chowchilla, CA.

## III. EQUIPMENT LISTING

A detailed facility printout listing all permitted equipment at the facility is shown in Attachment A.

A summary of the exempt equipment categories which describe the insignificant activities or equipment at the facility not requiring a permit is shown in Attachment B. This equipment is not exempt from facility-wide requirements.

#### **IV. GENERAL PERMIT TEMPLATE USAGE**

The applicant has chosen to not use any model general permit templates.

#### **V. SCOPE OF EPA AND PUBLIC REVIEW**

The applicant has not requested to utilize any model general permit templates. Therefore, the proposed permit in its entirety is subject to EPA and public review.

#### **VI. APPLICABLE REQUIREMENTS ADDRESSED BY GENERAL PERMIT TEMPLATES**

The applicant has not proposed to utilize any model general permit templates. All applicable requirements are explicitly addressed in the permit outside of the general permit templates.

#### **VII. APPLICABLE REQUIREMENTS NOT ADDRESSED BY GENERAL PERMIT TEMPLATES**

District Rule 2201, New and Modified Stationary Source Review Rule (amended April 21, 2011)

District Rule 1080, Stack Monitoring (amended December 17, 1992)

District Rule 1081, Source Sampling (amended December 16, 1993)

District Rule 1100, Equipment Breakdown (amended December 17, 1992)

District Rule 1160, Emission Statements (adopted November 18, 1992)

District Rule 2010, Permits Required (amended December 17, 1992)

District Rule 2020, Exemptions (amended August 18, 2011)

District Rule 2031, Transfer of Permits (amended December 17, 1992)

District Rule 2040, Applications (amended December 17, 1992)

District Rule 2070, Standards for Granting Applications (amended December 17, 1992)

District Rule 2080, Conditional Approval (amended December 17, 1992)

District Rule 2520, Federally Mandate Operating Permits (amended June 21, 2001)

District Rule 4101, Visible Emissions (amended February 17, 2005)

District Rule 4201, Particulate Matter Concentration (amended December 17, 1992)

District Rule 4352, Solid Fuel Fired Boilers, Steam Generators and Process Heaters (amended December 15, 2011)

District Rule 4601, Architectural Coatings (amended December 17, 2009)

District Rule 4801, Sulfur Compounds (amended December 17, 1992) (Non-SIP replacement for Madera County Rule 404)  
District Rule 8011, General Requirements (amended August 19, 2004)  
District Rule 8021, Construction, Demolition, Excavation and Other Earthmoving Activities (amended August 19, 2004)  
District Rule 8031, Bulk Materials (amended August 19, 2004)  
District Rule 8041, Carryout and Trackout (amended August 19, 2004)  
District Rule 8051, Open Areas (amended August 19, 2004)  
District Rule 8061, Paved and Unpaved Roads (amended August 19, 2004)  
District Rule 8071, Unpaved Vehicle/Equipment Traffic Areas (amended September 16, 2004)  
40 CFR 60 Subpart Db, Standards of Performance for Industrial–Commercial–Institutional Steam Generating Units  
40 CFR 60 Subpart III, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines  
40 CFR Part 61, Subpart M, National Emission Standard for Asbestos  
40 CFR Part 63, Subpart CCCCC, National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities  
40 CFR Part 63, Subpart JJJJJJ, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources  
40 CFR Part 64 – Compliance Assurance Monitoring (CAM)  
40 CFR Part 68 – Risk Management Plans  
40 CFR Part 72 – Acid Rain Program  
40 CFR Part 82, Subpart B and F, Stratospheric Ozone

## VIII. REQUIREMENTS NOT FEDERALLY ENFORCEABLE

For each Title V source, the District issues a single permit that contains the Federally Enforceable requirements, as well as the District-only requirements. The District-only requirements are not a part of the Title V Operating Permits. The terms and conditions that are part of the facility's Title V permit are designated as Federally Enforceable through Title V Permit.

This facility is subject to the following rules that are not currently federally enforceable:

### **District Rule 4102, Nuisance (amended December 17, 1992)**

#### a. Facility-Wide Requirements (C-6923-0-0)

- Condition 3 of the requirements from permit unit C-6923-0-0 is based on this rule and is not Federally Enforceable through Title V.

**District Rule 7012, Hexavalent Chromium–Cooling Towers (amended December 17, 1992)**

- a. 14,500 GPM Mechanical/Induced Draft Cooling Tower (C-6923-4-1)
- Condition 3 of the requirements from this permit unit is based on this rule and is not Federally Enforceable through Title V.

**IX. COMPLIANCE**

**A. Requirements Not Addressed by Model General Permit Templates**

**New and Modified Stationary Source Review Rule (District Rule 2201)**

The permit units are subject to the District NSR Rule upon application for Authority to Construct (ATC). In accordance with the White Paper for Streamlined Development of Part 70 Permit Applications, dated July 10, 1995, conditions from the resulting Permit to Operate (PTO) were addressed to define how NSR permit terms should be incorporated into the Title V permit.

- a. Biomass Receiving, Storage, and Transfer Operation (C-6923-1-2)
- Condition 1 from the current PTO has been moved to the Facility-Wide permit as condition 1.
  - Condition 2 from the current PTO has been moved to the Facility-Wide permit as condition 2.
  - Condition 3 from the current PTO has been moved to the Facility-Wide permit as condition 3
  - Conditions 4 through 15 from the current PTO have been included as conditions 1 through 12 of the requirements for the proposed permit.
  - Conditions 16 through 24 from the current PTO have been updated on the Facility-Wide permit as conditions 32 through 37
- b. Limestone Receiving, Storage, and Transfer Operation (C-6923-2-2)
- Condition 1 from the current PTO has been moved to the Facility-Wide permit as condition 1.
  - Condition 2 from the current PTO has been moved to the Facility-Wide permit as condition 2.
  - Condition 3 from the current PTO has been moved to the Facility-Wide permit as condition 3
  - Conditions 4 through 16 from the current PTO have been included as conditions 1 through 14 of the requirements for the proposed permit.
  - Conditions 17 through 25 from the current PTO have been updated on the Facility-Wide permit as conditions 32 through 37

- c. 185 MMBtu/hr Biomass-Fired Bubbling Fluidized Bed Combustor (C-6923-3-1)
- Condition 1 from the current PTO has been moved to the Facility-Wide permit as condition 1.
  - Condition 2 from the current PTO has been moved to the Facility-Wide permit as condition 2.
  - Condition 3 from the current PTO has been moved to the Facility-Wide permit as condition 3
  - Conditions 4 through 22 and 24 through 37 from the current PTO have been included as conditions 1 through 19 and 21 through 29 and 42 through 46 of the requirements for the proposed permit.
  - Condition 23 from the current PTO has been included as condition 20 of the requirements for the proposed permit.
  - Conditions 38 through 46 from the current PTO have been updated on the Facility-Wide permit as conditions 32 through 37.

Facility proposed to revise condition 23 of the current PTO to remove the 15 minute averaging period for PM10 and VOC emissions since this unit does not have CEMS for PM10 or VOC. Since this is a Rule 2201 condition, an ATC application will be required to perform this revision.

Facility proposed to revise condition 34 of the current PTO to remove the requirement to maintain daily records of propane usage since the preheater is fired on natural gas exclusively. Since this is a Rule 2201 condition, an ATC application will be required to perform this revision.

- d. 14,500 GPM Mechanical/Induced Draft Cooling Tower (C-6923-4-1)
- Condition 1 from the current PTO has been included as condition 1 of the requirements for the proposed permit.
  - Condition 2 from the current PTO has been moved to the Facility-Wide permit as condition 3.
  - Condition 3 from the current PTO has been moved to the Facility-Wide permit as condition 2.
  - Condition 4 from the current PTO has been moved to the Facility-Wide permit as condition 1.
  - Conditions 5 through 10 from the current PTO have been included as conditions 2 through 7 of the requirements for the proposed permit.
  - Conditions 11 through 19 from the current PTO have been updated on the Facility-Wide permit as conditions 32 through 37

e. Fly Ash Handling Storage and Load Out Operation (C-6923-5-2)

- Condition 1 from the current PTO has been moved to the Facility-Wide permit as condition 1.
- Condition 2 from the current PTO has been moved to the Facility-Wide permit as condition 2.
- Condition 3 from the current PTO has been moved to the Facility-Wide permit as condition 3
- Conditions 4 through 10 from the current PTO have been included as conditions 1 through 7 of the requirements for the proposed permit.
- Conditions 11 through 19 from the current PTO have been updated on the Facility-Wide permit as conditions 32 through 37

**District Rule 1080, Stack Monitoring**

This rule grants the APCO the authority to request the installation, use maintenance, and inspection of continuous monitoring equipment. The general, source and pollutant specific requirements for continuous monitoring equipment are defined. This rule also specifies the performance standards for the equipment and administrative recordkeeping, reporting, and violation and equipment breakdown notification requirements.

a. 185 MMBtu/hr Biomass-Fired Bubbling Fluidized Bed Combustor (C-6923-3-1)

- Conditions 11 through 17, 42 and 43 of the requirements for this permit unit assure compliance with this rule.

**District Rule 1081, Source Sampling**

This rule ensures that any source operation which emits or may emit air contaminants provides adequate and safe facilities for use in sampling to determine compliance. The rule also specifies methods and procedures for source testing, sample collection, and compliance determination.

a. 185 MMBtu/hr Biomass-Fired Bubbling Fluidized Bed Combustor (C-6923-3-1)

- Conditions 25, 26, 28, and 29 of the requirements for this permit unit assure compliance with this rule.

b. 14,500 GPM Mechanical/Induced Draft Cooling Tower (C-6923-4-1)

- Condition 7 of the requirements for this permit unit assures compliance with this rule.

**District Rule 1100, Equipment Breakdown**

Sections 6.0 and 7.0 set forth breakdown procedures and reporting requirements.

a. Facility-Wide Requirements (C-6923-0-0)

- Conditions 4, 5, and 14 of the requirements for this permit unit assure compliance with this rule.

**District Rule 1160, Emission Statements**

Section 5.0 requires the owner or operator of any stationary source to provide the District with a written emissions statement showing actual emissions of reactive organic gases (ROGs) and nitrogen oxides (NOx) from that source. The District waives this requirement for sources emitting less than 25 tons per year of these pollutants if the District provides the Air Resources Board (ARB) with an emissions inventory of sources emitting greater than 10 tons per year of NOx or ROGs based on the use of emission factors acceptable to the ARB.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 6 of the requirements for this permit unit assures compliance with this rule.

**District Rule 2010 and 2020, Permits Required and Exemptions**

District Rule 2010 sections 3.0 and 4.0 require any person building, modifying or replacing any operation that may cause the issuance of air contaminants to apply for an Authority to Construct (ATC) from the District in advance. The ATC will remain in effect until the Permit to Operate (PTO) is granted.

District Rule 2020 lists equipment which are specifically exempt from obtaining permits and specifies recordkeeping requirements to verify such exemptions.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 7 of the requirements for this permit unit assures compliance with this rule.

### **District Rule 2031, Transfer of Permits**

Permits to Operate or Authorities to Construct are not transferable unless a new application is filed with and approved by the District.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 9 of the requirements for this permit unit assures compliance with this rule.

### **District Rule 2040, Applications**

Permits to Operate or Authorities to Construct are not transferable unless a new application is filed with and approved by the District.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 10 of the requirements for this permit unit assures compliance with this rule.

### **District Rule 2070 and 2080, Standards for Granting Applications and Conditional Approval**

All source operations must be constructed and operated as specified in the Authority to Construct.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 8 of the requirements for this permit unit assures compliance with this rule.

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

Section 5.2 requires permittees submit applications for Title V permit renewal at least six months prior to permit expiration. Condition 40 of the facility-wide permit assures compliance with this requirement.

Section 9.0 of District Rule 2520 requires certain elements to be contained in each Title V permit:

Section 9.1.1 of District Rule 2520 requires all conditions on Title V permits specify a reference of the origin of an authority for each term or condition, and identify any difference in form as compared to the applicable requirements

upon which the term or condition is based. These requirements are stated in condition 41 of the facility-wide requirements.

Section 9.4 contains requirements to incorporate all applicable recordkeeping requirements into the Title V permit. This section also specifies records of any required monitoring and support data be kept for a period of five years. The requirements to keep specific monitoring records and retain records for five years are stated in conditions 11 and 12 of the facility-wide requirements.

Section 9.5 requires the submittal of monitoring reports at least every six months. Prompt reporting of deviations from permitting requirements, including those attributable to upset conditions is also required. The responsible official must certify all required reports. These requirements are stated in conditions 13 and 14 of the facility-wide requirements.

Section 9.7 states that the Title V permits must also contain a severability clause in case of a court challenge; the severability clause is stated in condition 15 of the facility-wide requirements.

Section 9.8 contains requirements for provisions in the Title V permit stating 1) the permittee must comply with all permit conditions; 2) the permitted activity should not be reduced in order to comply with the permit conditions. Further, this reasoning shall not be used as a defense in an enforcement action, 3) the permit may be revoked, modified, reissued, or reopened for cause, 4) the Title V permit does not reflect any property rights, and 5) the permittee will furnish the District with any requested information to determine compliance with the conditions of the Title V permit. Conditions 16 through 19 of the facility-wide permit assure compliance with these requirements.

Section 9.9 requires the permit specify that the permittee pay annual permit fees and applicable fees from District Rules 3010, 3030, 3050, 3080, 3090, 3110, and 3120. This requirement is stated in conditions 8 and 20 of the facility-wide requirements.

Section 9.13.1 requires any report or document submitted under a permit requirement or a request for information by the District or EPA contain a certification by a responsible official as to truth, accuracy, and completeness. Compliance with this section will be assured by conditions 8 and 29 of the facility-wide requirements.

Section 9.13.2 contains inspection and entry requirements that allows an authorized representative of the District to enter a permittee's premises to inspect equipment, operations, work practices, permits on file, and to sample substances or monitor parameters for the purpose of assuring compliance with the permit requirements. Compliance with this section will be assured by conditions 21 through 24 of the facility-wide requirements.

Section 9.16 requires that the permittee submit certification of compliance with the terms and standards of Title V permits to the EPA and the District annually (or more frequently as required by the applicable requirement or the District). Condition 39 of the facility-wide requirements assures compliance with this requirement.

Section 10.0 requires any application form, report, or compliance certification submitted pursuant to these regulations shall contain certification of truth, accuracy and completeness by a responsible official. Compliance with this section will be assured by condition 29 of the facility-wide requirements.

There are no federally applicable Greenhouse Gas (GHG) requirements for this source. It should be noted that the Mandatory Greenhouse Gas Reporting rule (40 CFR Part 98) is not included in the definition of an applicable requirement within Title V (per 40 CFR 71.2). Therefore, there will be no further discussion of GHG in this evaluation.

#### **District Rule 4101, Visible Emissions**

Section 5.0 prohibits the discharge of any air contaminant for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker in shade as that designated as No. 1 on the Ringelmann Chart; or is of such opacity as to obscure an observer's view to a degree equal to or greater than the smoke described in Section 5.1 of Rule 4101.

##### **a. Facility-Wide Requirements (C-6923-0-0)**

- Condition 25 of the requirements for this permit unit assures compliance with this rule.

#### **District Rule 4201, Particulate Matter Concentration**

The purpose of this rule is to protect the ambient air quality by establishing a particulate matter emission standard. Section 3.1 requires emissions to be at or below 0.1 grains of particulate matter per dry standard cubic foot of exhaust gas.

##### **a. Limestone Receiving, Storage, and Transfer Operation (C-6923-2-2)**

The PM emission factor for the unloading of limestone is 0.00034 lb·PM/ton. In addition, the density of limestone is approximately 58 lb/ft<sup>3</sup>. By conservatively assuming that no excess air is introduced into the silo during filling, then all of the emissions from the silo would be concentrated into the air that is displaced by the limestone during the filling process.

$$\frac{0.00034 \text{ lb} \cdot \text{PM}}{\text{ton} \cdot \text{limestone}} \times \frac{1 \text{ ton}}{2,000 \text{ lb}} \times \frac{58 \text{ lb} \cdot \text{limestone}}{\text{ft}^3} \times \frac{7,000 \text{ grain}}{\text{lb}} = 0.06 \frac{\text{grain}}{\text{ft}^3}$$

Since this does not exceed the rule threshold of 0.1 grain/scf, this unit is expected to comply with the rule.

- Condition 1 of the requirements for permit unit '0-0 assures compliance with this rule.

b. 185 MMBtu/hr Biomass-Fired Bubbling Fluidized Bed Combustor (C-6923-3-1)

The combustor is expected to emit up to 0.04 lb·PM<sub>10</sub>/MMBtu. The F-factor for biomass combustion is 9,240 scf/MMBtu. Conservatively assuming that up to 50% of the total PM emissions are PM<sub>10</sub>, then the total PM emission factor for the combustor could be as high as 0.08 lb·PM/MMBtu. Therefore, the grain loading is calculated as follows.

$$\frac{0.08 \text{ lb} \cdot \text{PM}}{\text{MMBtu}} \times \frac{1 \text{ MMBtu}}{9,240 \text{ ft}^3} \times \frac{7,000 \text{ grain}}{\text{lb}} = 0.06 \frac{\text{grain} \cdot \text{PM}}{\text{ft}^3}$$

Since this does not exceed the rule threshold of 0.1 grain/scf, this unit is expected to comply with Rule 4201.

- Condition 1 of the requirements for permit unit '0-0 assures compliance with this rule.

c. 14,500 GPM Mechanical/Induced Draft Cooling Tower (C-6923-4-1)

The cooling tower is equipped with a mist eliminator. Since the applicant has proposed to use no chemicals containing chromium in the tower, it is not expected to produce any significant emissions. Although the unit could produce up to 0.31 lb of PM<sub>10</sub> per hour, it is not technically reasonable to compute a grain loading figure for this. Based on past experience with cooling towers, this unit is expected to comply with Rule 4201.

- Condition 1 of the requirements for permit unit '0-0 assures compliance with this rule.

d. Fly Ash Handling Storage and Load Out Operation (C-6923-5-2)

The PM emission factor for the unloading of limestone is 0.00034 lb·PM/ton. In addition, the density of dry fly ash is approximately 60 lb/ft<sup>3</sup>. By

conservatively assuming that no excess air is introduced into the silo during filling, then all of the emissions from the silo would be concentrated into the air that is displaced by the fly ash during the filling process.

$$\frac{0.00034 \text{ lb} \cdot \text{PM}}{\text{ton fly ash}} \times \frac{1 \text{ ton}}{2,000 \text{ lb}} \times \frac{60 \text{ lb} \cdot \text{fly ash}}{\text{ft}^3} \times \frac{7,000 \text{ grain}}{\text{lb}} = 0.07 \frac{\text{grain}}{\text{ft}^3}$$

Since this does not exceed the rule threshold of 0.1 grain/scf, this unit is expected to comply with Rule 4201.

- Condition 1 of the requirements for permit unit '0-0 assures compliance with this rule.

### **District Rule 4352, Solid Fuel Fired Boilers, Steam Generators and Process Heaters**

Pursuant to Section 5.1, NO<sub>x</sub> emissions shall not exceed 115 ppmv corrected to 3% O<sub>2</sub>, based on a 24 hour averaging period and CO emissions shall not exceed 400 ppmv @ 3% O<sub>2</sub>.

The permit unit is limited to 0.08 lb-NO<sub>x</sub>/MMBtu and 0.057 lb-CO/MMBtu—calculated in ppmv as follows:

$$\frac{0.08 \frac{\text{lb} \cdot \text{NO}_x}{\text{MMBtu}} \cdot 379.5 \frac{\text{dscf}}{\text{lb} \cdot \text{mol}} \cdot 10^6 \cdot \text{ppmv}}{9,240 \frac{\text{dscf}}{\text{MMBtu}} \cdot 46 \frac{\text{lb} \cdot \text{NO}_x}{\text{lb} \cdot \text{mol}} \cdot \frac{20.9}{17.9}} = 61 \text{ ppmv @ } 3\% \text{ O}_2$$

$$\frac{0.057 \frac{\text{lb} \cdot \text{CO}}{\text{MMBtu}} \cdot 379.5 \frac{\text{dscf}}{\text{lb} \cdot \text{mol}} \cdot 10^6 \cdot \text{ppmv}}{9,240 \frac{\text{dscf}}{\text{MMBtu}} \cdot 28 \frac{\text{lb} \cdot \text{CO}}{\text{lb} \cdot \text{mol}} \cdot \frac{20.9}{17.9}} = 72 \text{ ppmv @ } 3\% \text{ O}_2$$

Since the NO<sub>x</sub> and CO permitted levels are lower than the Rule limits, this unit is expected to comply with this section of Rule 4352.

Section 5.5 of the rule requires that any unit with ammonia injection for NO<sub>x</sub> control shall operate a continuous emissions monitoring system (CEM) to monitor and record NO<sub>x</sub> concentrations, NO<sub>x</sub> emission rate, and either CO or O<sub>2</sub> concentrations.

The permit unit is equipped with ammonia injection to control NO<sub>x</sub> and equipped with CEMS. Therefore, this unit is expected to comply with this section of Rule 4352.

Section 6.2 of the rule requires facilities to maintain a monthly operating log that includes type and quantity of fuel used, and the hhv of such fuel.

Section 6.3 of the rule requires each unit be source tested annually, with the unit operating at normal conditions.

- a. 185 MMBtu/hr Biomass-Fired Bubbling Fluidized Bed Combustor (C-6923-3-1)
  - Conditions 11, 19, 20, 26, 27, 29, and 42 of the requirements for this permit unit assure compliance with this rule.

### **District Rule 4601, Architectural Coatings**

This rule limits the emissions of VOCs from architectural coatings. It requires limiting the application of any architectural coating to no more than what is listed in the Table of Standards (Section 5.0). This rule further specifies labeling requirements, coatings thinning recommendations and storage requirements.

The latest version of District Rule 4601 has not been SIP approved. Attachment D contains the analysis of the SIP approved District Rule 4601 (10/31/01) to the current District Rule 4601 to show the current rule is as stringent if not more than the SIP approved version.

- a. Facility-Wide Requirements (C-6923-0-0)
  - Conditions 26, 27, and 28 of the requirements for this permit unit assure compliance with this rule.

### **District Rule 4801, Sulfur Compounds**

The purpose of this rule is to limit the emissions of sulfur compounds. A maximum concentration and test method are specified.

Section 3.1 and 3.2 set forth the emissions limits and the test methods used to determine such emissions.

- a. 185 MMBtu/hr Biomass-Fired Bubbling Fluidized Bed Combustor (C-6923-3-1)

The SO<sub>x</sub> emission factor is 0.04 lb·SO<sub>x</sub>/MMBtu.

$$\frac{0.04 \frac{\text{lb} \cdot \text{SO}_2}{\text{MMBtu}} \cdot 379.5 \frac{\text{dscf}}{\text{lb} \cdot \text{mol}} \cdot 10^6 \cdot \text{ppmv}}{9,240 \frac{\text{dscf}}{\text{MMBtu}} \cdot 64 \frac{\text{lb} \cdot \text{SO}_2}{\text{lb} \cdot \text{mol}} \cdot \frac{20.9}{17.9}} = 22 \text{ ppmv @ 3\% O}_2$$

Since 22 ppmv is less than 2000 ppmv, this unit is expected to comply with the rule.

- Conditions 20 and 22 of the requirements for this permit unit assure compliance with this rule.

### **District Rule 8011, General Requirements**

The provisions of this rule are applicable to specified outdoor fugitive dust sources. The definitions, exemptions, requirements, administrative requirements, recordkeeping requirements, and test methods set forth in this rule are applicable to all Rules under Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions) of the Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District.

#### **a. Facility-Wide Requirements (C-6923-0-0)**

- Conditions 32 through 37 of the requirements for this permit unit assure compliance with this rule.

### **District Rule 8021, Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities**

The purpose of this rule is to limit fugitive dust emissions from construction, demolition, excavation, extraction, and other earthmoving activities.

This rule applies to any construction, demolition, excavation, extraction, and other earthmoving activities, including, but not limited to, land clearing, grubbing, scraping, travel on site, and travel on access roads to and from the site. This rule also applies to the construction of new landfill disposal sites or modification to existing landfill disposal sites prior to commencement of landfilling activities.

Section 5.0 requires that no person shall perform any construction, demolition, excavation, extraction, or other earthmoving activities unless the appropriate requirements in sections 5.1 and 5.2 are sufficiently implemented to limit VDE

to 20% opacity. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 32 of the requirements for this permit unit assures compliance with this rule.

**District Rule 8031, Bulk Materials**

The purpose of this rule is to limit fugitive dust emissions from the outdoor handling, storage, and transport of bulk materials.

This rule applies to the outdoor handling, storage, and transport of any bulk material.

Section 5.0 requires that no person shall perform any outdoor handling, storage, and transport of bulk materials unless the appropriate requirements in Table 8031-1 of this rule are sufficiently implemented to limit VDE to 20% opacity or to comply with the conditions for a stabilized surface as defined in Rule 8011. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 33 of the requirements for this permit unit assures compliance with this rule.

**District Rule 8041, Carryout and Trackout**

The purpose of this rule is to limit fugitive dust emissions from carryout and trackout.

This rule applies to all sites that are subject to Rules 8021 (Construction, Demolition, Excavation, Extraction, and other Earthmoving Activities), 8031 (Bulk Materials), and 8071 (Unpaved Vehicle and Equipment Traffic Areas) where carryout or trackout has occurred or may occur.

Section 5.0 requires that an owner/operator shall sufficiently prevent or cleanup carryout and trackout as specified in sections 5.1 through 5.8. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII. The use of blower devices, or dry rotary brushes or brooms, for removal of carryout and trackout on public roads is expressly prohibited. The removal of carryout and trackout from paved public roads does not exempt an owner/operator from obtaining state or local agency permits which may be required for the cleanup of mud and dirt on paved public roads.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 34 of the requirements for this permit unit assures compliance with this rule.

**District Rule 8051, Open Areas**

The purpose of this rule is to limit fugitive dust emissions from open areas.

This rule applies to any open area having 3.0 acres or more of disturbed surface area that has remained undeveloped, unoccupied, unused, or vacant for more than seven days.

Section 5.0 requires that whenever open areas are disturbed or vehicles are used in open areas, the owner/operator shall implement one or a combination of control measures indicated in Table 8051-1 to comply with the conditions of a stabilized surface at all times and to limit VDE to 20% opacity. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 35 of the requirements for this permit unit assures compliance with this rule.

**District Rule 8061, Paved and Unpaved Roads**

The purpose of this rule is to limit fugitive dust emissions from paved and unpaved roads by implementing control measures and design criteria. This rule applies to any new or existing public or private paved or unpaved road, road construction project, or road modification project.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 36 of the requirements for this permit unit assures compliance with this rule.

**District Rule 8071, Unpaved Vehicle/Equipment Traffic Area**

The purpose of this rule is to limit fugitive dust emissions from unpaved vehicle and equipment traffic areas by implementing control measures and design criteria. This rule applies to any unpaved vehicle/equipment traffic area of 1.0 acre or larger.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 37 of the requirements for this permit unit assures compliance with this rule.

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

This subpart applies to each steam generating unit that commences construction, modification, or reconstruction after June 19, 1984, and has a heat input capacity from fuels combusted in the steam generating unit of greater than 29 MW (100 million Btu/hour). Since this unit is rated at 185 MMBtu/hr, the provisions of this subpart apply.

§60.43b - Standard for particulate matter.

(c) On and after the date on which the initial performance test is completed or is required to be completed under §60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts wood, or wood with other fuels, except coal, shall cause to be discharged from that affected facility any gases that contain particulate matter in excess of the following emission limits:

(1) 43 ng/J (0.10 lb/million Btu) heat input if the affected facility has an annual capacity factor greater than 30 percent (0.30) for wood.

(2) 86 ng/J (0.20 lb/million Btu) heat input if

(i) The affected facility has an annual capacity factor of 30 percent (0.30) or less for wood,

(ii) Is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor of 30 percent (0.30) or less for wood, and

(iii) Has a maximum heat input capacity of 73 MW (250 million Btu/hour) or less.

This permit unit combusts wood, or wood with other fuels, except coal, therefore this section does apply. The facility has a PM<sub>10</sub> limit of 0.04 lb/MMBtu, which is in compliance with the limits of this section. Therefore, compliance is expected.

(d) On and after the date on which the initial performance test is completed or is required to be completed under §60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts municipal-type solid waste or mixtures of municipal-type solid waste with other fuels, shall cause to be discharged into the atmosphere from that affected facility any gases that contain particulate matter in excess of the following emission limits:

(1) 43 ng/J (0.10 lb/million Btu) heat input,

(i) If the affected facility combusts only municipal-type solid waste, or

- (ii) If the affected facility combusts municipal-type solid waste and other fuels and has an annual capacity factor for the other fuels of 10 percent (0.10) or less.
- (2) 86 ng/J (0.20 lb/million Btu) heat input if the affected facility combusts municipal-type solid waste or municipal-type solid waste and other fuels; and
- (i) Has an annual capacity factor for municipal-type solid waste and other fuels of 30 percent (0.30) or less,
- (ii) Has a maximum heat input capacity of 73 MW (250 million Btu/hour) or less,
- (iii) Has a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor of 30 percent (0.30) for municipal-type solid waste, or municipal-type solid waste and other fuels, and
- (iv) Construction of the affected facility commenced after June 19, 1984, but before November 25, 1986.

This permit unit combusts municipal-type solid waste or mixtures of municipal-type solid waste with other fuels therefore this section applies. The facility has a PM<sub>10</sub> limit of 0.04 lb/MMBtu, which is in compliance with the limits of this section. Therefore, compliance is expected.

- (f) On and after the date on which the initial performance test is completed or is required to be completed under 60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts coal, oil, wood, or mixtures of these fuels with any other fuels shall cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

A condition has been included in the permit to assure compliance with this requirement. In addition, the permit unit will be equipped with a Continuous Opacity Monitoring system, which will ensure continued compliance.

§60.46b - Compliance and performance test methods and procedures for particulate matter and nitrogen oxides.

- (a) The PM emission standards and opacity limits under §60.43b apply at all times except during periods of startup, shutdown, or malfunction.

A condition has been included in the permit to assure compliance with this requirement.

§60.48b - Emission monitoring for particulate matter.

- (a) The owner or operator of an affected facility subject to the opacity standard under §60.43b shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions discharged to the atmosphere and record the output of the system.

As discussed above, the permit unit is required to have a COM system and record the output of the system. Therefore, compliance is expected.

A condition has been included in the permit to assure compliance with this requirement.

§60.49b - Reporting and recordkeeping requirements.

(d)(1) The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for each fuel combusted for the reporting period. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

(f) The owner or operator shall maintain records of opacity.

(h) The owner or operator shall submit excess emission reports for any excess emissions that occurred during the reporting period.

(v) The owner or operator may submit electronic quarterly reports for opacity in lieu of submitting the written reports. The format of each quarterly electronic report shall be coordinated with the permitting authority. The electronic report(s) shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the owner or operator, indicating whether compliance with the applicable emission standards and minimum data requirements of this subpart was achieved during the reporting period. Before submitting reports in the electronic format, the owner or operator shall coordinate with the permitting authority to obtain their agreement to submit reports in this alternative format.

(w) The reporting period for the reports required is each 6 month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

Conditions have been included in the permit to assure compliance with these requirements.

- a. 185 MMBtu/hr Biomass-Fired Bubbling Fluidized Bed Combustor (C-6923-3-1)
  - Conditions 30 through 39 of the requirements for this permit unit assure compliance with this rule.

#### **40 CFR Part 61 Subpart M, National Emission Standard for Asbestos**

There are applicable requirements from the National Emissions Standards for Hazardous Air Pollutants that apply to all sources in general. These requirements pertain to asbestos removal and disposal from renovated or demolished structures.

a. Facility-Wide Requirements (C-6923-0-0)

- Condition 38 of the requirements for this permit unit assures compliance with this rule.

#### **40 CFR Part 63 Subpart CCCCC, National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities**

This subpart establishes national emission limitations and management practices for hazardous air pollutants (HAP) emitted from the loading of gasoline storage tanks at gasoline dispensing facilities (GDF). This subpart also establishes requirements to demonstrate compliance with the emission limitations and management practices.

Ampersand Chowchilla Biomass LLC has one 1,000 gallon Convault aboveground tank to store diesel, one 250 gallon Convault tank to store gasoline, and one propane tank. Ampersand Chowchilla Biomass LLC is an area source of HAPs and dispenses gasoline into fuel tanks of a motor vehicle, motor vehicle engine, nonroad vehicle, or on-road engine, the facility is subject to this subpart.

Section 63.11111 states (a) The affected source to which this subpart applies is each GDF that is located at an area source. The affected source includes each gasoline cargo tank during the delivery of product to a GDF and also includes each storage tank. (b) If your GDF has a monthly throughput of less than 10,000 gallons of gasoline, you must comply with the requirements in §63.11116. (c) If your GDF has a monthly throughput of 10,000 gallons of gasoline or more, you must comply with the requirements in §63.11117. (d) If your GDF has a monthly throughput of 100,000 gallons of gasoline or more, you must comply with the requirements in §63.11118. (e) An affected source shall, upon request by the Administrator, demonstrate that their monthly throughput is less than the 10,000-gallon or the 100,000-gallon threshold level, as applicable. For new or reconstructed affected sources, as specified in §63.11112(b) and (c), recordkeeping to document monthly throughput must begin upon startup of the affected source. For existing sources, as specified in §63.11112(d), recordkeeping to document monthly throughput must begin on January 10, 2008. For existing sources that are subject to this subpart only

because they load gasoline into fuel tanks other than those in motor vehicles, as defined in §63.11132, recordkeeping to document monthly throughput must begin on January 24, 2011. Records required under this paragraph shall be kept for a period of 5 years. (f) If you are an owner or operator of affected sources, as defined in paragraph (a) of this section, you are not required to obtain a permit under 40 CFR part 70 or 40 CFR part 71 as a result of being subject to this subpart. However, you must still apply for and obtain a permit under 40 CFR part 70 or 40 CFR part 71 if you meet one or more of the applicability criteria found in 40 CFR 70.3(a) and (b) or 40 CFR 71.3(a) and (b). (g) The loading of aviation gasoline into storage tanks at airports, and the subsequent transfer of aviation gasoline within the airport, is not subject to this subpart. (h) Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected GDF. If an area source has two or more GDF at separate locations within the area source, each GDF is treated as a separate affected source. (i) If your affected source's throughput ever exceeds an applicable throughput threshold, the affected source will remain subject to the requirements for sources above the threshold, even if the affected source throughput later falls below the applicable throughput threshold. (j) The dispensing of gasoline from a fixed gasoline storage tank at a GDF into a portable gasoline tank for the on-site delivery and subsequent dispensing of the gasoline into the fuel tank of a motor vehicle or other gasoline-fueled engine or equipment used within the area source is only subject to §63.11116 of this subpart. (k) For any affected source subject to the provisions of this subpart and another Federal rule, you may elect to comply only with the more stringent provisions of the applicable subparts. You must consider all provisions of the rules, including monitoring, recordkeeping, and reporting. You must identify the affected source and provisions with which you will comply in your Notification of Compliance Status required under §63.11124. You also must demonstrate in your Notification of Compliance Status that each provision with which you will comply is at least as stringent as the otherwise applicable requirements in this subpart. You are responsible for making accurate determinations concerning the more stringent provisions, and noncompliance with this rule is not excused if it is later determined that your determination was in error, and, as a result, you are violating this subpart. Compliance with this rule is your responsibility and the Notification of Compliance Status does not alter or affect that responsibility.

The gasoline dispensing facility (GDF) at the site has a monthly throughput of less than 10,000 gallons of gasoline, therefore the facility shall comply with Section 63.11116. The following condition will be placed on the facility-wide permit:

- The facility gasoline throughput shall not exceed 10,000 gallons per month. The permittee shall maintain monthly gasoline throughput records which shall be retained on-site for a period of at least five years and be made available for District inspection upon request. [40 CFR 63.11111]

Section 63.11112 states (a) The emission sources to which this subpart applies are gasoline storage tanks and associated equipment components in vapor or liquid gasoline service at new, reconstructed, or existing GDF that meet the criteria specified in §63.11111. Pressure/Vacuum vents on gasoline storage tanks and the equipment necessary to unload product from cargo tanks into the storage tanks at GDF are covered emission sources. The equipment used for the refueling of motor vehicles is not covered by this subpart. (b) An affected source is a new affected source if you commenced construction on the affected source after November 9, 2006, and you meet the applicability criteria in §63.11111 at the time you commenced operation. (c) An affected source is reconstructed if you meet the criteria for reconstruction as defined in §63.2. (d) An affected source is an existing affected source if it is not new or reconstructed.

The facility operates a 250 gallon Convault gasoline tank. Therefore, this equipment is subject to this subpart.

Section 63.11113 states (a) If you have a new or reconstructed affected source, you must comply with this subpart according to paragraphs (a)(1) and (2) of this section, except as specified in paragraph (d) of this section. (1) If you start up your affected source before January 10, 2008, you must comply with the standards in this subpart no later than January 10, 2008. (2) If you start up your affected source after January 10, 2008, you must comply with the standards in this subpart upon startup of your affected source. (b) If you have an existing affected source, you must comply with the standards in this subpart no later than January 10, 2011. (c) If you have an existing affected source that becomes subject to the control requirements in this subpart because of an increase in the monthly throughput, as specified in §63.11111(c) or §63.11111 (d), you must comply with the standards in this subpart no later than 3 years after the affected source becomes subject to the control requirements in this subpart. (d) If you have a new or reconstructed affected source and you are complying with Table 1 to this subpart, you must comply according to paragraphs (d)(1) and (2) of this section. (1) If you start up your affected source from November 9, 2006 to September 23, 2008, you must comply no later than September 23, 2008. (2) If you start up your affected source after September 23, 2008, you must comply upon startup of your affected source. (e) The initial compliance demonstration test required under §63.11120(a)(1) and (2) must be conducted as specified in paragraphs (e)(1) and (2) of this section. (1) If you have a new or reconstructed affected source, you must conduct the initial compliance test upon installation of the complete vapor balance system. (2) If you have an existing affected source, you must conduct the initial compliance test as specified in paragraphs (e)(2)(i) or (e)(2)(ii) of this section. (i) For vapor balance systems installed on or before December 15, 2009, you must test no later than 180 days after the applicable compliance date specified in paragraphs (b) or (c) of this section. (ii) For vapor balance systems installed

after December 15, 2009, you must test upon installation of the complete vapor balance system.

The standards in this subpart are currently applicable.

Section 63.11115 states each owner or operator of an affected source under this subpart must comply with the requirements of paragraphs (a) and (b) of this section. (a) You must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. (b) You must keep applicable records and submit reports as specified in §63.11125(d) and §63.11126(b).

The following condition will be placed on the facility-wide permit:

- The permittee shall operate and maintain the gasoline dispensing facility, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.11115]

Section 63.11116 states (a) You must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following: (1) Minimize gasoline spills; (2) Clean up spills as expeditiously as practicable; (3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators. (b) You are not required to submit notifications or reports as specified in §63.11125, §63.11126, or subpart A of this part, but you must have records available within 24 hours of a request by the Administrator to document your gasoline throughput. (c) You must comply with the requirements of this subpart by the applicable dates specified in §63.11113. (d) Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F, are considered acceptable for compliance with paragraph (a)(3) of this section.

The following condition will be placed on the facility-wide permit:

- The permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following: (1) Minimize gasoline spills; (2) Clean up spills as expeditiously as practicable; (3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators. The permittee is not required to submit notifications or reports as specified in §63.11125, §63.11126, or subpart A of this part, but must have records available within 24 hours of a request by the Administrator to document the gasoline throughput. [40 CFR 63.11116]

Section 63.11120 states (a) Each owner or operator, at the time of installation, as specified in §63.11113(e), of a vapor balance system required under §63.11118(b)(1), and every 3 years thereafter, must comply with the requirements in paragraphs (a)(1) and (2) of this section.

The gasoline tank is not subject to Section 63.11118. Therefore, the requirements of this section are not applicable.

Section 63.11125 states (d) Each owner or operator of an affected source under this subpart shall keep records as specified in paragraphs (d)(1) and (2) of this section. (1) Records of the occurrence and duration of each malfunction of operation ( i.e., process equipment) or the air pollution control and monitoring equipment. (2) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.11115(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

The following condition will be placed on the facility-wide permit:

- Each owner or operator shall keep records of the occurrence and duration of each malfunction of operation ( i.e., process equipment) or the air pollution control and monitoring equipment and records of actions taken during periods of malfunction to minimize emissions in accordance with §63.11115(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 63.11125]

Section 63.11126 states (b) Each owner or operator of an affected source under this subpart shall report, by March 15 of each year, the number, duration, and a brief description of each type of malfunction which occurred during the

previous calendar year and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with §63.11115(a), including actions taken to correct a malfunction. No report is necessary for a calendar year in which no malfunctions occurred.

There are no applicable emission limits to this gasoline dispensing facility. Therefore, this section is not applicable to this project.

Therefore, compliance with the requirements of the subpart is expected.

#### **40 CFR Part 63 Subpart JJJJJJ, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources**

Section 63.11193 states you are subject to this subpart if you own or operate an industrial, commercial, or institutional boiler as defined in §63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in §63.2, except as specified in §63.11195.

Section 63.2 defines area source as any stationary source of hazardous air pollutants that is not a major source as defined in this part. Section 63.2 defines major source as any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

This facility is an area source as it is not a major source of hazardous air pollutants. Therefore, the boiler listed under permit C-6923-3 is subject to this subpart.

Section 63.11194(b) states an affected source is an existing source if you commenced construction or reconstruction of the affected source on or before June 4, 2010.

The boiler listed under permit C-6923-3 commenced construction prior to June 4, 2010.

Section 63.11196 states (a) If you own or operate an existing affected boiler, you must achieve compliance with the applicable provisions in this subpart as specified in paragraphs (a)(1) through (3) of this section.

- (1) If the existing affected boiler is subject to a work practice or management practice standard of a tuneup, you must achieve compliance with the work practice or management standard no later than March 21, 2012.
- (2) If the existing affected boiler is subject to emission limits, you must achieve compliance with the emission limits no later than March 21, 2014.
- (3) If the existing affected boiler is subject to the energy assessment requirement, you must achieve compliance with the energy assessment requirement no later than March 21, 2014.

The boiler listed under permit C-6923-3 is subject to a work practice or management practice standard of a tuneup. Therefore, the following condition will be placed on permit C-6923-3:

- By March 21, 2012, and every two years thereafter, permittee shall conduct a performance tune-up of the boiler in accordance with 40 CFR 63.11223(b). Permittee shall submit a signed statement of the Notification of Compliance Status report that a tune-up of the boiler was completed. [40 CFR 63.11214(b)]

The boiler listed under permit C-6923-3 is not subject to an emission limit. However, the boiler is subject to an energy assessment requirement. Therefore, the following condition will be placed on permit C-6923-3:

- By March 21, 2012, the permittee shall conduct a one-time energy assessment as described in 40 CFR 63, Subpart JJJJJJ, Table 2. Permittee shall submit a signed statement in the Notification of Compliance Status report that the energy assessment was completed, and shall submit the energy assessment report upon request. [40 CFR 63.11214(c)]

Section 63.11201 states (a) You must comply with each emission limit specified in Table 1 to this subpart that applies to your boiler. (b) You must comply with each work practice standard, emission reduction measure, and management practice specified in Table 2 to this subpart that applies to your boiler. An energy assessment completed on or after January 1, 2008 that meets the requirements in Table 2 to this subpart satisfies the energy assessment portion of this requirement. (c) You must comply with each operating limit specified in Table 3 to this subpart that applies to your boiler. (d) These standards apply at all times.

As stated above, the boiler listed under permit C-6923-3 is not subject to an emission limit and therefore is not subject to Table 1 or 3. The above condition satisfies the energy assessment requirement.

Section 63.11205 states (a) At all times you must operate and maintain any affected source, including associated air pollution control equipment and

monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

The following condition will be placed on permit c-6923-3 to ensure compliance:

- The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District NSR Rule and 40 CFR 63.11205(a) and 40 CFR 64]

Section 63.11214 states (c) If you own or operate an existing affected boiler with a heat input capacity of 10 million Btu per hour or greater, you must submit a signed certification in the Notification of Compliance Status report that an energy assessment of the boiler and its energy use systems was completed and submit, upon request, the energy assessment report.

The following condition will be placed on permit C-6923-3 to ensure compliance:

- Permittee shall submit the Notification of Compliance Status report by July 19, 2012. [40 CFR 63.11225(a)(4)]

Section 63.11223 states (a) For affected sources subject to the work practice standard or the management practices of a tuneup, you must conduct a biennial performance tune-up according to paragraphs (b) of this section and keep records as required in §63.11225(c) to demonstrate continuous compliance. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up. (b) You must conduct a tune-up of the boiler biennially to demonstrate continuous compliance as specified in paragraphs (b)(1) through (7) of this section. (1) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown, but you must inspect each burner at least once every 36 months). (2) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available. (3) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly. (4) Optimize total emissions of carbon monoxide. This optimization should be

consistent with the manufacturer's specifications, if available. (5) Measure the concentrations in the effluent stream of carbon monoxide in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). (6) Maintain onsite and submit, if requested by the Administrator, biennial report containing the information in paragraphs (b)(6)(i) through (iii) of this section. (i) The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured before and after the tune-up of the boiler. (ii) A description of any corrective actions taken as a part of the tune-up of the boiler. (iii) The type and amount of fuel used over the 12 months prior to the biennial tune-up of the boiler. (7) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within one week of startup.

The following condition will be placed on the permit to ensure compliance:

- By March 21, 2012, and every two years thereafter, permittee shall conduct a performance tune-up of the boiler in accordance with 40 CFR 63.11223(b). Permittee shall submit a signed statement of the Notification of Compliance Status report that a tune-up of the boiler was completed. [40 CFR 63.11214(b)]

Section 63.11225 states (a) You must submit the notifications specified in paragraphs (a)(1) through (a)(5) of this section to the delegated authority. (1) You must submit all of the notifications in §§63.7(b); 63.8(e) and (f); 63.9(b) through (e); and 63.9(g) and (h) that apply to you by the dates specified in those sections. (2) As specified in §63.9(b)(2), you must submit the Initial Notification no later than 120 calendar days after May 20, 2011 or within 120 days after the source becomes subject to the standard. (3) If you are required to conduct a performance stack test you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance stack test is scheduled to begin. (4) You must submit the Notification of Compliance Status in accordance with §63.9(h) no later than 120 days after the applicable compliance date specified in §63.11196 unless you must conduct a performance stack test. If you must conduct a performance stack test, you must submit the Notification of Compliance Status within 60 days of completing the performance stack test. In addition to the information required in §63.9(h)(2), your notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official: (i) "This facility complies with the requirements in §63.11214 to conduct an initial tune-up of the boiler." (ii) "This facility has had an energy assessment performed according to §63.11214(c)." (iii) For an owner or operator that installs bag leak detection systems: "This facility has prepared a bag leak detection system monitoring plan in accordance with §63.11224 and will operate each bag leak detection system according to the plan." (iv) For units that do not qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit."

The following condition will be placed on permit C-6923-3 to ensure compliance:

- Permittee shall submit the Notification of Compliance Status report by July 19, 2012. [40 CFR 63.11225(a)(4)]

Therefore, compliance with the requirements of the subpart is expected.

#### **40 CFR Part 64, Compliance Assurance Monitoring (CAM)**

40 CFR Part 64 requires Compliance Assurance Monitoring (CAM) for units that meet the following three criteria:

- 1) the unit must have an emission limit for the pollutant;
- 2) the unit must have add-on controls for the pollutant; these are devices such as flue gas recirculation (FGR), baghouses, and catalytic oxidizers; and
- 3) the unit must have a pre-control potential to emit of greater than the major source thresholds.

##### **a. Biomass Receiving, Storage, and Transfer Operation (C-6923-1-2)**

The emissions unit has emissions limits for PM<sub>10</sub>. The unit may be subject to CAM for PM<sub>10</sub> since it has an add-on control in the form of a water spray and wet misting system. Assuming that the water spray and wet misting system have a control efficiency of 90%, the pre-control PM<sub>10</sub> potential to emit is less than the major source threshold of 140,000 lb-PM<sub>10</sub>/year as shown below. Therefore, this emissions unit is not subject to CAM.

$$\begin{aligned}\text{Uncontrolled PM}_{10} &= (425 \text{ lb-PM}_{10}/\text{yr})/(1-0.90) \\ &= \underline{4,250 \text{ lb-PM}_{10}/\text{yr}}\end{aligned}$$

##### **b. Limestone Receiving, Storage, and Transfer Operation (C-6923-2-2)**

The emissions unit has emissions limits for PM<sub>10</sub>. The unit may be subject to CAM for PM<sub>10</sub> since it has an add-on control in the form of a bin vent filter. Assuming that the bin vent filter has a control efficiency of 90%, the pre-control PM<sub>10</sub> potential to emit is less than the major source threshold of 140,000 lb-PM<sub>10</sub>/year as shown below. Therefore, this emissions unit is not subject to CAM.

$$\begin{aligned}\text{Uncontrolled PM}_{10} &= (1 \text{ lb-PM}_{10}/\text{yr})/(1-0.90) \\ &= \underline{10 \text{ lb-PM}_{10}/\text{yr}}\end{aligned}$$

c. 185 MMBtu/hr Biomass-Fired Bubbling Fluidized Bed Combustor (C-6923-3-1)

This emissions unit is subject to CAM for PM<sub>10</sub> since the unit has emissions limit for this pollutant and add-on controls in the form of limestone injection and a baghouse.

$$\begin{aligned}\text{Uncontrolled PM}_{10} &= 185 \text{ MMBtu/hr} \times 0.04 \text{ lb PM}_{10}/\text{MMBtu} \times 24 \text{ hr/day} \\ &\quad \times 337 \text{ days/year} \div (1 - 0.99) \\ &= 5,985,120 \text{ lbs PM}_{10}/\text{year}\end{aligned}$$

$$\begin{aligned}\text{Controlled PM}_{10} &= 185 \text{ MMBtu/hr} \times 0.04 \text{ lb PM}_{10}/\text{MMBtu} \times 24 \text{ hr/day} \\ &\quad \times 337 \text{ days/year} \\ &= 59,851 \text{ lbs PM}_{10}/\text{year}\end{aligned}$$

Since the controlled PM<sub>10</sub> emission rate is below the PM<sub>10</sub> Major Source threshold of 140,000 lb/year, daily monitoring is sufficient.

Based on 40 CFR 64.2(b)(1)(vi), this unit is not subject to CAM for its NO<sub>x</sub> emissions limit since the permit already specifies a continuous compliance determination method in the form of a continuous emissions monitor (CEM) for NO<sub>x</sub>.

Based on 40 CFR 64.2(b)(1)(vi), this unit is not subject to CAM for its SO<sub>x</sub> emissions limit since the permit already specifies a continuous compliance determination method in the form of a continuous emissions monitor (CEM) for SO<sub>x</sub>.

This permit unit has emissions limit for CO and VOC but does not have add-on controls for these pollutants. Therefore, this permit unit is not subject to CAM for CO and VOC.

40 CFR part 64.3 requires that the operator monitor one or more parameters that indicate the performance of the control device. The emissions unit is equipped with a continuous opacity monitor (COM) for PM<sub>10</sub>. The COM is required to be operated in accordance with the requirements of 40 CFR 60, Appendix B. However, this device is not regarded as equivalent to CEM for PM<sub>10</sub>, and so the boiler is still subject to CAM requirements for PM<sub>10</sub>.

#### CAM Section 64.3 Monitoring Design Criteria

This section specifies the design criteria for the CAM system.

Paragraph (a) (*General criteria*) requires that the CAM system be designed to obtain data for one or more appropriate indicators of emission control system

performance and requires the owner to establish appropriate ranges or designated conditions for the selected indicators such that operation within the ranges provides a reasonable assurance of ongoing compliance with emission limitations or standards for the anticipated range of operating conditions.

Condition #8 on draft PTO C-6923-3-1 satisfy the general design criteria of paragraph (a):

- The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District NSR Rule and 40 CFR 64]

Paragraph (b) (*Performance criteria*) requires the owner or operator to establish and maintain the following:

- Specifications to ensure that representative data are collected
- Verification procedures for startup of new monitoring equipment
- Quality assurance and control practices to ensure continuing validity of data
- Data collection frequency and procedures

Conditions #7, 8, and 12 on draft PTO C-6923-3-1 satisfy the performance criteria of paragraph (b):

- The applicant shall install, maintain, and operate a continuous opacity monitor (COM) and shall meet the performance specification requirements in 40 CFR, Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the EPA. [District Rules 1080, 2201, and 4352 and 40 CFR 64]
- The differential pressure gauge reading range shall be maintained between 0.5" and 8" water column. [District NSR Rule and 40 CFR 64]
- Differential operating pressure shall be monitored and recorded on each day that the baghouse operates. [District Rule 2201 and 40 CFR 64]

Paragraph (c) (*Evaluation factors*) requires the owner or operator to take into account site specific factors in the design of the CAM system.

Paragraph (d) (*Special criteria for the use of continuous emission, opacity, or predictive monitoring systems*) requires the owner or operator to use a continuous emission monitoring system (CEMS), continuous opacity monitoring system (COMS), or a predictive emission monitoring system (PEMS) to satisfy CAM requirements, provided that these monitoring systems are required pursuant to other authority under the Clean Air Act or state or local law. This subsection also stipulates the following:

The use of a COMS or PEMS that satisfies any of the following monitoring requirements shall be deemed to satisfy the general design criteria in paragraphs (a) and (b) of this section, provided that a COMS may be subject to the criteria for establishing indicator ranges under paragraph (a) of this section:

- (i) Section 51.214 and appendix P of 40 CFR 51;
- (ii) Section 60.13 and appendix B of 40 CFR 60;
- (iii) Section 63.8 and any applicable performance specifications required pursuant to the applicable subpart of 40 CFR 63;
- (iv) 40 CFR 75;
- (v) Subpart H and appendix IX of 40 CFR 266; or
- (vi) In the event that the monitoring system is not subject to any of the requirements listed above, comparable requirements and specifications established by the permitting authority.

Conditions #34 and 36 on the draft PTO ensure compliance with paragraph (d)(ii) and the General Design Criteria of paragraph (a).

- The owner or operator of an affected facility subject to the opacity standard under 40 CFR 60.43b shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions discharged to the atmosphere and record the output of the system [40 CFR 60.48b(a) and 40 CFR 64]
- The owner or operator shall maintain records of opacity. [40 CFR 60.49b(f) and 40 CFR 64]

The owner or operator shall design the monitoring system subject to paragraph (d) to:

- (i) Allow for reporting of exceedances (or excursions if applicable to a COMS used to assure compliance with a particulate matter standard), consistent with any period for reporting of exceedances in an underlying requirement. If an underlying requirement does not contain a provision for establishing an averaging period for the reporting of exceedances or excursions, the criteria used to develop an averaging period specified in the data collection procedures required under paragraph (b) of this section shall apply; and
- (ii) Provide an indicator range consistent with paragraph (a) of this section for a COMS used to assure compliance with a particulate matter standard. If an opacity standard applies to the pollutant-specific emissions unit, such limit may be used as the appropriate indicator range unless the opacity limit fails to meet the criteria in paragraph (a) of this section after considering the type of control device and other site-specific factors applicable to the pollutant-specific emissions unit.

Conditions #37 and 38 on the draft PTO provides for the reporting of exceedances as required by paragraph (d)(i):

- The owner or operator shall submit excess emission reports for any excess emissions that occurred during the reporting period. [40 CFR 60.49b(h) and 40 CFR 64]
- The owner of operator may submit electronic quarterly reports for opacity in lieu of submitting the written reports. The format of each quarterly electronic report shall be coordinated with the permitting authority. The electronic report(s) shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the owner or operator, indicating whether compliance with the applicable emission standards and minimum data requirements of this subpart was achieved during the reporting period. Before submitting reports in the electronic format, the owner or operator shall coordinate with the permitting authority to obtain their agreement to submit reports in this alternative format. [40 CFR 60.49b(v) and 40 CFR 64]

#### Section 64.4 - Submittal Requirements

This section specifies submittal requirements for the owner or operator which ensure the CAM system will comply with the design criteria of §64.3. As shown in Section 64.3 above, the CAM proposal of Ampersand Chowchilla satisfies the design criteria of section 64.3.

#### Section 64.5 - Deadlines for Submittals

This section specifies required timing for submittals required under §64.4. *Large pollutant-specific emissions units* (those with controlled emissions exceeding major source thresholds) are required to make the submittals as a part of the initial Title V permit application where the application has either not been filed or has not been deemed complete. Where the initial Title V permit has been issued without implementation of 40 CFR 64, the owner or operator must make the required submittals as a part of a subsequent application for any significant permit revision. If the required information is not submitted by either of these deadlines, it must be submitted as a part of the application for the Title V permit renewal.

For other pollutant-specific emissions units, the required submittal deadline is the application for Title V permit renewal.

Ampersand Chowchilla's initial Title V application will be accepted as satisfying the CAM submittal deadline for this facility.

#### Section 64.6 - Approval of monitoring

This section stipulates the following:

- A requirement that the permitting authority act to approve the proposed monitoring by confirming that the monitoring submitted complies with the requirements of §64.3.
- An allowance for the permitting authority to condition the approval based on collecting additional data on the indicators to be monitored, including performance or compliance testing.
- The minimum conditions that must be placed on the permit in the event that the proposed monitoring is approved by the permitting authority including a milestone schedule for completion of any conditional approval actions required by the owner or operator, such as installations, testing, or verification of operational status.
- Actions required by the permitting authority in the event that the proposed monitoring is not approved.

The proposed CAM conditions for Ampersand Chowchilla's baghouse serving the biomass boiler-power plant are similar to the example CAM conditions for a baghouse serving a biomass boiler-power plant contained in District policy FYI-89, Addressing CAM in Title V Permitting Actions. Therefore, the proposed CAM conditions comply with the design requirements of §64.3.

#### Section 64.7 - Operation of Approved Monitoring

This section requires the operator to:

- Commence the monitoring upon receipt of a Title V permit that includes such monitoring.
- Properly maintain the monitoring system.
- Operate the monitoring system continuously or at all times the emissions unit is operating except during repair or outage periods associated with monitor malfunction or with quality assurance and control activities.
- Upon detecting an excursion or exceedance, restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
- A requirement for the owner or operator to document any need for improved monitoring based upon either an identification of a failure of the monitoring system to identify an excursion or exceedance or upon the results of compliance or performance testing that identifies a need to modify the monitoring.

Conditions #39 and 40 on draft PTO C-6923-3-1 will ensure compliance with §64.7:

- Upon detecting any excursion from the acceptable range of baghouse differential pressure readings, the permittee shall investigate the excursion and take corrective action to minimize excessive emissions and prevent recurrence of the excursion as expeditiously as practicable. If the daily average baghouse differential pressure reading is not within the acceptable established range for two consecutive days, permittee shall notify the APCO of such exceedance within 96 hours. [40 CFR 64.7]
- If the District or EPA determines that a Quality Improvement Plan is required under 40 CFR 64.7(d)(2), the permittee shall develop and implement the Quality Improvement Plan in accordance with 40 CFR pad 64.8. [40 CFR 64.7 and 40 CFR 64.8]

#### Section 64.8 - Quality Improvement Plan (QIP) Requirements

This section stipulates that the Administrator or the permitting authority may require that the facility develop and implement a QIP in the event of a determination of a need for improved monitoring pursuant to §64.7. §64.8 also identifies the minimum elements required in the QIP, and requires that the facility implement the QIP as expeditiously as possible, with implementation not exceeding 180 days after the date that the need for implementation was identified unless the permitting authority is notified.

Condition #40 on PTO C-6923-3-1 will ensure compliance with §64.8:

- If the District or EPA determines that a Quality Improvement Plan is required under 40 CFR 64.7(d)(2), the permittee shall develop and implement the Quality Improvement Plan in accordance with 40 CFR pad 64.8. [40 CFR 64.7 and 40 CFR 64.8]

#### Section 64.9 Reporting and Recordkeeping Requirements

This section stipulates the minimum reporting and recordkeeping requirements for facilities subject to 40 CFR 64.

Condition #8 on draft PTO C-6923-3-1 address the requirements of this section:

- Differential operating pressure shall be monitored and recorded on each day that the baghouse operates. [District Rule 2201 and 40 CFR 64]

### Section 64.10 Savings Provisions

This section is a caveat stating that CAM provisions do not excuse an operator from complying with existing emission standards, testing, monitoring, reporting, or recordkeeping requirements. Neither are CAM provisions intended to restrict the District from requiring additional or stricter monitoring or limit the District's ability to take enforcement action. This section does not impose additional requirements.

d. 14,500 GPM Mechanical/Induced Draft Cooling Tower (C-6923-4-1)

This emissions unit is not subject to CAM because it does not have add-on controls.

e. Fly Ash Handling Storage and Load Out Operation (C-6923-5-2)

The emissions unit has emissions limits for PM<sub>10</sub>. The unit may be subject to CAM for PM<sub>10</sub> since it has an add-on control in the form of a baghouse. Assuming that the baghouse has a control efficiency of 90%, the pre-control PM<sub>10</sub> potential to emit is less than the major source threshold of 140,000 lb-PM<sub>10</sub>/year as shown below. Therefore, this emissions unit is not subject to CAM.

$$\begin{aligned}\text{Uncontrolled PM}_{10} &= (13 \text{ lb-PM}_{10}/\text{yr})/(1-0.90) \\ &= \underline{130 \text{ lb-PM}_{10}/\text{yr}}\end{aligned}$$

### **40 CFR Part 68, Chemical Accident Prevention Provisions**

Requirements from this regulation are applicable to facilities, which may store regulated substances above a threshold limit, as specified in the regulation. Ampersand Chowchilla stores chemicals and is therefore subject to these requirements. Compliance with these regulations will be required by condition 44 of the facility-wide requirements (C-6923-0-0).

### **40 CFR Part 72, Acid Rain Program**

The Acid Rain Program is designed to achieve environmental benefits through the reductions in SO<sub>2</sub> and NO<sub>x</sub> emissions; facilitate active trading of allowances and use of other compliance options to minimize compliance costs, maximize economic efficiency, and permit strong economic growth; and promote pollution prevention and energy efficient strategies and technologies.

§72.6(b) states that any unit that commenced commercial operation before November 15, 1990 and that did not, as of November 15, 1990, and does not currently, serve a generator with a nameplate capacity of greater than 25 MWe is not an affected unit subject to the requirements of the Acid Rain Program.

This facility initially began commercial operation in 2008 with a generating capacity of 12.5 MWe. Therefore, this unit is not an affected unit subject to the requirements of the Acid Rain Program.

#### **40 CFR Part 82, Subpart B and F, Stratospheric Ozone**

There are applicable requirements from Title VI of the CAA (Stratospheric Ozone) that apply to all sources in general. These requirements pertain to air conditioners, chillers and refrigerators located at a Title V source and to disposal of air conditioners or maintenance/recharging/disposal of motor vehicle air conditioners (MVAC). These are addressed as follows.

a. Facility-Wide Requirements (C-6923-0-0)

- Conditions 30 and 31 of the requirements for this permit unit assure compliance with this rule.

## **X. PERMIT SHIELD**

A permit shield legally protects a facility from enforcement of the shielded regulations when a source is in compliance with the terms and conditions of the Title V permit. Compliance with the terms and conditions of the Title V permit is considered compliance with all applicable requirements upon which those conditions are based.

### District Rule 1100, 6.1 and 7.0

Compliance with these requirements was addressed in Section IV of this document, and is assured by conditions 4 and 5 of the facility-wide requirements, C-6923-0-0. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility-wide requirements, C-6923-0-0.

### District Rule 2010, 3.0 and 4.0

Compliance with these requirements was addressed in Section IV of this document, and is assured by condition 7 of the facility-wide requirements, C-6923-0-0. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility-wide requirements, C-6923-0-0.

District Rule 2031; 2070, and 2080

Compliance with these requirements was addressed in Section IV of this document, and is assured by conditions 8 and 9 of the facility-wide requirements, C-6923-0-0. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility-wide requirements, C-6923-0-0.

District Rule 2040

Compliance with these requirements was addressed in Section IV of this document, and is assured by condition 10 of the facility-wide requirements, C-6923-0-0. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility-wide requirements, C-6923-0-0.

District Rule 4101

Compliance with these requirements was addressed in Section IV of this document, and is assured by condition 25 of the facility-wide requirements, C-6923-0-0. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility-wide requirements, C-6923-0-0.

District Rule 4601

Compliance with these requirements was addressed in Section IV of this document, and is assured by conditions 26, 27 and 28 of the facility-wide requirements, C-6923-0-0. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility-wide requirements, C-6923-0-0.

District Rule 8021, 8031, 8041, 8051, 8061, and 8071

Compliance with these requirements was addressed in Section IV of this document, and is assured by conditions 32 through 37 of the facility-wide requirements, C-6923-0-0. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility-wide requirements, C-6923-0-0.

## **XI. PERMIT CONDITIONS**

See draft operating permit beginning on the following page.

# San Joaquin Valley Air Pollution Control District

FACILITY: C-6923-0-0

EXPIRATION DATE: 04/30/2013

## FACILITY-WIDE REQUIREMENTS

1. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
2. 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] Federally Enforceable Through Title V Permit
3. {98} No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
4. The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1] Federally Enforceable Through Title V Permit
5. The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0] Federally Enforceable Through Title V Permit
6. {4364} The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
7. {4365} Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (12/20/07). [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit
8. {4366} The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.9.1 and 9.13.1] Federally Enforceable Through Title V Permit
9. {4367} A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
10. {4368} Every application for a permit required under Rule 2010 (12/17/92) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate. Any amendments to these Facility-wide Requirements that affect specific Permit Units may constitute modification of those Permit Units.

Facility Name: AMPERSAND CHOWCHILLA BIOMASS LLC

Location: 16457 AVENUE 24-1/2, CHOWCHILLA, CA

C-6923-0-0, Jan 19 2012 8:26AM -- TOMS

11. {4369} The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
12. {4370} The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
13. {4371} The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit
14. {4372} Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
15. {4373} If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit
16. {4374} It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit
17. {4375} The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit
18. {4376} The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit
19. {4377} The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit
20. {4378} The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit
21. {4379} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 2520, 9.13.2.1] Federally Enforceable Through Title V Permit
22. {4380} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 2520, 9.13.2.2] Federally Enforceable Through Title V Permit
23. {4381} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE  
These terms and conditions are part of the Facility-wide Permit to Operate.

24. {4382} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit
25. No air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (02/17/05). If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101] Federally Enforceable Through Title V Permit
26. {4384} No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in Table of Standards 1 effective until 12/30/10 or Table of Standards 2 effective on and after 1/1/11 of District Rule 4601 (12/17/09) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit
27. {4385} All VOC-containing materials subject to Rule 4601 (12/17/09) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit
28. {4386} The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.3 (12/17/09). [District Rule 4601, 6.1 and 6.3] Federally Enforceable Through Title V Permit
29. {4387} With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit
30. {4388} If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR Part 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit
31. {4389} If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR Part 82, Subpart B. [40 CFR Part 82, Subpart B] Federally Enforceable Through Title V Permit
32. {4390} Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rule 8021 and 8011] Federally Enforceable Through Title V Permit
33. {4391} Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rule 8031 and 8011] Federally Enforceable Through Title V Permit
34. {4392} An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rule 8041 and 8011] Federally Enforceable Through Title V Permit
35. {4393} Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rule 8051 and 8011] Federally Enforceable Through Title V Permit
36. {4394} Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rule 8061 and Rule 8011] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE  
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37. {4395} Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rule 8071 and Rule 8011] Federally Enforceable Through Title V Permit
38. {4396} Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit
39. {4397} The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit
40. {4398} The permittee shall submit an application for Title V permit renewal to the District at least six months, but not greater than 18 months, prior to the permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
41. {4399} When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
42. {4401} Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92); 2070, section 7.0 (12/17/92); 2080 (12/17/92); 4101 (2/17/05); 4601 (12/17/09); 8021 (8/19/2004); 8031 (8/19/2004); 8041 (8/19/2004); 8051 (8/19/2004); 8061 (8/19/2004); and 8071 (9/16/2004). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
43. On month, day, year, the initial Title V permit was issued. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report are based upon this initial permit issuance date, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days after the end of the reporting period. [District Rule 2520] Federally Enforceable Through Title V Permit
44. When applicable to 40 CFR Part 68, a subject facility shall submit to the proper authority a Risk Management Plan when mandated by the regulation. [40 CFR Part 68] Federally Enforceable Through Title V Permit
45. The facility gasoline throughput shall not exceed 10,000 gallons per month. The permittee shall maintain monthly gasoline throughput records which shall be retained on-site for a period of at least five years and be made available for District inspection upon request. [40 CFR 63.11111] Federally Enforceable Through Title V Permit
46. The permittee shall operate and maintain the gasoline dispensing facility, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.11115] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE  
These terms and conditions are part of the Facility-wide Permit to Operate.

47. The permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following: (1) Minimize gasoline spills; (2) Clean up spills as expeditiously as practicable; (3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators. The permittee is not required to submit notifications or reports as specified in §63.11125, §63.11126, or subpart A of this part, but must have records available within 24 hours of a request by the Administrator to document the gasoline throughput. [40 CFR 63.11116] Federally Enforceable Through Title V Permit
48. Each owner or operator shall keep records of the occurrence and duration of each malfunction of operation ( i.e., process equipment) or the air pollution control and monitoring equipment and records of actions taken during periods of malfunction to minimize emissions in accordance with §63.11115(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 63.11125] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

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# San Joaquin Valley Air Pollution Control District

**PERMIT UNIT:** C-6923-1-2

**EXPIRATION DATE:** 04/30/2013

**EQUIPMENT DESCRIPTION:**

BIOMASS RECEIVING, STORAGE, TRANSFER, AND SIZING OPERATION WITH OPTIONAL TRUCK TIPPER SERVED BY WATER SPRAY SYSTEM, DISC SCREEN, FUEL SIZER SERVED BY A WET MISTING SYSTEM AND FUEL STORAGE AREA WITH ENCLOSED CONVEYORS

## PERMIT UNIT REQUIREMENTS

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1. The maximum amount of biomass received at the facility shall not exceed any of the following limits: 1250 tons/day, or 155,136 tons/yr. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
2. PM10 emissions rate from the truck tipping/unloading operation shall not exceed 0.0001 lb PM10/ton biomass. [District Rule 2201] Federally Enforceable Through Title V Permit
3. PM10 emissions rate from front-end loader to fuel yard shall not exceed 0.0011 lb PM10/ton biomass. [District Rule 2201] Federally Enforceable Through Title V Permit
4. PM10 emissions rate from front-end loader to N/S drag chain reclaim conveyor shall not exceed 0.0011 lb PM10/ton biomass. [District Rule 2201] Federally Enforceable Through Title V Permit
5. PM10 emissions rate from fuel yard to N/S drag chain reclaim conveyor shall not exceed 0.0011 lb PM10/ton biomass. [District Rule 2201] Federally Enforceable Through Title V Permit
6. PM10 emissions rate from each enclosed conveyor shall not exceed 0.000046 lb PM10/ton biomass. [District Rule 2201] Federally Enforceable Through Title V Permit
7. PM10 emissions rate from each uncontrolled conveyor shall not exceed 0.0011 lb PM10/ton biomass. [District Rule 2201] Federally Enforceable Through Title V Permit
8. PM10 emissions rate from the disc screen shall not exceed 0.00074 lb PM10/ton biomass. [District Rule 2201] Federally Enforceable Through Title V Permit
9. PM10 emissions rate from the fuel sizer shall not exceed 0.0022 lb PM10/ton biomass. [District Rule 2201] Federally Enforceable Through Title V Permit
10. The maximum net charge rate of biomass to the fluidized bed combustor through the receiving, storage, transfer, & sizing operation shall not exceed any of the following limits: 449 tons/day, or 155,136 tons/yr. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
11. Records of daily, and annual amount of biomass received (in tons) at the facility shall be maintained, retained on-site for a period of at least five (5) years and made available for District inspection upon request. [District Rules 1070, 2201, and 4102] Federally Enforceable Through Title V Permit
12. Records of daily, and annual amount of biomass charged to the fluidized bed combustor through the receiving, storage, transfer, & sizing operation shall be maintained, retained on-site for a period of at least five (5) years and made available for District inspection upon request. [District Rules 1070, 2201, and 4102] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

# San Joaquin Valley Air Pollution Control District

PERMIT UNIT: C-6923-2-2

EXPIRATION DATE: 04/30/2013

## EQUIPMENT DESCRIPTION:

LIMESTONE RECEIVING, STORAGE, AND TRANSFER OPERATION WITH AN ENCLOSED LIMESTONE STORAGE SILO SERVED BY A BIN VENT FILTER, ENCLOSED LIMESTONE TRUCK UNLOADING SYSTEM AND ENCLOSED LIMESTONE TRANSFER SYSTEM

## PERMIT UNIT REQUIREMENTS

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1. Material removed from dust collector(s) shall be disposed of in a manner preventing entrainment into the atmosphere. [District NSR Rule] Federally Enforceable Through Title V Permit
2. The baghouse shall be maintained and operated according to manufacturer's specifications. [District Rule 2201] Federally Enforceable Through Title V Permit
3. The baghouse cleaning frequency and duration shall be adjusted to optimize the control efficiency. [District NSR Rule] Federally Enforceable Through Title V Permit
4. The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District NSR Rule] Federally Enforceable Through Title V Permit
5. Replacement bags numbering at least 10% of the total number of bags in the largest baghouse using each type of bag shall be maintained on the premises. [District NSR Rule] Federally Enforceable Through Title V Permit
6. The differential pressure gauge reading range shall be maintained between 0.5" and 8" water column. [District Rule 2201] Federally Enforceable Through Title V Permit
7. Differential operating pressure shall be monitored and recorded on each day that the baghouse operates. [District Rule 2201] Federally Enforceable Through Title V Permit
8. Records of all maintenance of the baghouse, including all change outs of filter media, shall be maintained. [District Rule 2201] Federally Enforceable Through Title V Permit
9. There shall be no visible emissions from the limestone transfer operation, for a period or periods aggregating more than three minutes in any one hour. [District Rules 2201 and 4101] Federally Enforceable Through Title V Permit
10. Visible emissions from the bin vent filter serving the storage silo shall not equal or exceed 5% opacity for a period or periods aggregating more than three minutes in one hour. [District Rules 2201 and 4101] Federally Enforceable Through Title V Permit
11. The maximum throughput of limestone loaded into the limestone storage silo shall not exceed either of the following limits: 44 tons/day or 3200 tons/year. [District Rule 2201] Federally Enforceable Through Title V Permit
12. PM10 emissions rate from the limestone silo loading operation shall not exceed 0.00034 lb PM10/ton limestone. [District Rule 2201] Federally Enforceable Through Title V Permit
13. Records of daily and annual amounts (in tons) of limestone processed at the receiving and storage operation shall be maintained, retained on-site for a period of at least five (5) years and made available for District inspection upon request. [District Rules 1070 and 2201] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

# San Joaquin Valley Air Pollution Control District

PERMIT UNIT: C-6923-3-1

EXPIRATION DATE: 04/30/2013

## EQUIPMENT DESCRIPTION:

185 MMBTU/HR ENERGY PRODUCTS OF IDAHO (EPI) BIOMASS-FIRED FLUIDIZED BUBBLING BED COMBUSTOR WITH ONE 10 MMBTU/HR NATURAL GAS-FIRED PREHEAT BURNER POWERING A 12.5 MW STEAM TURBINE GENERATOR, SERVED BY A SELECTIVE NON-CATALYTIC REDUCTION (SNCR) SYSTEM, A LIMESTONE INJECTION SYSTEM, A MULTICLONE, AND A PULSE JET BAGHOUSE

## PERMIT UNIT REQUIREMENTS

1. Operating schedule of the main combustor shall not exceed 337 days per year. [District Rule 2201] Federally Enforceable Through Title V Permit
2. The baghouse shall be maintained and operated according to manufacturer's specifications. [District Rule 2201] Federally Enforceable Through Title V Permit
3. The baghouse cleaning frequency and duration shall be adjusted to optimize the control efficiency. [District NSR Rule] Federally Enforceable Through Title V Permit
4. Material removed from the dust collector(s) shall be disposed of in a manner preventing entrainment into the atmosphere. [District NSR Rule] Federally Enforceable Through Title V Permit
5. The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District NSR Rule and 40 CFR 63.11205(a) and 40 CFR 64] Federally Enforceable Through Title V Permit
6. Replacement bags numbering at least 10% of the total number of bags in the largest baghouse using each type of bag shall be maintained on the premises. [District NSR Rule] Federally Enforceable Through Title V Permit
7. The differential pressure gauge reading range shall be maintained between 0.5" and 8" water column. [District Rule 2201 and 40 CFR 64] Federally Enforceable Through Title V Permit
8. Differential operating pressure shall be monitored and recorded on each day that the baghouse operates. [District Rule 2201 and 40 CFR 64] Federally Enforceable Through Title V Permit
9. Records of all maintenance of the baghouse, including all change outs of filter media, shall be maintained. [District Rule 2201] Federally Enforceable Through Title V Permit
10. The applicant shall install and maintain an operational ammonia volume flow-rate indicator for the selective non-catalytic reduction (SNCR) ammonia injection system. [District Rule 2201] Federally Enforceable Through Title V Permit
11. The applicant shall install, maintain, and operate a continuous emissions monitoring system (CEMS) to measure stack gas NO<sub>x</sub>, SO<sub>x</sub>, CO, and O<sub>2</sub> concentration and shall meet the performance specification requirements in 40 CFR, Part 60, Appendix B or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the EPA. The CEM systems shall also be operated, maintained, and calibrated pursuant to the requirements of 40 CFR 60.7(c) and 40 CFR 60.13. [District Rules 1080, 2201, 4352, and 40 CFR 64] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE  
These terms and conditions are part of the Facility-wide Permit to Operate.

12. The applicant shall install, maintain, and operate a continuous opacity monitor (COM) and shall meet the performance specification requirements in 40 CFR, Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the EPA. [District Rules 1080 and 2201 and 40 CFR 60.48b(a) and 40 CFR 64] Federally Enforceable Through Title V Permit
13. The facility shall install and maintain equipment, facilities, and systems compatible with the District's CEM data polling software system and shall make CEM data available to the District's automated polling system on a daily basis. [District Rule 1080] Federally Enforceable Through Title V Permit
14. Upon notice by the District that the facility's CEM system is not providing polling data, the facility may continue to operate without providing automated data for a maximum of 30 days per calendar year provided the CEM data is sent to the District by a District-approved alternative method. [District Rule 1080] Federally Enforceable Through Title V Permit
15. Results of continuous emissions monitoring shall be reduced according to the procedure established in 40 CFR, Part 51, Appendix P, paragraphs 5.0 through 5.3.3, or by other methods deemed equivalent by mutual agreement with the District, the ARB, and the EPA. [District Rule 1080] Federally Enforceable Through Title V Permit
16. Audits (CGAs) of continuous emission monitors shall be conducted quarterly, except during quarters in which a relative accuracy test audit (RATA) is performed, in accordance with EPA guidelines. The District shall be notified prior to completion of the audits. Audit reports shall be submitted along with quarterly compliance reports to the District. [District Rule 1080] Federally Enforceable Through Title V Permit
17. Permittee shall comply with the applicable requirements for quality assurance testing and maintenance of the continuous emission monitor equipment in accordance with the procedures and guidance specified in 40 CFR Part 60, Appendix F. [District Rule 1080] Federally Enforceable Through Title V Permit
18. The preheat burner shall be used during start-up to reach the solid fuel ignition temperature throughout the combustor before feeding any solid fuel. [District Rule 2201] Federally Enforceable Through Title V Permit
19. "Startup" is the period of time during which the boiler is heated to operating temperature at steady state load from a lower temperature, not to exceed 96 hours. If curing of the refractory is required after furnace repair or modification, startup time may be extended to no longer than 192 hours. "Shutdown" is the period of time during which the boiler is allowed to cool from its operating temperature at steady state load to a lower temperature, not to exceed 12 hours. [District Rule 4352] Federally Enforceable Through Title V Permit
20. Emissions from the fluidized bed combustor unit, except during periods of startup and shutdown, shall not exceed any of the following limits: NO<sub>x</sub> - 14.8 lb/hr or 0.08 lb/MMBtu, SO<sub>x</sub> - 7.40 lb/hr or 0.04 lb/MMBtu, PM<sub>10</sub> - 7.40 lb/hr or 0.04 lb/MMBtu, CO - 10.55 lb/hr or 72 ppmv @ 3% O<sub>2</sub> (equivalent to 0.057 lb/MMBtu), or VOC - 0.93 lb/hr or 0.005 lb/MMBtu. NO<sub>x</sub> (as NO<sub>2</sub>) and CO emission limits are based on 24 hour rolling averages. SO<sub>x</sub> emission limits are based on 1 hour rolling averages. All other emission limits are 15-minute rolling averages. [District Rules 2201, 4352, and 4801] Federally Enforceable Through Title V Permit
21. The ammonia (NH<sub>3</sub>) emissions shall not exceed 85 ppmv @ 3% O<sub>2</sub> (equivalent to 0.041 lb/MMBtu) over a 24 hour rolling average. [District Rules 2201 and 4102] Federally Enforceable Through Title V Permit
22. Emissions from the preheat burner shall not exceed any of the following limits: NO<sub>x</sub> - 0.1 lb/MMBtu, SO<sub>x</sub> - 0.00285 lb/MMBtu, PM<sub>10</sub> - 0.0076 lb/MMBtu, CO - 0.084 lb/MMBtu, or VOC - 0.0055 lb/MMBtu. [District Rules 2201 and 4801] Federally Enforceable Through Title V Permit
23. A non-resettable, totalizing mass or volumetric fuel flow meter to measure the amount of natural gas combusted in the preheat burner shall be installed, utilized and maintained. [District Rule 2201] Federally Enforceable Through Title V Permit
24. Maximum natural gas fuel usage by the preheat burner shall not exceed 120,000 scf/day or 1,200,000 scf/year. [District Rule 2201] Federally Enforceable Through Title V Permit

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25. The exhaust stack shall be equipped with permanent provisions to allow collection of stack gas samples consistent with EPA test methods and shall be equipped with safe permanent provisions to sample stack gases with a portable NO<sub>x</sub>, CO, and O<sub>2</sub> analyzer during District inspections. The sampling ports shall be located in accordance with the CARB regulation titled California Air Resources Board Air Monitoring Quality Assurance Volume VI, Standard Operating Procedures for Stationary Emission Monitoring and Testing. [District Rule 1081] Federally Enforceable Through Title V Permit
26. Source testing to measure the NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, CO, VOC, and NH<sub>3</sub> emission rates (lb/hr, lb/MMBtu and/or ppmvd @ 3% O<sub>2</sub>) for the fluidized bubbling bed combustor shall be conducted within 120 days after initial operation and at least once every twelve months thereafter. [District Rules 1081 and 4352] Federally Enforceable Through Title V Permit
27. All emission measurements shall be made with the unit operating at condition representative of normal operations. No compliance shall be established within two hours after a continuous period in which fuel flow to the unit is zero, or is shut off for 30 minutes or longer. [District Rule 4352] Federally Enforceable Through Title V Permit
28. Compliance demonstration (source testing) shall be District witnessed or authorized and samples shall be collected by a certified testing laboratory. Source testing shall be conducted using the methods and procedures approved by the District. The District must be notified 30 days prior to any compliance source test, and a source test plan must be submitted for approval 15 days prior to testing. The results of each source test shall be submitted to the District within 60 days thereafter. [District Rule 1081] Federally Enforceable Through Title V Permit
29. The following test methods shall be used: NO<sub>x</sub> (ppmv) - EPA Method 7E or ARB Method 100, NO<sub>x</sub> (lb/MMBtu) - EPA Method 19, SO<sub>x</sub> - EPA Method 6 or ARB Method 100, PM<sub>10</sub> - EPA Method 5 (front half and back half) or 201 and 202a, CO (ppmv) - EPA Method 10 or ARB Method 100, CO<sub>2</sub> - EPA Method 3 or ARB Method 100, VOC - EPA Method 18 or 25 or ARB Method 100, stack gas oxygen - EPA Method 3 or 3A or ARB Method 100, ammonia - BAAQMD ST-1B, Stack Gas Flow Rate - EPA Method 2, Moisture Content - EPA Method 4, Fuel Heating Value - ASTM Method D2015-85 or E711. EPA approved alternative test methods as approved by the District may also be used to address the source testing requirements of this permit. The request to utilize EPA approved alternative source testing methods must be submitted in writing and written approval received from the District prior to the submission of the source test plan. [District Rules 1081, 4001, and 4352] Federally Enforceable Through Title V Permit
30. No owner or operator of an affected facility that combusts wood, or wood with other fuels, except coal, shall cause to be discharged from that affected facility any gases that contain particulate matter in excess of the following emission limits: (1) 43 ng/J (0.10 lb/million Btu) heat input if the affected facility has an annual capacity factor greater than 30 percent (0.30) for wood. (2) 86 ng/J (0.20 lb/million Btu) heat input if (i) The affected facility has an annual capacity factor of 30 percent (0.30) or less for wood, (ii) Is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor of 30 percent (0.30) or less for wood, and (iii) Has a maximum heat input capacity of 73 MW (250 million Btu/hour) or less. [40 CFR 60.43b(c)] Federally Enforceable Through Title V Permit
31. No owner or operator of an affected facility that combusts municipal-type solid waste or mixtures of municipal-type solid waste with other fuels, shall cause to be discharged into the atmosphere from that affected facility any gases that contain particulate matter in excess of the following emission limits: (1) 43 ng/J (0.10 lb/million Btu) heat input, (i) If the affected facility combusts only municipal-type solid waste, or (ii) If the affected facility combusts municipal-type solid waste and other fuels and has an annual capacity factor for the other fuels of 10 percent (0.10) or less. (2) 86 ng/J (0.20 lb/million Btu) heat input if the affected facility combusts municipal-type solid waste or municipal-type solid waste and other fuels; and (i) Has an annual capacity factor for municipal-type solid waste and other fuels of 30 percent (0.30) or less, (ii) Has a maximum heat input capacity of 73 MW (250 million Btu/hour) or less, (iii) Has a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor of 30 percent (0.30) for municipal-type solid waste, or municipal-type solid waste and other fuels, and (iv) Construction of the affected facility commenced after June 19, 1984, but before November 25, 1986. [40 CFR 60.43b(d)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

32. No owner or operator of an affected facility that combusts coal, oil, wood, or mixtures of these fuels with any other fuels shall cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. [40 CFR 60.43b(f)] Federally Enforceable Through Title V Permit
33. The particulate matter emission standards and opacity limits under 40 CFR 60.43b apply at all times except during periods of startup, shutdown, or malfunction. [40 CFR 60.46b(a)] Federally Enforceable Through Title V Permit
34. The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for each fuel combusted for the reporting period. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month. [40 CFR 60.49b(d)(1)] Federally Enforceable Through Title V Permit
35. The owner or operator shall maintain records of opacity. [40 CFR 60.49b(f) and 40 CFR 64] Federally Enforceable Through Title V Permit
36. The owner or operator shall submit reports of excess emissions and monitoring system downtime for opacity, in accordance with 40 CFR 60.7(c) and (d), on a semi-annual basis. For the purpose of reports required under 40 CFR Part 60.7(c), periods of excess emission and monitor downtime that shall be reported are defined in 40 CFR 60.49b(h). All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period. [40 CFR 60.49b(h), 60.49b(w) and 40 CFR 64] Federally Enforceable Through Title V Permit
37. The owner or operator may submit electronic quarterly reports for opacity in lieu of submitting the written reports. The format of each quarterly electronic report shall be coordinated with the permitting authority. The electronic report(s) shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the owner or operator, indicating whether compliance with the applicable emission standards and minimum data requirements of this subpart was achieved during the reporting period. Before submitting reports in the electronic format, the owner or operator shall coordinate with the permitting authority to obtain their agreement to submit reports in this alternative format. [40 CFR 60.49b(v) and 40 CFR 64] Federally Enforceable Through Title V Permit
38. Upon detecting any excursion from the acceptable range of baghouse differential pressure readings, the permittee shall investigate the excursion and take corrective action to minimize excessive emissions and prevent recurrence of the excursion as expeditiously as practicable. If the daily average baghouse differential pressure reading is not within the acceptable established range for two consecutive days, permittee shall notify the APCO of such exceedance within 96 hours. [40 CFR 64.7] Federally Enforceable Through Title V Permit
39. If the District or EPA determines that a Quality Improvement Plan is required under 40 CFR 64.7(d)(2), the permittee shall develop and implement the Quality Improvement Plan in accordance with 40 CFR 64.8. [40 CFR 64.7 and 40 CFR 64.8] Federally Enforceable Through Title V Permit
40. Permittee shall submit a written report to the APCO for each calendar quarter, within 30 days of the end of the quarter, including: time intervals, data and magnitude of excess emissions; nature and cause of excess (averaging period used for data reporting shall correspond to the averaging period for each respective emission standard); corrective actions taken and preventive measures adopted; applicable time and date of each period during a CEM was inoperative (except for zero and span checks) and the nature of system repairs and adjustments; a negative declaration when no excess emissions occurred, and reports on opacity monitors giving the number of three minute periods during which the average opacity exceeded the standard for each hour of operation. The averaged may be obtained by integration over the averaging period or by arithmetically averaging a minimum of four equally spaced instantaneous opacity measurements per minute. Any time exempted shall be considered before determining the excess averages of opacity. [District Rule 1080] Federally Enforceable Through Title V Permit
41. Permittee shall maintain accurate records of continuous emissions monitoring (CEM) results, dates of occurrences and duration of start-up, shutdown, malfunction, performance testing, evaluations, calibrations, checks, adjustments and maintenance, and daily records of propane fuel usage. [District Rules 1080 and 2201] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE  
These terms and conditions are part of the Facility-wide Permit to Operate.

42. The owner/operator shall maintain an operating log that includes the type and quantity of fuel used (hourly and annually) and the hhv of each fuel as determined by District Rule 4352, section 6.4 (as amended 05/18/06), or as certified by a third party fuel supplier. [District Rule 4352] Federally Enforceable Through Title V Permit
43. The owner/operator shall maintain an operating log that includes the number of days of operation of the fluidized bed combustor and daily and annual natural gas usage of the preheat burner. [District Rule 1070] Federally Enforceable Through Title V Permit
44. By March 21, 2012, and every two years thereafter, permittee shall conduct a performance tune-up of the boiler in accordance with 40 CFR 63.11223(b). Permittee shall submit a signed statement of the Notification of Compliance Status report that a tune-up of the boiler was completed. [40 CFR 63.11214(b)] Federally Enforceable Through Title V Permit
45. By March 21, 2012, the permittee shall conduct a one-time energy assessment as described in 40 CFR 63, Subpart JJJJJ, Table 2. Permittee shall submit a signed statement in the Notification of Compliance Status report that the energy assessment was completed, and shall submit the energy assessment report upon request. [40 CFR 63.11214(c)] Federally Enforceable Through Title V Permit
46. Permittee shall submit the Notification of Compliance Status report by July 19, 2012. [40 CFR 63.11225(a)(4)] Federally Enforceable Through Title V Permit
47. All records shall be maintained for a period of at least five years and made available for District inspection upon request. [District Rule 1070] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

DRAFT

# San Joaquin Valley Air Pollution Control District

PERMIT UNIT: C-6923-4-1

EXPIRATION DATE: 04/30/2013

**EQUIPMENT DESCRIPTION:**

14,500 GALLON PER MINUTE MECHANICAL/INDUCED DRAFT COOLING TOWER WITH 2 CELLS SERVED BY DRIFT ELIMINATORS

## PERMIT UNIT REQUIREMENTS

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1. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District NSR Rule] Federally Enforceable Through Title V Permit
2. Operating schedule shall not exceed 337 days per year. [District Rule 2201] Federally Enforceable Through Title V Permit
3. No hexavalent chromium containing compounds shall be added to cooling tower circulating water. [District Rule 7012] Federally Enforceable Through Title V Permit
4. Drift eliminator drift rate shall not exceed 0.005%. [District Rule 2201] Federally Enforceable Through Title V Permit
5. PM10 emission rate for the cooling tower shall not exceed 8.7 lb/day. [District Rule 2201] Federally Enforceable Through Title V Permit
6. Compliance with the PM10 daily emission limit shall demonstrated as follows:  $PM10 \text{ lb/day} = \text{water recirculation rate} \times \text{total dissolved solids concentration in the blowdown water} \times \text{design drift rate}$ . [District Rule 2201] Federally Enforceable Through Title V Permit
7. Compliance with PM10 emission limit shall be determined by blowdown water sample analysis by independent laboratory within 60 days of initial operation and quarterly thereafter. [District Rule 1081] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

# San Joaquin Valley Air Pollution Control District

PERMIT UNIT: C-6923-5-2

EXPIRATION DATE: 04/30/2013

## EQUIPMENT DESCRIPTION:

FLY ASH HANDLING, STORAGE AND LOAD OUT OPERATION CONSISTING OF FLY ASH STORAGE SILO SERVED BY THE PULSE JET BAGHOUSE IDENTIFIED IN PERMIT C-6923-3-0, TOTALLY ENCLOSED ROTARY FEEDERS, SCREW CONVEYORS, DRAG CHAIN CONVEYORS, AND A WET CONDITIONING SCREW CONVEYOR

## PERMIT UNIT REQUIREMENTS

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1. Material removed from dust collector(s) shall be disposed of in a manner preventing entrainment into the atmosphere. [District NSR Rule] Federally Enforceable Through Title V Permit
2. There shall be no visible emissions from the fly ash transfer operation, for a period or periods aggregating more than three minutes in any one hour. [District Rules 2201 and 4101] Federally Enforceable Through Title V Permit
3. PM10 emissions rate from each conveyor shall not exceed 0.000046 lb PM10/ton fly ash. [District Rule 2201] Federally Enforceable Through Title V Permit
4. The maximum throughput of fly ash in the fly ash storage silo, as measured by the load out operation, shall not exceed either of the following limits: 48 tons/day or 11,000 tons/year. [District Rule 2201] Federally Enforceable Through Title V Permit
5. PM10 emissions rate from the fly ash silo loading operation shall not exceed 0.00034 lb PM10/ton fly ash. [District Rule 2201] Federally Enforceable Through Title V Permit
6. Records of daily amount of fly ash generated (in tons) at the facility shall be maintained, retained on-site for a period of at least five (5) years and made available for District inspection upon request. [District Rules 1070 and 2201] Federally Enforceable Through Title V Permit
7. Records of the daily amount of fly ash processed (in tons) by load out operation shall be maintained, retained on-site for a period of at least five (5) years and made available for District inspection upon request. [District Rules 1070 and 2201] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

*Ampersand Chowchilla Biomass LLC*  
C-6923  
C-1091575

# Attachment A

## Detailed Facility Printout

**Detailed Facility Report**

For Facility=6923

Sorted by Facility Name and Permit Number

AMPERSAND CHOWCHILLA BIOMASS LLC 16457 AVENUE 24-1/2 CHOWCHILLA, CA	FAC # STATUS: TELEPHONE:	C 6923 A	TYPE: TOXIC ID:	TitleV	EXPIRE ON: AREA: INSP. DATE:	04/30/2013 1 / 08/11
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PERMIT NUMBER	FEE DESCRIPTION	FEE RULE	QTY	FEE AMOUNT	FEE TOTAL	PERMIT STATUS	EQUIPMENT DESCRIPTION
C-6923-1-1	Electrical Generation Component	999-99	1	0.00	0.00	A	BIOMASS RECEIVING, STORAGE, TRANSFER, AND SIZING OPERATION WITH OPTIONAL TRUCK TIPPER SERVED BY WATER SPRAY SYSTEM, DISC SCREEN, FUEL SIZER SERVED BY A WET MISTING SYSTEM AND FUEL STORAGE AREA WITH ENCLOSED CONVEYORS
C-6923-2-1	Electrical Generation Component	999-99	1	0.00	0.00	A	LIMESTONE RECEIVING, STORAGE, AND TRANSFER OPERATION WITH AN ENCLOSED LIMESTONE STORAGE SILO SERVED BY A BIN VENT FILTER, ENCLOSED LIMESTONE TRUCK UNLOADING SYSTEM AND ENCLOSED LIMESTONE TRANSFER SYSTEM
C-6923-3-0	12.5 MW	3020-08A E	1	5,109.00	5,109.00	A	185 MMBTU/HR ENERGY PRODUCTS OF IDAHO (EPI) BIOMASS-FIRED FLUIDIZED BUBBLING BED COMBUSTOR WITH ONE 10 MMBTU/HR NATURAL GAS-FIRED PREHEAT BURNER POWERING A 12.5 MW STEAM TURBINE GENERATOR, SERVED BY A SELECTIVE NON-CATALYTIC REDUCTION (SNCR) SYSTEM, A LIMESTONE INJECTION SYSTEM, A MULTICLONE, AND A PULSE JET BAGHOUSE
C-6923-4-0	Electrical Generation Component	999-99	1	0.00	0.00	A	14,500 GALLON PER MINUTE MECHANICAL/INDUCED DRAFT COOLING TOWER WITH 2 CELLS SERVED BY DRIFT ELIMINATORS
C-6923-5-1	Electrical Generation Component	999-99	1	0.00	0.00	A	FLY ASH HANDLING, STORAGE AND LOAD OUT OPERATION CONSISTING OF FLY ASH STORAGE SILO SERVED BY THE PULSE JET BAGHOUSE IDENTIFIED IN PERMIT C-6923-3-0, TOTALLY ENCLOSED ROTARY FEEDERS, SCREW CONVEYORS, DRAG CHAIN CONVEYORS, AND A WET CONDITIONING SCREW CONVEYOR

Number of Facilities Reported: 1

*Ampersand Chowchilla Biomass LLC*  
C-6923  
C-1091575

# Attachment B

## Exempt Equipment

**San Joaquin Valley  
Unified Air Pollution Control District  
Title V Application - INSIGNIFICANT ACTIVITIES**

COMPANY NAME: *Ampersand Chowchilla Biomass LLC* FACILITY ID: *C - 6923*

Check the box next to the exemption category from Rule 2020 which describes any insignificant activity or equipment at your facility not requiring a permit.

Exemption Category	Rule 2020 Citation	√	Exemption Category	Rule 2020 Citation	√
Structure or incinerator assoc. with a structure designed as a dwelling for 4 families or less	4.1		Containers used to store refined lubricating oils	6.6.8	X
Locomotives, airplanes, and watercraft used to transport passengers or freight	4.4		Unvented pressure vessels used exclusively to store liquified gases or assoc with exempt equipment	6.6.9 or 6.13	
Natural gas or LPG-fired boilers or other indirect heat transfer units of 5 MMBtu/hr or less	6.1.1		Portable tanks used exclusively to store produced fluids for ≤ six months	6.6.10	
Piston-type i.c. engine with maximum continuous rating of 50 braking horsepower (bhp) or less	6.1.2		Mobile transport tanks on delivery vehicles of VOCs	6.6.11	
Gas turbine engines with maximum heat input rating of 3 MMBtu/hr or less	6.1.3		Loading racks used for the transfer of less than 4,000 gal/day of unheated organic material with initial boiling point ≥ 302 F or of fuel oil with specific gravity ≥ 0.8251	6.7.1.1	
Space heating equipment other than boilers	6.1.4		Loading racks used for the transfer of asphalt, crude or residual oil stored in exempt tanks, or crude oil with specific gravity ≥ 0.8762	6.7.1.2	
Cooling towers with a circulation rate less than 10,000 gal/min, and that are not used for cooling of process water, or water from barometric jets or condensers++	6.2		Equipment used exclusively for the transfer of refined lubricating oil	6.7.2	
Use of less than 2 gal/day of graphic arts materials	6.3		Equipment used to apply architectural coatings	6.8.1	
Equipment at retail establishments used to prepare food for human consumption	6.4.1		Unheated, non-conveyorized cleaning equipment with < 10 ft <sup>2</sup> open area; using solvents with initial boiling point ≥ 248 F; and < 25 gal/yr. evaporative losses	6.9	
Ovens at bakeries with total daily production less than 1,000 pounds and exempt by sec. 6.1.1	6.4.3		Brazing, soldering, or welding equipment	6.10	X
Equipment used exclusively for extruding or compression molding of rubber or plastics, where no plastisizer or blowing agent is used	6.5		Equipment used to compress natural gas	6.11	
Containers used to store clean produced water	6.6.1		Fugitive emissions sources assoc. with exempt equipment	6.12	
Containers ≤ 100 bbl used to store oil with specific gravity ≥ 0.8762	6.6.2	X	Pits and Ponds as defined in Rule 1020	6.15	
Containers ≤ 100 bbl installed prior to 6/1/89 used to store oil with specific gravity ≥ 0.8762	6.6.3		On-site roadmix manufacturing and the application of roadmix as a road base material	6.17	
Containers with a capacity ≤ 250 gallons used to store organic material where the actual storage temperature < 150 F	6.6.4		Emissions less than 2 lb/day from units not included above	6.19	
Containers used to store unheated organic material with an initial boiling point ≥ 302 F	6.6.5		Venting PUC quality natural gas from for sole purpose of pipeline and compressor repair and or maintenance	7.2	
Containers used to store fuel oils or non-air-blown asphalt with specific gravity ≥ 0.9042	6.6.6		Non-structural repairs & maintenance to permitted equipment	7.3	X
Containers used to store petroleum distillates used as motor fuel with specific gravity ≥ 0.8251	6.6.7		Detonation of explosives ≤ 100 lb/day and 1,000 lb/year	7.4	

No insignificant activities (Check this box if no equipment in the above categories exist at your facility.)

*Ampersand Chowchilla Biomass LLC*  
C-6923  
C-1091575

# Attachment C

## SJVUAPCD Permits

# San Joaquin Valley Air Pollution Control District

PERMIT UNIT: C-6923-1-1

EXPIRATION DATE: 04/30/2013

## EQUIPMENT DESCRIPTION:

BIOMASS RECEIVING, STORAGE, TRANSFER, AND SIZING OPERATION WITH OPTIONAL TRUCK TIPPER SERVED BY WATER SPRAY SYSTEM, DISC SCREEN, FUEL SIZER SERVED BY A WET MISTING SYSTEM AND FUEL STORAGE AREA WITH ENCLOSED CONVEYORS

## PERMIT UNIT REQUIREMENTS

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1. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
2. 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]
3. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
4. The maximum amount of biomass received at the facility shall not exceed any of the following limits: 1250 tons/day, or 155,136 tons/yr. [District Rules 2201 and 4102]
5. PM10 emissions rate from the truck tipping/unloading operation shall not exceed 0.0001 lb PM10/ton biomass. [District Rule 2201]
6. PM10 emissions rate from front-end loader to fuel yard shall not exceed 0.0011 lb PM10/ton biomass. [District Rule 2201]
7. PM10 emissions rate from front-end loader to N/S drag chain reclaim conveyor shall not exceed 0.0011 lb PM10/ton biomass. [District Rule 2201]
8. PM10 emissions rate from fuel yard to N/S drag chain reclaim conveyor shall not exceed 0.0011 lb PM10/ton biomass. [District Rule 2201]
9. PM10 emissions rate from each enclosed conveyor shall not exceed 0.000046 lb PM10/ton biomass. [District Rule 2201]
10. PM10 emissions rate from each uncontrolled conveyor shall not exceed 0.0011 lb PM10/ton biomass. [District Rule 2201]
11. PM10 emissions rate from the disc screen shall not exceed 0.00074 lb PM10/ton biomass. [District Rule 2201]
12. PM10 emissions rate from the fuel sizer shall not exceed 0.0022 lb PM10/ton biomass. [District Rule 2201]
13. The maximum net charge rate of biomass to the fluidized bed combustor through the receiving, storage, transfer, & sizing operation shall not exceed any of the following limits: 449 tons/day, or 155,136 tons/yr. [District Rules 2201 and 4102]
14. Records of daily, and annual amount of biomass received (in tons) at the facility shall be maintained, retained on-site for a period of at least five (5) years and made available for District inspection upon request. [District Rules 1070, 2201, and 4102]
15. Records of daily, and annual amount of biomass charged to the fluidized bed combustor through the receiving, storage, transfer, & sizing operation shall be maintained, retained on-site for a period of at least five (5) years and made available for District inspection upon request. [District Rules 1070, 2201, and 4102]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

16. When handling bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, wind barriers with less than 50% porosity shall also be used. [District Rules 8011 and 8031]
17. When storing bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, all bulk material piles shall also be either maintained with a stabilized surface as defined in Section 3.58 of District Rule 8011, or shall be protected with suitable covers or barriers as prescribed in Table 8031-1, Section B, of District Rule 8031. [District Rules 8011 and 8031]
18. When transporting bulk materials outside an enclosed structure or building, all bulk material transport vehicles shall limit Visible Dust Emissions to 20% opacity by either limiting vehicular speed, maintaining sufficient freeboard on the load, applying water to the top of the load, or covering the load with a tarp or other suitable cover. [District Rules 8011 and 8031]
19. All outdoor chutes and conveyors shall be controlled by any of the following options: 1) full enclosure, 2) operation with water spray equipment that sufficiently wets materials to limit VDE to 20% opacity, or 3) the concentration of particles having an aerodynamic diameter of 10 microns or less in the conveyed material shall be sufficiently small to limit VDE to 20% opacity. [District Rules 8011 and 8031]
20. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/04) or Rule 8011(8/19/04). [District Rules 8011 and 8041]
21. Where dusting materials are allowed to accumulate on paved surfaces, the accumulation shall be removed daily or water and/or chemical/organic dust stabilizers/suppressants shall be applied to the paved surface as required to maintain continuous compliance with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011 and limit Visible Dust Emissions (VDE) to 20% opacity. [District Rule 8011 and 8071]
22. On each day that 50 or more Vehicle Daily Trips or 25 or more Vehicle Daily Trips with 3 axles or more will occur on an unpaved vehicle/equipment traffic area, permittee shall apply water, gravel, roadmix, or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District-approved control measure as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011. [District Rule 8011 and 8071]
23. Whenever any portion of the site becomes inactive, permittee shall restrict access and periodically stabilize any disturbed surface to comply with the conditions for a stabilized surface as defined in Section 3.58 of District Rule 8011. [District Rules 8011 and 8071]
24. Records and other supporting documentation shall be maintained as required to demonstrate compliance with the requirements of the rules under Regulation VIII only for those days that a control measure was implemented. Such records shall include the type of control measure(s) used, the location and extent of coverage, and the date, amount, and frequency of application of dust suppressant, manufacturer's dust suppressant product information sheet that identifies the name of the dust suppressant and application instructions. Records shall be kept for one year following project completion that results in the termination of all dust generating activities. [District Rules 8011, 8031, and 8071]

These terms and conditions are part of the Facility-wide Permit to Operate.

# San Joaquin Valley Air Pollution Control District

PERMIT UNIT: C-6923-2-1

EXPIRATION DATE: 04/30/2013

## EQUIPMENT DESCRIPTION:

LIMESTONE RECEIVING, STORAGE, AND TRANSFER OPERATION WITH AN ENCLOSED LIMESTONE STORAGE SILO SERVED BY A BIN VENT FILTER, ENCLOSED LIMESTONE TRUCK UNLOADING SYSTEM AND ENCLOSED LIMESTONE TRANSFER SYSTEM

## PERMIT UNIT REQUIREMENTS

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1. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
2. 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]
3. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
4. Material removed from dust collector(s) shall be disposed of in a manner preventing entrainment into the atmosphere. [District NSR Rule]
5. The bin vent filter shall be maintained and operated according to manufacturer's specifications. [District Rule 2201]
6. The bin vent filter cleaning frequency and duration shall be adjusted to optimize the control efficiency. [District NSR Rule]
7. The bin vent filter shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District NSR Rule]
8. Replacement filtering media numbering amounting to at least 10% of the total filter media in the bin vent filter shall be maintained on the premises. [District NSR Rule]
9. The bin vent filter shall operate at all times with a minimum differential pressure of 0.1 inches water column and a maximum differential pressure of 8.0 inches water column. [District Rule 2201]
10. Differential operating pressure shall be monitored and recorded on each day that the bin vent filter operates. [District Rule 2201]
11. Records of all maintenance of the bin vent filter, including all change outs of filter media, shall be maintained. [District Rule 2201]
12. There shall be no visible emissions from the limestone transfer operation, for a period or periods aggregating more than three minutes in any one hour. [District Rules 2201 and 4101]
13. Visible emissions from the bin vent filter serving the storage silo shall not equal or exceed 5% opacity for a period or periods aggregating more than three minutes in one hour. [District Rules 2201 and 4101]
14. The maximum throughput of limestone loaded into the limestone storage silo shall not exceed either of the following limits: 44 tons/day or 3200 tons/year. [District Rule 2201]
15. PM10 emissions rate from the limestone silo loading operation shall not exceed 0.00034 lb PM10/ton limestone. [District Rule 2201]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

16. Records of daily and annual amounts (in tons) of limestone processed at the receiving and storage operation shall be maintained, retained on-site for a period of at least five (5) years and made available for District inspection upon request. [District Rules 1070 and 2201]
17. When handling bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, wind barriers with less than 50% porosity shall also be used. [District Rules 8011 and 8031]
18. When storing bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, all bulk material piles shall also be either maintained with a stabilized surface as defined in Section 3.58 of District Rule 8011, or shall be protected with suitable covers or barriers as prescribed in Table 8031-1, Section B, of District Rule 8031. [District Rules 8011 and 8031]
19. When transporting bulk materials outside an enclosed structure or building, all bulk material transport vehicles shall limit Visible Dust Emissions to 20% opacity by either limiting vehicular speed, maintaining sufficient freeboard on the load, applying water to the top of the load, or covering the load with a tarp or other suitable cover. [District Rules 8011 and 8031]
20. All outdoor chutes and conveyors shall be controlled by any of the following options: 1) full enclosure, 2) operation with water spray equipment that sufficiently wets materials to limit VDE to 20% opacity, or 3) the concentration of particles having an aerodynamic diameter of 10 microns or less in the conveyed material shall be sufficiently small to limit VDE to 20% opacity. [District Rules 8011 and 8031]
21. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/04) or Rule 8011(8/19/04). [District Rules 8011 and 8041]
22. Where dusting materials are allowed to accumulate on paved surfaces, the accumulation shall be removed daily or water and/or chemical/organic dust stabilizers/suppressants shall be applied to the paved surface as required to maintain continuous compliance with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011 and limit Visible Dust Emissions (VDE) to 20% opacity. [District Rule 8011 and 8071]
23. On each day that 50 or more Vehicle Daily Trips or 25 or more Vehicle Daily Trips with 3 axles or more will occur on an unpaved vehicle/equipment traffic area, permittee shall apply water, gravel, roadmix, or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District-approved control measure as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011. [District Rule 8011 and 8071]
24. Whenever any portion of the site becomes inactive, permittee shall restrict access and periodically stabilize any disturbed surface to comply with the conditions for a stabilized surface as defined in Section 3.58 of District Rule 8011. [District Rules 8011 and 8071]
25. Records and other supporting documentation shall be maintained as required to demonstrate compliance with the requirements of the rules under Regulation VIII only for those days that a control measure was implemented. Such records shall include the type of control measure(s) used, the location and extent of coverage, and the date, amount, and frequency of application of dust suppressant, manufacturer's dust suppressant product information sheet that identifies the name of the dust suppressant and application instructions. Records shall be kept for one year following project completion that results in the termination of all dust generating activities. [District Rules 8011, 8031, and 8071]

These terms and conditions are part of the Facility-wide Permit to Operate.

# San Joaquin Valley Air Pollution Control District

**PERMIT UNIT:** C-6923-3-0

**EXPIRATION DATE:** 04/30/2013

**EQUIPMENT DESCRIPTION:**

185 MMBTU/HR ENERGY PRODUCTS OF IDAHO (EPI) BIOMASS-FIRED FLUIDIZED BUBBLING BED COMBUSTOR WITH ONE 10 MMBTU/HR NATURAL GAS-FIRED PREHEAT BURNER POWERING A 12.5 MW STEAM TURBINE GENERATOR, SERVED BY A SELECTIVE NON-CATALYTIC REDUCTION (SNCR) SYSTEM, A LIMESTONE INJECTION SYSTEM, A MULTICLONE, AND A PULSE JET BAGHOUSE

## PERMIT UNIT REQUIREMENTS

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1. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
2. 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]
3. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
4. Operating schedule of the main combustor shall not exceed 337 days per year. [District Rule 2201]
5. The baghouse shall be maintained and operated according to manufacturer's specifications. [District Rule 2201]
6. The baghouse cleaning frequency and duration shall be adjusted to optimize the control efficiency. [District NSR Rule]
7. Material removed from the dust collector(s) shall be disposed of in a manner preventing entrainment into the atmosphere. [District NSR Rule]
8. The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District NSR Rule]
9. Replacement bags numbering at least 10% of the total number of bags in the largest baghouse using each type of bag shall be maintained on the premises. [District NSR Rule]
10. The differential pressure gauge reading range shall be maintained between 0.5" and 8" water column. [District Rule 2201]
11. Differential operating pressure shall be monitored and recorded on each day that the baghouse operates. [District Rule 2201]
12. Records of all maintenance of the baghouse, including all change outs of filter media, shall be maintained. [District Rule 2201]
13. The applicant shall install and maintain an operational ammonia volume flow-rate indicator for the selective non-catalytic reduction (SNCR) ammonia injection system. [District Rule 2201]
14. The applicant shall install, maintain, and operate a continuous emissions monitoring system (CEMS) to measure stack gas NO<sub>x</sub>, SO<sub>x</sub>, CO, and O<sub>2</sub> concentration and shall meet the performance specification requirements in 40 CFR, Part 60, Appendix B or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the EPA. The CEM systems shall also be operated, maintained, and calibrated pursuant to the requirements of 40 CFR 60.7(c) and 40 CFR 60.13. [District Rules 1080, 2201, and 4352]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE  
These terms and conditions are part of the Facility-wide Permit to Operate.

15. The applicant shall install, maintain, and operate a continuous opacity monitor (COM) and shall meet the performance specification requirements in 40 CFR, Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the EPA. [District Rules 1080 and 2201]
16. The facility shall install and maintain equipment, facilities, and systems compatible with the District's CEM data polling software system and shall make CEM data available to the District's automated polling system on a daily basis. [District Rule 1080]
17. Upon notice by the District that the facility's CEM system is not providing polling data, the facility may continue to operate without providing automated data for a maximum of 30 days per calendar year provided the CEM data is sent to the District by a District-approved alternative method. [District Rule 1080]
18. Results of continuous emissions monitoring shall be reduced according to the procedure established in 40 CFR, Part 51, Appendix P, paragraphs 5.0 through 5.3.3, or by other methods deemed equivalent by mutual agreement with the District, the ARB, and the EPA. [District Rule 1080]
19. Audits of continuous emission monitors shall be conducted quarterly, except during quarters in which relative accuracy and compliance source testing are both performed, in accordance with EPA guidelines. The District shall be notified prior to completion of the audits. Audit reports shall be submitted along with quarterly compliance reports to the District. [District Rule 1080]
20. Permittee shall comply with the applicable requirements for quality assurance testing and maintenance of the continuous emission monitor equipment in accordance with the procedures and guidance specified in 40 CFR Part 60, Appendix F. [District Rule 1080]
21. The preheat burner shall be used during start-up to reach the solid fuel ignition temperature throughout the combustor before feeding any solid fuel. [District Rule 2201]
22. "Startup" is the period of time during which the boiler is heated to operating temperature at steady state load from a lower temperature, not to exceed 96 hours. If curing of the refractory is required after furnace repair or modification, startup time may be extended to no longer than 192 hours. "Shutdown" is the period of time during which the boiler is allowed to cool from its operating temperature at steady state load to a lower temperature, not to exceed 12 hours. [District Rule 4352]
23. Emissions from the fluidized bed combustor unit, except during periods of startup and shutdown, shall not exceed any of the following limits: NO<sub>x</sub> - 14.8 lb/hr or 0.08 lb/MMBtu, SO<sub>x</sub> - 7.40 lb/hr or 0.04 lb/MMBtu, PM<sub>10</sub> - 7.40 lb/hr or 0.04 lb/MMBtu, CO - 10.55 lb/hr or 72 ppmv @ 3% O<sub>2</sub> (equivalent to 0.057 lb/MMBtu), or VOC - 0.93 lb/hr or 0.005 lb/MMBtu. NO<sub>x</sub> (as NO<sub>2</sub>) and CO emission limits are based on 24 hour rolling averages. SO<sub>x</sub> emission limits are based on 1 hour rolling averages. All other emission limits are 15-minute rolling averages. [District Rules 2201, 4352, and 4801]
24. The ammonia (NH<sub>3</sub>) emissions shall not exceed 85 ppmv @ 3% O<sub>2</sub> (equivalent to 0.041 lb/MMBtu) over a 24 hour rolling average. [District Rules 2201 and 4102]
25. Emissions from the preheat burner shall not exceed any of the following limits: NO<sub>x</sub> - 0.1 lb/MMBtu, SO<sub>x</sub> - 0.00285 lb/MMBtu, PM<sub>10</sub> - 0.0076 lb/MMBtu, CO - 0.084 lb/MMBtu, or VOC - 0.0055 lb/MMBtu. [District Rules 2201 and 4801]
26. A non-resettable, totalizing mass or volumetric fuel flow meter to measure the amount of natural gas combusted in the preheat burner shall be installed, utilized and maintained. [District Rule 2201]
27. Maximum natural gas fuel usage by the preheat burner shall not exceed 120,000 scf/day or 1,200,000 scf/year. [District Rule 2201]
28. The exhaust stack shall be equipped with permanent provisions to allow collection of stack gas samples consistent with EPA test methods and shall be equipped with safe permanent provisions to sample stack gases with a portable NO<sub>x</sub>, CO, and O<sub>2</sub> analyzer during District inspections. The sampling ports shall be located in accordance with the CARB regulation titled California Air Resources Board Air Monitoring Quality Assurance Volume VI, Standard Operating Procedures for Stationary Emission Monitoring and Testing. [District Rule 1081]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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29. Source testing to measure the NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, CO, VOC, and NH<sub>3</sub> emission rates (lb/hr and lb/MMBtu or ppmvd @ 3% O<sub>2</sub>) for the fluidized bubbling bed combustor shall be conducted within 120 days after initial operation and at least once every twelve months thereafter. [District Rules 1081 and 4352]
30. All emission measurements shall be made with the unit operating at condition representative of normal operations. No compliance shall be established within two hours after a continuous period in which fuel flow to the unit is zero, or is shut off for 30 minutes or longer. [District Rule 4352]
31. Compliance demonstration (source testing) shall be District witnessed or authorized and samples shall be collected by a certified testing laboratory. Source testing shall be conducted using the methods and procedures approved by the District. The District must be notified 30 days prior to any compliance source test, and a source test plan must be submitted for approval 15 days prior to testing. The results of each source test shall be submitted to the District within 60 days thereafter. [District Rule 1081]
32. The following test methods shall be used: NO<sub>x</sub> (ppmv) - EPA Method 7E or ARB Method 100, NO<sub>x</sub> (lb/MMBtu) - EPA Method 19, SO<sub>x</sub> - EPA Method 6 or ARB Method 100, PM<sub>10</sub> - EPA Method 5 (front half and back half) or 201 and 202a, CO (ppmv) - EPA Method 10 or ARB Method 100, CO<sub>2</sub> - EPA Method 3 or ARB Method 100, VOC - EPA Method 18 or 25 or ARB Method 100, stack gas oxygen - EPA Method 3 or 3A or ARB Method 100, ammonia - BAAQMD ST-1B, Stack Gas Flow Rate - EPA Method 2, Moisture Content - EPA Method 4, Fuel Heating Value - ASTM Method D2015-85 or E711. EPA approved alternative test methods as approved by the District may also be used to address the source testing requirements of this permit. The request to utilize EPA approved alternative source testing methods must be submitted in writing and written approval received from the District prior to the submission of the source test plan. [District Rules 1081, 4001, and 4352]
33. Permittee shall submit a written report to the APCO for each calendar quarter, within 30 days of the end of the quarter, including: time intervals, data and magnitude of excess emissions; nature and cause of excess (averaging period used for data reporting shall correspond to the averaging period for each respective emission standard); corrective actions taken and preventive measures adopted; applicable time and date of each period during a CEM was inoperative (except for zero and span checks) and the nature of system repairs and adjustments; a negative declaration when no excess emissions occurred, and reports on opacity monitors giving the number of three minute periods during which the average opacity exceeded the standard for each hour of operation. The averaged may be obtained by integration over the averaging period or by arithmetically averaging a minimum of four equally spaced instantaneous opacity measurements per minute. Any time exempted shall be considered before determining the excess averages of opacity. [District Rule 1080]
34. Permittee shall maintain accurate records of continuous emissions monitoring (CEM) results, dates of occurrences and duration of start-up, shutdown, malfunction, performance testing, evaluations, calibrations, checks, adjustments and maintenance, and daily records of propane fuel usage. [District Rules 1080 and 2201]
35. The owner/operator shall maintain an operating log that includes the type and quantity of fuel used (hourly and annually) and the hhv of each fuel as determined by District Rule 4352, section 6.4 (as amended 05/18/06), or as certified by a third party fuel supplier. [District Rule 4352]
36. The owner/operator shall maintain an operating log that includes the number of days of operation of the fluidized bed combustor and daily and annual natural gas usage of the preheat burner. [District Rule 1070]
37. All records shall be maintained for a period of at least five years and made available for District inspection upon request. [District Rule 1070]
38. When handling bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, wind barriers with less than 50% porosity shall also be used. [District Rules 8011 and 8031]
39. When storing bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, all bulk material piles shall also be either maintained with a stabilized surface as defined in Section 3.58 of District Rule 8011, or shall be protected with suitable covers or barriers as prescribed in Table 8031-1, Section B, of District Rule 8031. [District Rules 8011 and 8031]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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40. When transporting bulk materials outside an enclosed structure or building, all bulk material transport vehicles shall limit Visible Dust Emissions to 20% opacity by either limiting vehicular speed, maintaining sufficient freeboard on the load, applying water to the top of the load, or covering the load with a tarp or other suitable cover. [District Rules 8011 and 8031]
41. All outdoor chutes and conveyors shall be controlled by any of the following options: 1) full enclosure, 2) operation with water spray equipment that sufficiently wets materials to limit VDE to 20% opacity, or 3) the concentration of particles having an aerodynamic diameter of 10 microns or less in the conveyed material shall be sufficiently small to limit VDE to 20% opacity. [District Rules 8011 and 8031]
42. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/04) or Rule 8011(8/19/04). [District Rules 8011 and 8041]
43. Where dusting materials are allowed to accumulate on paved surfaces, the accumulation shall be removed daily or water and/or chemical/organic dust stabilizers/suppressants shall be applied to the paved surface as required to maintain continuous compliance with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011 and limit Visible Dust Emissions (VDE) to 20% opacity. [District Rule 8011 and 8071]
44. On each day that 50 or more Vehicle Daily Trips or 25 or more Vehicle Daily Trips with 3 axles or more will occur on an unpaved vehicle/equipment traffic area, permittee shall apply water, gravel, roadmix, or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District-approved control measure as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011. [District Rule 8011 and 8071]
45. Whenever any portion of the site becomes inactive, permittee shall restrict access and periodically stabilize any disturbed surface to comply with the conditions for a stabilized surface as defined in Section 3.58 of District Rule 8011. [District Rules 8011 and 8071]
46. Records and other supporting documentation shall be maintained as required to demonstrate compliance with the requirements of the rules under Regulation VIII only for those days that a control measure was implemented. Such records shall include the type of control measure(s) used, the location and extent of coverage, and the date, amount, and frequency of application of dust suppressant, manufacturer's dust suppressant product information sheet that identifies the name of the dust suppressant and application instructions. Records shall be kept for one year following project completion that results in the termination of all dust generating activities. [District Rules 8011, 8031, and 8071]

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# San Joaquin Valley Air Pollution Control District

PERMIT UNIT: C-6923-4-0

EXPIRATION DATE: 04/30/2013

## EQUIPMENT DESCRIPTION:

14,500 GALLON PER MINUTE MECHANICAL/INDUCED DRAFT COOLING TOWER WITH 2 CELLS SERVED BY DRIFT ELIMINATORS

## PERMIT UNIT REQUIREMENTS

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1. All equipment shall be maintained in good operating condition and shall be operated in a manner to minimize emissions of air contaminants into the atmosphere. [District NSR Rule]
2. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
3. 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. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
5. Operating schedule shall not exceed 337 days per year. [District Rule 2201]
6. No hexavalent chromium containing compounds shall be added to cooling tower circulating water. [District Rule 7012]
7. Drift eliminator drift rate shall not exceed 0.005%. [District Rule 2201]
8. PM10 emission rate for the cooling tower shall not exceed 8.7 lb/day. [District Rule 2201]
9. Compliance with the PM10 daily emission limit shall demonstrated as follows:  $PM10 \text{ lb/day} = \text{water recirculation rate} \times \text{total dissolved solids concentration in the blowdown water} \times \text{design drift rate}$ . [District Rule 2201]
10. Compliance with PM10 emission limit shall be determined by blowdown water sample analysis by independent laboratory within 60 days of initial operation and quarterly thereafter. [District Rule 1081]
11. When handling bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, wind barriers with less than 50% porosity shall also be used. [District Rules 8011 and 8031]
12. When storing bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, all bulk material piles shall also be either maintained with a stabilized surface as defined in Section 3.58 of District Rule 8011, or shall be protected with suitable covers or barriers as prescribed in Table 8031-1, Section B, of District Rule 8031. [District Rules 8011 and 8031]
13. When transporting bulk materials outside an enclosed structure or building, all bulk material transport vehicles shall limit Visible Dust Emissions to 20% opacity by either limiting vehicular speed, maintaining sufficient freeboard on the load, applying water to the top of the load, or covering the load with a tarp or other suitable cover. [District Rules 8011 and 8031]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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14. All outdoor chutes and conveyors shall be controlled by any of the following options: 1) full enclosure, 2) operation with water spray equipment that sufficiently wets materials to limit VDE to 20% opacity, or 3) the concentration of particles having an aerodynamic diameter of 10 microns or less in the conveyed material shall be sufficiently small to limit VDE to 20% opacity. [District Rules 8011 and 8031]
15. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/04) or Rule 8011(8/19/04). [District Rules 8011 and 8041]
16. Where dusting materials are allowed to accumulate on paved surfaces, the accumulation shall be removed daily or water and/or chemical/organic dust stabilizers/suppressants shall be applied to the paved surface as required to maintain continuous compliance with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011 and limit Visible Dust Emissions (VDE) to 20% opacity. [District Rule 8011 and 8071]
17. On each day that 50 or more Vehicle Daily Trips or 25 or more Vehicle Daily Trips with 3 axles or more will occur on an unpaved vehicle/equipment traffic area, permittee shall apply water, gravel, roadmix, or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District-approved control measure as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011. [District Rule 8011 and 8071]
18. Whenever any portion of the site becomes inactive, permittee shall restrict access and periodically stabilize any disturbed surface to comply with the conditions for a stabilized surface as defined in Section 3.58 of District Rule 8011. [District Rules 8011 and 8071]
19. Records and other supporting documentation shall be maintained as required to demonstrate compliance with the requirements of the rules under Regulation VIII only for those days that a control measure was implemented. Such records shall include the type of control measure(s) used, the location and extent of coverage, and the date, amount, and frequency of application of dust suppressant, manufacturer's dust suppressant product information sheet that identifies the name of the dust suppressant and application instructions. Records shall be kept for one year following project completion that results in the termination of all dust generating activities. [District Rules 8011, 8031, and 8071]

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# San Joaquin Valley Air Pollution Control District

**PERMIT UNIT:** C-6923-5-1

**EXPIRATION DATE:** 04/30/2013

**EQUIPMENT DESCRIPTION:**

FLY ASH HANDLING, STORAGE AND LOAD OUT OPERATION CONSISTING OF FLY ASH STORAGE SILO SERVED BY THE PULSE JET BAGHOUSE IDENTIFIED IN PERMIT C-6923-3-0, TOTALLY ENCLOSED ROTARY FEEDERS, SCREW CONVEYORS, DRAG CHAIN CONVEYORS, AND A WET CONDITIONING SCREW CONVEYOR

## PERMIT UNIT REQUIREMENTS

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1. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
2. 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]
3. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
4. Material removed from dust collector(s) shall be disposed of in a manner preventing entrainment into the atmosphere. [District NSR Rule]
5. There shall be no visible emissions from the fly ash transfer operation, for a period or periods aggregating more than three minutes in any one hour. [District Rules 2201 and 4101]
6. PM10 emissions rate from each conveyor shall not exceed 0.000046 lb PM10/ton fly ash. [District Rule 2201]
7. The maximum throughput of fly ash in the fly ash storage silo, as measured by the load out operation, shall not exceed either of the following limits: 48 tons/day or 11,000 tons/year. [District Rule 2201]
8. PM10 emissions rate from the fly ash silo loading operation shall not exceed 0.00034 lb PM10/ton fly ash. [District Rule 2201]
9. Records of daily amount of fly ash generated (in tons) at the facility shall be maintained, retained on-site for a period of at least five (5) years and made available for District inspection upon request. [District Rules 1070 and 2201]
10. Records of the daily amount of fly ash processed (in tons) by load out operation shall be maintained, retained on-site for a period of at least five (5) years and made available for District inspection upon request. [District Rules 1070 and 2201]
11. When handling bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, wind barriers with less than 50% porosity shall also be used. [District Rules 8011 and 8031]
12. When storing bulk materials outside an enclosed structure or building, water or chemical/organic stabilizers/suppressants shall be applied as required to limit Visible Dust Emissions to a maximum of 20% opacity. When necessary to achieve this opacity limitation, all bulk material piles shall also be either maintained with a stabilized surface as defined in Section 3.58 of District Rule 8011, or shall be protected with suitable covers or barriers as prescribed in Table 8031-1, Section B, of District Rule 8031. [District Rules 8011 and 8031]
13. When transporting bulk materials outside an enclosed structure or building, all bulk material transport vehicles shall limit Visible Dust Emissions to 20% opacity by either limiting vehicular speed, maintaining sufficient freeboard on the load, applying water to the top of the load, or covering the load with a tarp or other suitable cover. [District Rules 8011 and 8031]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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14. All outdoor chutes and conveyors shall be controlled by any of the following options: 1) full enclosure, 2) operation with water spray equipment that sufficiently wets materials to limit VDE to 20% opacity, or 3) the concentration of particles having an aerodynamic diameter of 10 microns or less in the conveyed material shall be sufficiently small to limit VDE to 20% opacity. [District Rules 8011 and 8031]
15. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/04) or Rule 8011(8/19/04). [District Rules 8011 and 8041]
16. Where dusting materials are allowed to accumulate on paved surfaces, the accumulation shall be removed daily or water and/or chemical/organic dust stabilizers/suppressants shall be applied to the paved surface as required to maintain continuous compliance with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011 and limit Visible Dust Emissions (VDE) to 20% opacity. [District Rule 8011 and 8071]
17. On each day that 50 or more Vehicle Daily Trips or 25 or more Vehicle Daily Trips with 3 axles or more will occur on an unpaved vehicle/equipment traffic area, permittee shall apply water, gravel, roadmix, or chemical/organic dust stabilizers/suppressants, vegetative materials, or other District-approved control measure as required to limit Visible Dust Emissions to 20% opacity and comply with the requirements for a stabilized unpaved road as defined in Section 3.59 of District Rule 8011. [District Rule 8011 and 8071]
18. Whenever any portion of the site becomes inactive, permittee shall restrict access and periodically stabilize any disturbed surface to comply with the conditions for a stabilized surface as defined in Section 3.58 of District Rule 8011. [District Rules 8011 and 8071]
19. Records and other supporting documentation shall be maintained as required to demonstrate compliance with the requirements of the rules under Regulation VIII only for those days that a control measure was implemented. Such records shall include the type of control measure(s) used, the location and extent of coverage, and the date, amount, and frequency of application of dust suppressant, manufacturer's dust suppressant product information sheet that identifies the name of the dust suppressant and application instructions. Records shall be kept for one year following project completion that results in the termination of all dust generating activities. [District Rules 8011, 8031, and 8071]

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## Attachment D

# Stringency Analysis of District Rule 4601

**Stringency Comparison of District Rule 4601 Non-SIP Version (12/17/09) to Current SIP Version (10/31/01)**

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
2.0 Applicability	This rule is applicable to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures any architectural coating for use within the District.	This rule is applicable to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures, blends or repackages any architectural coating for use within the District.	No change in the applicability, therefore, non-SIP version of rule is as stringent as SIP version.
4.0 Exemptions	<p>The provisions of this rule shall not apply to:</p> <p>4.1 Any architectural coating that is sold or manufactured for use outside of the District or for shipment to other manufacturers for reformulation or repackaging.</p> <p>4.2 Any architectural coating that is sold in a containers with a volume of one liter (1.057 quarts) or less.</p> <p>4.3 Any aerosol coating product.</p>	<p>4.1 The provisions of this rule shall not apply to:</p> <p>4.1.1 Any architectural coating that is supplied, sold, offered for sale, or manufactured for use outside of the District or for shipment to other manufacturers for reformulation or repackaging.</p> <p>4.1.2 Any aerosol coating product.</p> <p>4.2 With the exception of Section 6.2, the provisions of this rule shall not apply to any architectural coating that is sold in a container with a volume of one liter (1.057 quarts) or less.</p>	The only change is to require reporting requirements as discussed in Section 6.2 of the non-SIP approved version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.
5.0 Requirements	<b>Note: Section 5.0 requirements refer to Table of Standards, Table of Standards 1, and Table of Standards 2.</b>		
	<p>5.1 VOC Content Limits: Except as provided in Sections 5.2, 5.3, 5.8 and 8.0, no person shall;</p> <p>5.1.1 manufacture, blend, or repackage for sale within the District;</p> <p>5.1.2 supply, sell, or offer for sale within the district;</p> <p>5.1.3 solicit for application or apply within the District any architectural coating with a VOC content in excess of the corresponding limit specified in the Table of Standards, after the specified effective date in the Table of Standards.</p>	<p>5.1 VOC Content Limits: Except as provided in Sections 5.2 and 5.3, no person shall: manufacture, blend, or repackage for use within the District; or supply, sell, or offer for sale within the District; or solicit for application or apply within the District any architectural coating with a VOC content in excess of the corresponding limit specified in the Table of Standards 1 or the Table of Standards 2, after the specified effective date in the Table of Standards 1 or the Table of Standards 2. Limits are expressed as VOC Regulatory, thinned to the manufacturer's maximum thinning recommendation, excluding any colorant added to tint bases.</p>	Sections 5.8 and 8.0 of the SIP version are not included in the non-SIP version. As discussed in corresponding sections the non-SIP version is more stringent. The Table of Standards and Table of Standards 1 have the same VOC limits. Table of Standard 2 is more stringent as discussed below. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.
	<p>5.2 Most Restrictive VOC Limit: If anywhere on the container of any architectural coating, or any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf, any representation is made that indicates that the coating meets the definition of or is recommended for use for more than one of the coating categories listed in the Table of Standards, then the most restrictive VOC content limit shall apply. This provision does not apply to the following coating categories:</p> <p>5.2.1 Lacquer coatings (including lacquer sanding sealers)</p> <p>5.2.2 Metallic pigmented coatings</p> <p>5.2.3 Shellacs</p> <p>5.2.4 Fire-retardant coatings</p> <p>5.2.5 Pretreatment wash primers</p> <p>5.2.6 Industrial maintenance coatings</p> <p>5.2.7 Low-solids coatings</p> <p>5.2.8 Wood preservatives</p>	<p>5.2 Most Restrictive VOC Limit: If a coating meets the definition in Section 3.0 for one or more specialty coating categories listed in the Table of Standards 1 or the Table of Standards 2, then that coating is not required to meet the VOC limits for Flat, Nonflat, or Nonflat – High Gloss coatings, but is required to meet the VOC limit for the applicable specialty coating listed in the Table of Standards 1 or the Table of Standards 2.</p> <p>5.2.1 Effective until December 31, 2010, with the exception of the specialty coating categories specified in Section 5.2.3.1 through 5.2.3.15, if a coating is recommended for use in more than one of the specialty coating categories listed in the Table of Standards 1, the most restrictive (or lowest) VOC content limit shall apply.</p> <p>5.2.2 Effective on and after January 1, 2011, with the exception of the specialty coating categories</p>	The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	5.2.9 High temperature coatings 5.2.10 Temperature-indicator safety coatings 5.2.11 Antenna coatings 5.2.12 Antifouling coatings 5.2.13 Flow coatings 5.2.14 Bituminous roof primers 5.2.15 Specialty primers, sealers and undercoaters	specified in Sections 5.2.3.2, 5.2.3.3, 5.2.3.5 through 5.2.3.9, and 5.2.3.14 through 5.2.3.18, if a coating is recommended for use in more than one of the specialty coating categories listed in the Table of Standards 2, the most restrictive (or lowest) VOC content limit shall apply. 5.2.3 This requirement applies to: usage recommendations that appear anywhere on the coating container, anywhere on any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf. 5.2.3.1 Lacquer coatings (including lacquer sanding sealers) 5.2.3.2 Metallic pigmented coatings 5.2.3.3 Shellacs 5.2.3.4 Fire-retardant coatings 5.2.3.5 Pretreatment wash primers 5.2.3.6 Industrial maintenance coatings 5.2.3.7 Low-solids coatings 5.2.3.8 Wood preservatives 5.2.3.9 High temperature coatings 5.2.3.10 Temperature-indicator safety coatings 5.2.3.11 Antenna coatings 5.2.3.12 Antifouling coatings 5.2.3.13 Flow coatings 5.2.3.14 Bituminous roof primers 5.2.3.15 Specialty primers, sealers and undercoaters 5.2.3.16 Aluminum roof coatings 5.2.3.17 Zinc-rich primers 5.2.3.18 Wood Coatings	
	5.3 Sell-Through of Coatings: 5.3.1 A coating manufactured prior to the January 1, 2003 or January 1, 2004 effective date specified for that coating in the Table of Standards may be sold, supplied, or offered for sale for up to three years after the specified effective date. In addition, a coating manufactured before the effective date specified for that coating in the Table of Standards may be applied at any time, both before and after the specified effective date, so long as the coating complied with the standards in effect at the time the coating was manufactured. This Section 5.3 does not apply to any coating that does not display the date or date-code required by Section 6.1.1. 5.3.2 A coating included in an approved Averaging Program that does not comply with the specified limit in the Table of Standards may be sold,	5.3 Sell-Through of Coatings: A coating manufactured prior to the effective date specified for that coating in the Table of Standards 1 or the Table of Standards 2, and that complied with the standards in effect at the time the coating was manufactured, may be sold, supplied, or offered for sale for up to three years after the specified effective date. In addition, a coating manufactured before the effective date specified for that coating in the Table of Standards 1 or the Table of Standards 2 may be applied at any time, both before and after the specified effective date, so long as the coating complied with the standards in effect at the time the coating was manufactured. This Section 5.3 does not apply to any coating that does not display the date or date-code required by Section 6.1.1.	The VOC limit of the non-SIP version is at least as stringent as the SIP version. Section 5.3.2 was removed it is no longer applicable in the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.

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	<p>supplied, or offered for sale for up to three years after the end of the compliance period specified in the approved Averaging Program. In addition, such a coating may be applied at any time, both during and after the compliance period. This Section 5.3.2 does not apply to any coating that does not display on the container either the statement: "This product is subject to architectural coatings averaging provisions in California" or a substitute symbol specified by the Executive Officer of the California Air Resources Board (ARB). This Section 5.3.2 shall remain in effect until January 1, 2008.</p>		
	<p>5.4 Painting Practices: All architectural coating containers used to apply the contents therein to a surface directly from the container by pouring, siphoning, brushing, rolling, padding, ragging or other means, shall be closed when not in use. These architectural coating containers include, but are not limited to, drums, buckets, cans, pails, trays or other application containers. Containers of any VOC containing materials used for thinning and cleanup shall also be closed when not in use.</p>	<p>5.4 Painting Practices: All architectural coating containers used to apply the contents therein to a surface directly from the container by pouring, siphoning, brushing, rolling, padding, ragging or other means, shall be closed when not in use. These architectural coating containers include, but are not limited to, drums, buckets, cans, pails, trays or other application containers. Containers of any VOC-containing materials used for thinning and cleanup shall also be closed when not in use.</p>	<p>No change in the requirements, therefore, non-SIP version of rule is as stringent as SIP version.</p>
	<p>5.5 Thinning: No person who applies or solicits the application of any architectural coating shall apply a coating that is thinned to exceed the applicable VOC limit specified in the Table of Standards.</p>	<p>5.5 Thinning: No person who applies or solicits the application of any architectural coating shall apply a coating that is thinned to exceed the applicable VOC limit specified in the Table of Standards 1 or the Table of Standards 2.</p>	<p>The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>
	<p>5.6 Rust Preventative Coatings: Effective January 1, 2004, no person shall apply or solicit the application of any rust preventative coating for industrial use, unless such a rust preventative coating complies with the industrial maintenance coating VOC limit specified in the Table of Standards.</p>	<p>5.6 Rust Preventative Coatings: Effective through December 31, 2010, no person shall apply or solicit the application of any rust preventative coating for industrial use, unless such a rust preventative coating complies with the industrial maintenance coating VOC limit specified in the Table of Standards 1.</p>	<p>The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>
	<p>5.7 Coatings Not Listed in the Table of Standards: For any coating that does not meet any of the definitions for the specialty coatings categories listed in the Table of Standards, the VOC content limit shall be determined by classifying the coating as a flat coating or a nonflat coating, based on its gloss, as defined in Sections 3.21, 3.36 and 3.37 and the corresponding flat or nonflat VOC limit shall apply.</p>	<p>5.7 Coatings Not Listed in the Table of Standards 1 or the Table of Standards 2: For any coating that does not meet any of the definitions for the specialty coatings categories listed in the Table of Standards 1 or the Table of Standards 2, the VOC content limit shall be determined by classifying the coating as a Flat, Nonflat, or Nonflat – High Gloss coating, based on its gloss, and the corresponding Flat, Nonflat, or Nonflat – High Gloss VOC limit in the Table of Standards 1 or the Table of Standards 2 shall apply.</p>	<p>The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>
	<p>5.8 Lacquers: Notwithstanding the provisions of Section 3.1, a person or facility may add up to 10 percent by volume of VOC to a lacquer to avoid blushing of the finish during days with relative humidity greater than 70 percent and temperature below</p>	<p>---</p>	<p>This section has been removed. The operation is required to meet the lacquer VOC limit regardless of temperature and</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	65°F, at the time of application, provided that the coating contains acetone and no more than 550 grams of VOC per liter of coating, less water and exempt compounds, prior to the addition of VOC.		humidity. Therefore, non-SIP version of rule is as stringent as SIP version
	5.9 Averaging Compliance Option: On or after January 1, 2003, in lieu of compliance with the specified limits in The Table of Standards for floor coatings; industrial maintenance coatings; primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters; quick-dry enamels; roof coatings; bituminous roof coatings; rust preventative coatings; stains; waterproofing sealers, as well as flats and non-flats (excluding recycled coatings), manufacturers may average designated coatings such that their actual cumulative emissions from the averaged coatings are less than or equal to the cumulative emissions that would have been allowed under those limits over a compliance period not to exceed one year. Such manufacturers must also comply with the averaging provisions contained in Section 8.0, as well as maintain and make available for inspection records for at least three years after the end of the compliance period. This Section 5.9 and Section 8.0 shall cease to be effective on January 1, 2005, after which averaging will no longer be allowed.	---	This section is removed from the non-SIP version, it is no longer applicable. Therefore, non-SIP version of rule is as stringent as SIP version.
	---	5.8 Prior to January 1, 2011, any coating that meets a definition in Section 3.0 for a coating category listed in the Table of Standards 2 and complies with the applicable VOC limit in the Table of Standards 2 and with Sections 5.2 and 6.1 (including those provision of Section 6.1 otherwise effective on January 1, 2011) shall be considered in compliance with this rule.	Table of Standards 2 is more stringent than the VOC limits of Table of Standards in the SIP-Approved version. Therefore, non-SIP version of rule is as stringent as SIP version.
	Table of Standards (See Attachment X for Table)	Table of Standards 1 (Effective through 12/31/10) (See Attachment X for Table)	The non-SIP rule requirements are the same as the Table of Standards in the SIP approved rule, except Table of Standards 1 expires at which time Table of Standards 2 is in effect. As discussed below these standards are more stringent. Therefore, non-SIP version of rule is as stringent as SIP version.
		Table of Standards 2 (Effective on and after 1/1/11) (See Attachment X for Table)	The requirements of Table of Standards 2 are more stringent than the Table of Standards in the SIP rule. Therefore, non-SIP version of rule is as stringent as SIP version.
<b>6.0 Administrative Requirements</b>	6.1 Labeling Requirements: Each manufacturer of any architectural coating subject to this rule shall display the information listed in Sections 6.1.1 through 6.1.9 on the coating container (or	6.1 Labeling Requirements: Each manufacturer of any architectural coating subject to this rule shall display the information listed in Sections 6.1.1 through	The non-SIP approved rule contain sections listed in the SIP rule plus additional requirements

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>label) in which the coating is sold or distributed.</p> <p>6.1.1 Date Code: The date the coating was manufactured, or a date code representing the date, shall be indicated on the label, lid or bottom of the container. If the manufacturer uses a date code for any coating, the manufacturer shall file an explanation of each code with the Executive Officer of the ARB.</p> <p>6.1.2 Thinning Recommendations: A statement of the manufacturer's recommendation regarding thinning of the coating shall be indicated on the label or lid of the container. This requirement does not apply to the thinning of architectural coatings with water. If thinning of the coating prior to use is not necessary, the recommendation must specify that the coating is to be applied without thinning.</p> <p>6.1.3 VOC Content: Each container of any coating subject to this rule shall display either the maximum or actual VOC content of the coating, as supplied, including the maximum thinning as recommended by the manufacturer. VOC content shall be displayed in grams of VOC per liter of coating. VOC content displayed shall be calculated using product formulation data, or shall be determined using the test methods in Section</p> <p>6.3.1. The equations in Sections 3.25 or 3.26, as appropriate, shall be used to calculate VOC content.</p> <p>6.1.4 Industrial Maintenance Coatings: In addition to the information specified in Sections 6.1.1, 6.1.2 and 6.1.3, each manufacturer of any industrial maintenance coating subject to this rule shall display on the label or lid of the container in which the coating is sold or distributed one or more of the following descriptions listed in Section 6.1.4.1 through 6.1.4.3.</p> <p>6.1.4.1 "For industrial use only"</p> <p>6.1.4.2 "For professional use only"</p> <p>6.1.4.3 "Not for residential use" or "Not intended for residential use"</p> <p>6.1.5 Clear Brushing Lacquers: Effective January 1, 2003, the labels of all clear brushing lacquers shall prominently display the statements "For brush application only," and "This product must not be thinned or sprayed."</p> <p>6.1.6 Rust Preventative Coatings: Effective January 1, 2003, the labels of all rust preventative coatings shall prominently display the statement "For Metal Substrates Only"</p> <p>6.1.7 Specialty Primers, Sealers and Undercoaters: Effective January 1, 2003, the labels of all specialty primers, sealers and undercoaters shall prominently display one or more of the descriptions</p>	<p>6.1.14 on the coating container (or label) in which the coating is sold or distributed.</p> <p>6.1.1 Date Code: The date the coating was manufactured, or a date code representing the date, shall be indicated on the label, lid or bottom of the container. If the manufacturer uses a date code for any coating, the manufacturer shall file an explanation of each code with the Executive Officer of the ARB.</p> <p>6.1.2 Thinning Recommendations: A statement of the manufacturer's recommendation regarding thinning of the coating shall be indicated on the label or lid of the container. This requirement does not apply to the thinning of architectural coatings with water. If thinning of the coating prior to use is not necessary, the recommendation must specify that the coating is to be applied without thinning.</p> <p>6.1.3 VOC Content: Each container of any coating subject to this rule shall display one of the following values, in grams of VOC per liter of coating:</p> <p>6.1.3.1 Maximum VOC Content, as determined from all potential product formulations; or</p> <p>6.1.3.2 VOC Content, as determined from actual formulation data; or</p> <p>6.1.3.3 VOC Content, as determined using the test methods in Section 6.3.2.</p> <p>If the manufacturer does not recommend thinning, the container must display the VOC Content, as supplied. If the manufacturer recommends thinning, the container must display the VOC Content, including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multicomponent product, the container must display the VOC content as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing.</p> <p>6.1.4 Faux Finishing Coatings: Effective January 1, 2011, the labels of all clear topcoat Faux Finishing coatings shall prominently display the statement "This product can only be sold or used as part of a Faux Finishing coating system".</p> <p>6.1.5 Industrial Maintenance Coatings: Each manufacturer of any industrial maintenance coating subject to this rule shall display on the label or lid of the container in which the coating is</p>	<p>not found in the SIP version. Therefore, non-SIP version of rule is as stringent as SIP version.</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>listed in Section 6.1.7.1 through 6.1.7.5.</p> <p>6.1.7.1 For blocking stains.</p> <p>6.1.7.2 For fire-damaged substrates.</p> <p>6.1.7.3 For smoke-damaged substrates.</p> <p>6.1.7.4 For water-damaged substrates.</p> <p>6.1.7.5 For excessively chalky substrates.</p> <p>6.1.8 Quick Dry Enamels: Effective January 1, 2003, the labels of all quick dry enamels shall prominently display the words "Quick Dry" and the dry hard time.</p> <p>6.1.9 Non-flat – High Gloss Coatings: Effective January 1, 2003, the labels of all non-flat – high gloss coatings shall prominently display the words "High Gloss".</p>	<p>sold or distributed one or more of the following descriptions listed in Section 6.1.5.1 through 6.1.5.3.</p> <p>6.1.5.1 "For industrial use only"</p> <p>6.1.5.2 "For professional use only"</p> <p>6.1.5.3 "Not for residential use" or "Not intended for residential use"</p> <p>6.1.6 Clear Brushing Lacquers: The labels of all clear brushing lacquers shall prominently display the statements "For brush application only," and "This product must not be thinned or sprayed." (Category deleted effective January 1, 2011.)</p> <p>6.1.7 Rust Preventative Coatings: The labels of all rust preventative coatings shall prominently display the statement "For Metal Substrates Only".</p> <p>6.1.8 Specialty Primers, Sealers and Undercoaters: Effective until December 31, 2010, the labels of all specialty primers, sealers and undercoaters shall prominently display one or more of the descriptions listed in Section 6.1.8.1 through 6.1.8.5. Effective on and after January 1, 2011, the labels of all specialty primers, sealers, and undercoaters shall prominently display one or more of the descriptions listed in Sections 6.1.8.1 through 6.1.8.3. On and after January 1, 2011, Sections 6.1.8.4 and 6.1.8.5 will be no longer effective.</p> <p>6.1.8.1 For fire-damaged substrates.</p> <p>6.1.8.2 For smoke-damaged substrates.</p> <p>6.1.8.3 For water-damaged substrates.</p> <p>6.1.8.4 For excessively chalky substrates.</p> <p>6.1.8.5 For blocking stains.</p> <p>6.1.9 Quick Dry Enamels: The labels of all quick dry enamels shall prominently display the words "Quick Dry" and the dry hard time. (Category deleted effective January 1, 2011.)</p> <p>6.1.10 Reactive Penetrating Sealers: Effective January 1, 2011, the labels of all Reactive Penetrating Sealers shall prominently display the statement "Reactive Penetrating Sealer."</p> <p>6.1.11 Stone Consolidants: Effective January 1, 2011, the labels of all Stone Consolidants shall prominently display the statement "Stone Consolidant - For Professional Use Only."</p> <p>6.1.12 Nonflat– High Gloss Coatings: The labels of all Nonflat – high gloss coatings shall prominently display the words "High Gloss."</p> <p>6.1.13 Wood Coatings: Effective January</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>1, 2011, the labels of all Wood Coatings shall prominently display the statement "For Wood Substrates Only."</p> <p>6.1.14 Zinc Rich Primers: Effective January 1, 2011, the labels of all Zinc Rich Primers shall prominently display one or more of the following descriptions listed in Section 6.1.14.1 through 6.1.14.3.</p> <p>6.1.14.1 "For industrial use only"</p> <p>6.1.14.2 "For professional use only"</p> <p>6.1.14.3 "Not for residential use" or "Not intended for residential use"</p>	
	<p>6.2 Reporting Requirements</p> <p>6.2.1 Clear Brushing Lacquers: Each manufacturer of clear brushing lacquers shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of clear brushing lacquers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.2 Rust Preventative Coatings: Each manufacturer of rust preventative coatings shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of rust preventative coatings sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.3 Specialty Primers, Sealers and Undercoaters: Each manufacturer of specialty primers, sealers and undercoaters shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of specialty primers, sealers and undercoaters sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.4 Toxic Exempt Compounds: For each architectural coating that contains perchloroethylene or methylene chloride, the manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB the following information for products sold in the State during the preceding year:</p> <p>6.2.4.1 the product brand name and a copy of the product label with legible usage instructions;</p> <p>6.2.4.2 the product category listed in</p>	<p>6.2 Reporting Requirements</p> <p>The reporting requirements specified in Sections 6.2.1 through 6.2.6 shall apply until December 31, 2010.</p> <p>6.2.1 Clear Brushing Lacquers: Each manufacturer of clear brushing lacquers shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of clear brushing lacquers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.2 Rust Preventative Coatings: Each manufacturer of rust preventative coatings shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of rust preventative coatings sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.3 Specialty Primers, Sealers and Undercoaters: Each manufacturer of specialty primers, sealers and undercoaters shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of specialty primers, sealers and undercoaters sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.4 Toxic Exempt Compounds: For each architectural coating that contains perchloroethylene or methylene chloride, the manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer</p>	<p><b>Until December 31, 2010 both versions of the rule have the same reporting requirements. After that date the non-SIP approved rule includes very specific information to be kept and is required for all architectural coatings. Therefore, non-SIP version of rule is as stringent as SIP version.</b></p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>the Table of Standards to which the coating belongs;</p> <p>6.2.4.3 the total sales in California during the calendar year to the nearest gallon;</p> <p>6.2.4.4 the volume percent, to the nearest 0.10 percent, of perchloroethylene and methylene chloride in the coating.</p> <p>6.2.5 Recycled Coatings: Manufacturers of recycled coatings must submit a letter to the Executive Officer of the ARB certifying their status as a Recycled Paint Manufacturer. The manufacturer shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall include, for all recycled coatings, the total number of gallons distributed in the State during the preceding year, and shall describe the method used by the manufacturer to calculate State distribution.</p> <p>6.2.6 Bituminous Coatings: Each manufacturer of bituminous roof coatings or bituminous roof primers shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of ARB. The report shall specify the number of gallons of bituminous roof coatings or bituminous roof primers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p>	<p>of the ARB the following information for products sold in the State during the preceding year:</p> <p>6.2.4.1 the product brand name and a copy of the product label with legible usage instructions;</p> <p>6.2.4.2 the product category listed in the Table of Standards 1 or the Table of Standards 2 to which the coating belongs;</p> <p>6.2.4.3 the total sales in California during the calendar year to the nearest gallon;</p> <p>6.2.4.4 the volume percent, to the nearest 0.10 percent, of perchloroethylene and methylene chloride in the coating.</p> <p>6.2.5 Recycled Coatings: Manufacturers of recycled coatings must submit a letter to the Executive Officer of the ARB certifying their status as a Recycled Paint Manufacturer. The manufacturer shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall include, for all recycled coatings, the total number of gallons distributed in the State during the preceding year, and shall describe the method used by the manufacturer to calculate State distribution.</p> <p>6.2.6 Bituminous Coatings: Each manufacturer of bituminous roof coatings or bituminous roof primers shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of ARB. The report shall specify the number of gallons of bituminous roof coatings or bituminous roof primers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate state sales.</p> <p>6.2.7 Effective on and after January 1, 2011, Sales Data: All sales data listed in Sections 6.2.7.1 to 6.2.7.14 shall be maintained on-site by the responsible official for a minimum of three years. A responsible official from each manufacturer shall upon request of the Executive Officer of the ARB, or his or her delegate, provide data concerning the distribution and sales of architectural coatings. Sales data submitted by the responsible official to the Executive Officer of the ARB may be claimed as confidential, and such information shall be handled in accordance with the procedures specified in Title 17, California Code of Regulations</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>Sections 91000-91022. The responsible official shall within 180 days provide information, including, but not limited to the data listed in Sections 6.2.7.1 through 6.2.7.14:</p> <p>6.2.7.1 the name and mailing address of the manufacturer;</p> <p>6.2.7.2 the name, address and telephone number of a contact person;</p> <p>6.2.7.3 the name of the coating product as it appears on the label and the applicable coating category;</p> <p>6.2.7.4 whether the product is marketed for interior or exterior use or both;</p> <p>6.2.7.5 the number of gallons sold in California in containers greater than one liter (1.057 quart) and equal to or less than one liter (1.057 quart);</p> <p>6.2.7.6 the VOC Actual content and VOC Regulatory content in grams per liter. If thinning is recommended, list the VOC Actual content and VOC Regulatory content after maximum recommended thinning. If containers less than one liter have a different VOC content than containers greater than one liter, list separately. If the coating is a multi-component product, provide the VOC content as mixed or catalyzed;</p> <p>6.2.7.7 the names and CAS numbers of the VOC constituents in the product;</p> <p>6.2.7.8 the names and CAS numbers of any compounds in the product specifically exempted from the VOC definition;</p> <p>6.2.7.9 whether the product is marketed as solvent-borne, waterborne, or 100% solids;</p> <p>6.2.7.10 description of resin or binder in the product;</p> <p>6.2.7.11 whether the coating is a single-component or multi-component product;</p> <p>6.2.7.12 the density of the product in pounds per gallon;</p> <p>6.2.7.13 the percent by weight of: solids, all volatile materials, water, and any compounds in the product specifically exempted from the VOC definition; and</p> <p>6.2.7.14 the percent by volume of: solids, water, and any compounds in the product specifically exempted from the VOC definition.</p>	
	6.3 Test Methods	6.3 Test Methods	The non-SIP version

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>6.3.1 VOC Content of Coatings: To determine the physical properties of a coating in order to perform the calculations in Section 3.26 and 3.27, the reference method for VOC content is U.S. EPA Method 24, except as provided in Sections 6.3.2 and 6.3.15. An alternative method to determine the VOC content of coatings is SCAQMD Method 304-91 (Revised February 1996), incorporated by reference in Section 6.3.14. The exempt compounds content shall be determined by SCAQMD Method 303-91 (Revised August 1996), incorporated by reference in Section 6.3.12. To determine the VOC content of a coating, the manufacturer may use U.S. EPA Method 24, or an alternative method as provided in Section 6.3.2, formulation data, or any other reasonable means for predicting that the coating has been formulated as intended (e.g., quality assurance checks, recordkeeping). However, if there are any inconsistencies between the results of a Method 24 test and any other means for determining VOC content, the Method 24 test results will govern, except when an alternative method is approved as specified in Section 6.3.2. The District Air Pollution Control Officer (APCO) may require the manufacturer to conduct a Method 24 analysis.</p> <p>6.3.2 Alternative Test Methods: Other test methods demonstrated to provide results that are acceptable for purposes of determining compliance with Section 6.3.1, after review and approved in writing by the staffs of the District, the ARB and the U.S. EPA, may also be used. 6.3.3 Methacrylate Traffic Marking Coatings: Analysis of methacrylate multicomponent coatings used as traffic marking coatings shall be conducted according to a modification of U.S. EPA Method 24 (40 CFR 59, subpart D, Appendix A), incorporated by reference in Section 6.3.15. This method has not been approved for methacrylate multicomponent coatings used for other purposes than as traffic marking coatings or for other classes of multicomponent coatings.</p> <p>6.3.4 Flame Spread Index: The flame spread index of a fire-retardant coating shall be determined by ASTM Designation E 84-99, "Standard Test Method for Surface Burning Characteristics of Building Materials"(see Section 3, Fire-Retardant Coating).</p> <p>6.3.5 Fire Resistance Rating: The fire resistance rating of a fire-resistive</p>	<p>The test methods listed below shall be used to demonstrate compliance with this rule. Alternate equivalent test methods may be used provided the test methods have been approved by the APCO and EPA.</p> <p>6.3.1 Calculation of VOC Content: For the purpose of determining compliance with the VOC content limits in the Table of Standards 1 or the Table of Standards 2, the VOC content of a coating shall be determined as defined in Section 3.77, 3.78, or 3.79 as appropriate. The VOC content of a tint base shall be determined without colorant that is added after the tint base is manufactured. If the manufacturer does not recommend thinning, the VOC Content must be calculated for the product as supplied. If the manufacturer recommends thinning, the VOC Content must be calculated including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multi-component product, the VOC content must be calculated as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOC during the curing process, the VOC content must include the VOCs emitted during curing.</p> <p>6.3.2 VOC Content of Coatings: To determine the physical properties of a coating in order to perform the calculations in Section 3.77 and 3.79, the reference method for VOC content is EPA Method 24, except as provided in Sections 6.3.3 and 6.3.16. An alternative method to determine the VOC content of coatings is SCAQMD Method 304-91 (Revised February 1996). The exempt compounds content shall be determined by SCAQMD Method 303-91 (Revised 1993), BAAQMD Method 43 (Revised 1996), or BAAQMD Method 41 (Revised 1995), as applicable. To determine the VOC content of a coating, the manufacturer may use EPA Method 24, or an alternative method as provided in Section 6.3.3, formulation data, or any other reasonable means for predicting that the coating has been formulated as intended (e.g., quality assurance checks, recordkeeping). However, if there are any inconsistencies between the results of EPA Method 24 test and any other means for determining VOC content, the EPA Method 24 test results will govern, except when</p>	<p>includes all the requirements of the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>coating shall be determined by ASTM Designation E 119-98, "Standard Test Methods for Fire Tests of Building Construction Materials"(see Section 3, Fire-Resistive Coating).</p> <p>6.3.6 Gloss Determination: The gloss of a coating shall be determined by ASTM Designation D 523-89 (1999), "Standard Test Method for Specular Gloss"(see Section 3, Flat Coating, Nonflat Coating, Nonflat-High Gloss Coating and Quick-Dry Enamel).</p> <p>6.3.7 Metal Content of Coatings: The metallic content of a coating shall be determined by SCAQMD Method 318-95, Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction, <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3, Metallic Pigmented Coating).</p> <p>6.3.8 Acid Content of Coatings: The acid content of a coating shall be determined by ASTM Designation D 1613-96, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer and related products"(see Section 3, Pre-Treatment Wash Primer).</p> <p>6.3.9 Drying Times: The set-to-touch, dry-hard, dry-to-touch and dry-to-recoat times of a coating shall be determined by ASTM Designation D 1640-95, "Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature" (see Section 3, Quick-Dry Enamel and Quick-Dry Primer, Sealer and Undercoater) The tack-free time of a quickdry enamel coating shall be determined by the Mechanical Test Method of ASTM Designation D 1640-95.</p> <p>6.3.10 Surface Chalkiness: The chalkiness of a surface shall be determined using ASTM Designation D4214-98, "Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films"(see Section 3, Specialty Primer, Sealer and Undercoater).</p> <p>6.3.11 Exempt Compounds—Siloxanes: Exempt compounds that are cyclic, branched, or linear completely methylated siloxanes, shall be analyzed as exempt compounds for compliance with Section 6 by BAAQMD Method 43, "Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 11/6/96 (see Section 3, Volatile Organic Compound, and Section 6.3.1).</p> <p>6.3.12 Exempt Compounds—Parachlorobenzotrifluoride (PCBTF):</p>	<p>an alternative method is approved as specified in Section 6.3.3. The District Air Pollution Control Officer (APCO) may require the manufacturer to conduct an EPA Method 24 analysis.</p> <p>6.3.3 Alternative Test Methods: Other test methods demonstrated to provide results that are acceptable for purposes of determining compliance with Section 6.3.2 4, after review and approved in writing by the staffs of the District, ARB and EPA, may also be used.</p> <p>6.3.4 Methacrylate Traffic Marking Coatings: Analysis of methacrylate multicomponent coatings used as traffic marking coatings shall be conducted according to a modification of EPA Method 24 (40 CFR 59, subpart D, Appendix A). This method has not been approved for methacrylate multicomponent coatings used for other purposes than as traffic marking coatings or for other classes of multicomponent coatings.</p> <p>6.3.5 Flame Spread Index: The flame spread index of a fire-retardant coating shall be determined by ASTM E84-07, "Standard Test Method for Surface Burning Characteristics of Building Materials" (see Section 3.0, Fire-Retardant Coating).</p> <p>6.3.6 Fire Resistance Rating: The fire resistance rating of a fire-resistive coating shall be determined by ASTM E119-07, "Standard Test Methods for Fire Tests of Building Construction Materials" (see Section 3.0, Fire-Resistive Coating).</p> <p>6.3.7 Gloss Determination: The gloss of a coating shall be determined by ASTM D523-89 (1999), "Standard Test Method for Specular Gloss" (see Section 3.0, Flat Coating, Nonflat Coating, Nonflat-High Gloss Coating and Quick-Dry Enamel).</p> <p>6.3.8 Metal Content of Coatings: The metallic content of a coating shall be determined by SCAQMD Method 318-95, Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction, <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3.0, Metallic Pigmented Coating, Aluminum Roof Coating and Faux Finish).</p> <p>6.3.9 Acid Content of Coatings: The acid content of a coating shall be determined by ASTM D1613-06, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer and related products" (see Section 3.0, Pre-Treatment Wash Primer).</p> <p>6.3.10 Drying Times: The set-to-touch,</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>The exempt compound parachlorobenzotrifluoride, shall be analyzed as an exempt compound for compliance with Section 6 by BAAQMD Method 41, "Determination of Volatile Organic Compounds in Solvent Based Coatings and Related Materials Containing Parachlorobenzotrifluoride," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 12/20/95 (see Section 3, Volatile Organic Compound, and Section 6.3.1).</p> <p>6.3.13 Exempt Compounds: The content of compounds under U.S. EPA Method 24 shall be analyzed by SCAQMD Method 303-91 (Revised 1996), "Determination of Exempt Compounds," <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3, Volatile Organic Compound, and Section 6.3.1).</p> <p>6.3.14 VOC Content of Coatings: The VOC content of a coating shall be determined by U.S. EPA Method 24 as it exists in appendix A of 40 <i>Code of Federal Regulations</i> (CFR) part 60, "Determination of Volatile Matter Content, Water Content, Density, Volume Solids and Weight Solids of Surface Coatings"(see Section 6.3.1).</p> <p>6.3.15 Alternative VOC Content of Coatings: The VOC content of coatings may be analyzed either by U.S. EPA Method 24 or SCAQMD Method 304-91 (Revised 1996), "Determination of Volatile Organic Compounds (VOC) in Various Materials," <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 6.3.1).</p> <p>6.3.16 Methacrylate Traffic Marking Coatings: The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR part 59, subpart D, appendix A, "Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings" (September 11, 1998) (see Section 6.3.3).</p>	<p>dry-hard, dry-to-touch and dry-to-recoat times of a coating shall be determined by ASTM D1640-95, "Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature" (see Section 3.0, Quick-Dry Enamel and Quick-Dry Primer, Sealer and Undercoater) The tack-free time of a quick-dry enamel coating shall be determined by the Mechanical Test Method of ASTM D1640-95. (Category deleted effective January 1, 2011.)</p> <p>6.3.11 Surface Chalkiness: The chalkiness of a surface shall be determined using ASTM D4214-98, "Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films"(see Section 3, Specialty Primer, Sealer and Undercoater). (Category deleted effective January 1, 2011.)</p> <p>6.3.12 Exempt Compounds—Siloxanes: Exempt compounds that are cyclic, branched, or linear completely methylated siloxanes, shall be analyzed as exempt compounds for compliance with Section 6 by BAAQMD Method 43, "Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 11/6/96 (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).</p> <p>6.3.13 Exempt Compounds—Parachlorobenzotrifluoride (PCBTF): The exempt compound parachlorobenzotrifluoride, shall be analyzed as an exempt compound for compliance with Section 6 by BAAQMD Method 41, "Determination of Volatile Organic Compounds in Solvent Based Coatings and Related Materials Containing Parachlorobenzotrifluoride," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 12/20/95 (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).</p> <p>6.3.14 Exempt Compounds: The content of compounds under U.S. EPA Method 24 shall be analyzed by SCAQMD Method 303-91 (Revised 1993), "Determination of Exempt Compounds," <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).</p> <p>6.3.15 VOC Content of Coatings: The VOC content of a coating shall be determined by EPA Method 24 as it exists in appendix A of 40 <i>Code of Federal Regulations</i> (CFR) part 60,</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>"Determination of Volatile Matter Content, Water Content, Density, Volume Solids and Weight Solids of Surface Coatings" (see Section 6.3.2).</p> <p>6.3.16 Alternative VOC Content of Coatings: The VOC content of coatings may be analyzed either by U.S. EPA Method 24 or SCAQMD Method 304-91 (Revised 1996), "Determination of Volatile Organic Compounds (VOC) in Various Materials," SCAQMD Laboratory Methods of Analysis for Enforcement Samples.</p> <p>6.3.17 Methacrylate Traffic Marking Coatings: The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR part 59, subpart D, appendix A, "Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings" (September 11, 1998).</p> <p>6.3.18 Hydrostatic Pressure for Basement Specialty Coatings: The hydrostatic pressure resistance for basement specialty coatings shall be analyzed using ASTM D7088-04, "Standard Practice for Resistance to Hydrostatic Pressure for Coatings Used in Below Grade Applications Applied to Masonry".</p> <p>6.3.19 Tub and Tile Refinish Coating Adhesion: The adhesion of tub and tile coating shall be determined by ASTM D4585-99, "Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation" and ASTM D3359-02, "Standard Test Methods for Measuring Adhesion by Tape Test".</p> <p>6.3.20 Tub and Tile Refinish Coating Hardness: The hardness of tub and tile refinish coating shall be determined by ASTM D3363-05, "Standard Test Method for Film Hardness by Pencil Test".</p> <p>6.3.21 Tub and Tile Refinish Coating Abrasion Resistance: Abrasion resistance of tub and tile refinish coating shall be analyzed by ASTM D4060-07, "Standard Test Methods for Abrasion Resistance of Organic Coatings by the Taber Abraser".</p> <p>6.3.22 Tub and Tile Refinish Coating Water Resistance: Water resistance of tub and tile refinish coatings shall be determined by ASTM D4585-99, "Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation" and ASTM D714-02e1, "Standard Test Method for Evaluating Degree of Blistering of</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>Paints".</p> <p>6.3.23 Waterproofing Membrane: Waterproofing membrane shall be tested by ASTM C836-06, "Standard Specification for High Solids Content, Cold Liquid-Applied Elastomeric Waterproofing Membrane for Use with Separate Wearing Course".</p> <p>6.3.24 Mold and Mildew Growth for Basement Specialty Coatings: Mold and mildew growth resistance for basement specialty coatings shall be determined by ASTM D3273-00, "Standard Test Method for Resistance to Growth of Mold on the Surface of Interior Coatings in an Environmental Chamber" and ASTM D3274-95, "Standard Test Method for Evaluating Degree of Surface Disfigurement of Paint Films by Microbial (Fungal or Algal) Growth or Soil and Dirt Accumulation".</p> <p>6.3.25 Reactive Penetrating Sealer Water Repellency: Reactive penetrating sealer water repellency shall be analyzed by ASTM C67-07, "Standard Test Methods for Sampling and Testing Brick and Structural Clay Tile"; or ASTM C97-02, "Standard Test Methods for Absorption and Bulk Specific Gravity of Dimension Stone"; or ASTM C140-06, "Standard Test Methods for Sampling and Testing Concrete Masonry Units and Related Units".</p> <p>6.3.26 Reactive Penetrating Sealer Water Vapor Transmission: Reactive penetrating sealer water vapor transmission shall be analyzed ASTM E96/E96M-05, "Standard Test Method for Water Vapor Transmission of Materials".</p> <p>6.3.27 Reactive Penetrating Sealer - Chloride Screening Applications: Reactive penetrating sealers shall be analyzed by National Cooperative Highway Research Report 244 (1981), "Concrete Sealers for the Protection of Bridge Structures".</p> <p>6.3.28 Stone Consolidants: Stone consolidants shall be tested using ASTM E2167-01, "Standard Guide for Selection and Use of Stone Consolidants".</p>	
<b>7.0 Compliance Schedule</b>	Persons subject to this rule shall be in compliance with this rule by October 31, 2001.	Persons subject to this rule shall be in compliance with this rule by the dates specified within the rule.	<b>No change in the requirements, therefore, non-SIP version of rule is as stringent as SIP version.</b>
<b>8.0 Averaging Compliance Option</b>	8.1 On or after January 1, 2003, in lieu of compliance with the specified limits in the Table of Standards for floor coatings; industrial maintenance coatings; primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters; quick-dry enamels; roof coatings; rust preventative coatings; stains;		<b>No change in the requirements, therefore, non-SIP version of rule is as stringent as SIP version.</b>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>waterproofing sealers, as well as flats and non-flats (excluding recycled coatings), manufacturers may average designated coatings such that their actual cumulative emissions from the averaged coatings are less than or equal to the cumulative emissions that would have been allowed under those limits over a compliance period not to exceed one year. Such manufacturers must also comply with the averaging provisions contained in this Section, as well as maintain and make available for inspection records for at least three years after the end of the compliance period. This Section shall cease to be effective on January 1, 2005, after which averaging will no longer be allowed.</p> <p>Per Section 8.1, averaging is no longer applicable. Therefore, Section 8.2 through 8.14 are not listed.</p>		

District Rule 4601 was amended (12/17/2009). As analyzed, each amended section of the non-SIP version of the rule is at least as stringent as, or more stringent than the corresponding section of the SIP version of the rule. Therefore, it is concluded that overall the non-SIP version of the rule is more stringent than the SIP version of the rule.

# Attachment E

## Comments and Responses

Ampersand Chowchilla Biomass LLC  
Comments to SJVAPCD on Ampersand Chowchilla Biomass LLC Initial Title V  
Project C-1091575

November 28, 2011

Applicant Comment 1

The cover letter for the submittal to the Owner/Facility has the contact name of the previous facility contact, Steven Carew.

Mr. Carew is no longer the facility contact for Ampersand Chowchilla Biomass LLC. Therefore, we request that the facility contact information be revised to state James T. McHarry ((559) 665-0807 Ext. 107) with the mailing address of 16457 Avenue 24-1/2, Chowchilla, CA 93610.

District Response

Revised per comment.

Applicant Comment 2

In section IX (A), Rule 2201, item c (C-6923-3-1), the fourth bullet point does not include condition no. 23.

Condition no. 23 of PTO C-6923-3-1 has been included as condition no. 20 of the requirement of the proposed permit. Therefore, we request for Title V application review be revised to include condition no. 23 of PTO C-6923-3-1.

District Response

Revised per comment.

Applicant Comment 3

Section IX (A), Rule 2201, item d (C-6923-4-1) states that condition no. 2 & 4 of PTO C-6923-4-1 has been moved to the Facility-Wide permit as condition no. 1 & 3, respectively.

Condition no. 2 & 4 of PTO C-6923-4-1 has been moved to the Facility-Wide permit as condition no. 3 & 1, respectively. Therefore, we request for Title V application review be revised to include correct renumbering.

District Response

Revised per comment.

#### Applicant Comment 4

Section IX (A), Rule 1080, item a (C-6923-3-1) states that “conditions 11 through 17, 40 and 41 of the requirements for this permit unit assurance compliance with this rule.”

Condition no. 40 and 41 of the proposed permit are associated with 40 CFR Part 60 and 64, NSPS and CAM requirements. It is believed that conditions 40 and 41 should be listed as conditions 42 and 43, which are requirements from Rule 1080. Therefore, we request for section IX (A), Rule 1080, item a (C-6923-3-1) of the Title V application review be revised to state the following. “Conditions 11 through 17, 42 and 43 of the requirements for this permit unit assure compliance with this rule.”

#### District Response

Revised per comment.

#### Applicant Comment 5

Section IX (A), Rule 4352 states that “Pursuant to Section 5.1, NO<sub>x</sub> emissions shall not exceed 0.2 lb/MMBtu, based on a 24 hour averaging period and CO emissions shall not exceed 400 ppmv @ 3% O<sub>2</sub>”

Effective January 1, 2007, the Rule 4352 NO<sub>x</sub> limit has changed to 115 ppmv @ 3% O<sub>2</sub>. Therefore, we request for this section to be revised to show the current NO<sub>x</sub> limit of Rule 4352.

#### District Response

Revised per comment.

#### Applicant Comment 6

Section IX (A), Rule 4352, item a (C-6923-3-1) states that “conditions 11, 19, 20, 26, 27, 29, and 42 of the requirements for this permit unit assure compliance with this rule.”

Condition no. 42 addresses the compliance requirement for Rule 1080 instead of Rule 4352. Compliance requirement based on Rule 4352 is addressed in condition no. 44. Therefore, we request for section IX (A), Rule 4352, items a (C-6923-3-1) of the Title V application review be revised to state the following. “Conditions 11, 19, 20, 26, 27, 29, and 44 of the requirements for this permit unit assure compliance with this rule.”

District Response

Revised per comment.

Applicant Comment 7

Section IX (A), Rule 4801, item a (C-6923-3-1) states that “The SOx emission factor is 0.015 lb SOx/MMBtu.”

Condition no. 20 states that the SOx emission limit is 0.04 lb SOx/MMBtu. Therefore, we request for section IX (A), Rule 4801 assessment for the permit unit be revised to state the 0.04 lbs SOx/MMBtu as the emission factor.

District Response

Revised per comment.

Applicant Comment 8

Throughout the 40 CFR Part 64, Compliance Assurance Monitoring (CAM) section, the Permit to Operate or Title V Permit is referenced as a “renewal”.

Since this is the initial Title V permit for the facility, any time the permit is referenced in this section, and through the entire document, the term “renewal” should be eliminated and/or replaced with the term “proposed” or “initial”, as appropriate. Therefore, we request for the Title V application review document be revised to use the proper term.

District Response

Revised per comment.

Applicant Comment 9

In the section IX, 40 CFR Part 64, Compliance Assurance Monitoring (CAM) assessment, C-6923-3-1 is determined to be subject to CAM for SOx and PM10.

Similar to NOx, this unit is not subject to CAM for the SOx emissions limit. Therefore, we request for section IX (A), 40 CFR Part 64, Compliance Assurance Monitoring (CAM) assessment, C-6923-3-1 be revised to remove SOx from being subject to 40 CFR Part 64.

District Response

Revised per comment.

### Applicant Comment 10

In the section IX, 40 CFR Part 64, Compliance Assurance Monitoring (CAM) assessment, section 64.8, the permit number referenced is C-825-5-10.

Permit number C-825-5-10 is not a valid permit number for Ampersand Chowchilla Biomass. Therefore, we request for section IX (A), 40 CFR Part 64, Compliance Assurance Monitoring (CAM) assessment, section 64.8 be revised to reflect the correct permit number (C-6923-3-1).

### District Response

Revised per comment.

### Applicant Comment 11

Condition no. 1 & 4 of C-6923-2-2.

These two conditions are duplicates. Therefore, we request condition no. 4 to be eliminated.

### District Response

Revised per comment.

### Applicant Comment 12

Condition no. 12 & 34 of C-6923-3-1.

These conditions are duplicate requirements to meet two sets of regulations. To eliminate confusion, we would like to request for conditions 12 and 34 be combined by eliminating 34 and revising Condition 12. The following is recommended wording for the combine Condition 12: "The applicant shall install, calibrate, maintain, and operate a continuous opacity monitor (COM) in accordance with 40 CFR, Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the EPA. [District Rules 1080 and 2201, 40 CFR 60.48b and 40 CFR 64] Federally Enforceable Through Title V Permit"

### District Response

Revised per comment.

### Applicant Comment 13

Condition no. 16 of C-6923-3-1.

Pursuant to the quality assurance requirements for Continuous Emissions Monitoring (40 CFR 60 Appendix F), cylinder gas audits (CGAs) are required to be done quarterly, except during a quarter in which a RATA is performed. Condition no. 16 requires both RATA and compliance source testing to be performed in the same quarter in order to skip the quarterly CGA. There are circumstances when the schedule for an annual RATA will not coincide with a compliance source test. Since compliance source test, unlike RATA, is not related to CEMS audits, we would like to request for Condition no. 16 be revised to state only the RATA. The following is recommended wording for Condition 16: "Audits (CGAs) of continuous emission monitors shall be conducted quarterly, except during quarters in which a relative accuracy test audit (RATA) is performed, in accordance with EPA guidelines. The District shall be notified prior to completion of the audits. Audit reports shall be submitted along with quarterly compliance reports to the District. [District Rule 1080] Federally Enforceable Through Title V Permit"

### District Response

Revised per comment.

### Applicant Comment 14

Condition no. 26 of C-6923-3-1.

Condition no. 26 requires source testing to measure pollutant emission rates to three different units of measurement. Due to the order in which the units of measurements are described, the condition implies an option of two out of three measurement standards. The condition currently reads, "... (lb/hr and lb/MMBtu or ppmvd @ 3% O<sub>2</sub>) ...". This implies lb/hr and either lb/MMBtu or ppmv @ 3% O<sub>2</sub>, but not both. This has been problematic for the facility during past source tests and the District was uncertain if the wording meant to measure and report in all three units of measurement or just two. Based on District guidance during those instances, following is recommended wording for Condition 26 to prevent further confusion: "Source testing to measure the NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, CO, VOC, and NH<sub>3</sub> emission rates (lb/hr, lb/MMBtu and/or ppmvd @ 3% O<sub>2</sub>, based on the applicable units of measurement for each pollutant's permit limit) for the fluidized bubbling bed combustor shall be conducted within 120 days after initial operation and at least once every twelve months thereafter. [District Rules 1081 and 4352] Federally Enforceable Through Title V Permit"

### District Response

Revised per comment.

### Applicant Comment 15

Condition no. 36 & 43 of C-6923-3-1.

Condition no. 36 repeats the requirement in Condition 43. The requirement to maintain records of continuous emission monitoring (CEM) results more comprehensively covered in Condition 43. Condition 43 references District Rule 1080, which is intended to cover both CEMS and COMS monitoring systems. Condition 43 includes a requirement to maintain daily records of propane fuel usage. The facility does not use propane as a startup fuel, and reference to propane usage in Condition 43 is believed to be a carryover from the Merced Power, LLC permit. To eliminate confusion, we would like to request for conditions 36 and 43 be combined by eliminating 36 and revising Condition 43. The following is recommended wording for the combined Condition 43: "Permittee shall maintain accurate records of continuous emission monitoring (CEM) results, including records of opacity, dates of occurrences and duration of start-up, shutdown, malfunction, performance testing, evaluations, calibrations, checks, adjustments and maintenance, and daily records of natural gas usage. [District Rules 1080 and 2201; 40 CFR 60.49b(f) and 40 CFR 64] Federally Enforceable Through Title V Permit"

### District Response

Condition 36 requires the owner or operator to maintain records of opacity. Condition 43 requires records of continuous emissions monitoring (CEM) results, dates of occurrences and duration of start-up, shutdown, malfunction, performance testing, evaluations, calibrations, checks, adjustments and maintenance, and daily records of propane fuel usage. The conditions have different recordkeeping requirements and therefore will be kept separate.

Since the condition that requires daily records of propane fuel usage is a Rule 2201 condition, an ATC application is required to revise the condition.

### Applicant Comment 16

Condition no. 37 & 41 of C-6923-3-1.

The wording of Condition 37 does not include information on the required content and format of the report. Based on the regulatory reference for this condition, the excess emission report referenced in this condition is intended to meet the requirement to submit an excess emission and monitoring system performance report, in accordance with 40 CFR 60.7(c) and (d). Condition 41 describes a

reporting period for "reports", but it is unclear which report the condition is referring to. Based on the regulatory reference for this condition, the reporting period appears to be tied to the report required by Condition 37. To eliminate confusion, we would like to request for conditions 37 and 41 be combined by eliminating 41 and revising Condition 37. The following is recommended wording for the combined Condition 37: "The owner or operator shall submit reports of excess emissions and monitoring system downtime for opacity, in accordance with 40 CFR 60.7(c) and (d), on a semi-annual basis. For the purpose of reports required under 40 CFR Part 60.7(c), periods of excess emission and monitor downtime that shall be reported are defined in 40 CFR 60.49b(h). All reports shall be submitted to the Administrator and shall be postmarked by the 30<sup>th</sup> day following the end of the reporting period. [40 CFR 60.49b (h), 60.49b (w) and 40 CFR 64] Federally Enforceable Through Title V Permit"

#### District Response

Revised per comment.

#### Applicant Comment 17

##### List of Insignificant Activities

Ampersand Chowchilla Biomass LLC has one 1000-gallon Convault above ground tank to store diesel, one 250 gallon Convault tank to store gasoline, and a propane tank that needs to be included under insignificant activities. Since Ampersand Chowchilla Biomass LLC is an area source of HAPs and dispenses gasoline into fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or on-road engine, the facility is subject to 40 CFR 63 Subpart CCCCCC. National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Category: Gasoline Dispensing Facilities. Since the gas dispensing facility (GDF) has a monthly throughput of less than 10,000 gallons of gasoline, the facility is required to comply with section 63.11116 of 40 CFR 63 Subpart CCCCCC. The facility will continue to conduct good housekeeping practices and maintenance to prevent the GDF from releasing vapor to the atmosphere for an extended period of time. The facility will also continue to keep monthly records of gasoline throughput, and will make the records available within 24 hours of a request by the administrator to document the gasoline throughput. Since this subpart was not included in the Title V application review, we request for the subpart to be included.

#### District Response

The requirements of this subpart have been included into the engineering evaluation and the permits.

### Applicant Comment 18

40 CFR Part 63 Subpart JJJJJJ, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

Ampersand Chowchilla Biomass LLC is subject to 40 CFR Part 63 Subpart JJJJJJ. An initial notification as required by 40 CFR Part 63 Subpart JJJJJJ has been submitted before the deadline of September 17, 2011. Since this subpart was not included in the Title V application review, we request for the subpart to be included.

### District Response

The requirements of this subpart have been included into the engineering evaluation and the permits.