



April 15, 2009

COMPLIANCE ADVISORY

NOTICE OF ADOPTION OF NEW RULE 69.2.1 - SMALL BOILERS, PROCESS HEATERS AND STEAM GENERATORS

On March 25, 2009, the Air Pollution Control Board adopted new Rule 69.2.1 – Small Boilers, Process Heaters and Steam Generators - which will control NOx emissions from small combustion units, such as boilers, process heaters, and steam generators with a heat input rate from 600,000 Btu/hr to 2 Million Btu/hr. Rule 69.2.1 will also help fulfill State requirements to implement all feasible control measures that reduce NOx emissions.

Rule 69.2.1 will become effective on **March 25, 2010**, to allow for depletion of existing inventories of combustion equipment. It will not affect any facility that currently operates any unit subject to the new requirements until the unit is replaced or a new unit is installed on or after the effective date. Existing units in operation may continue operating without modification.

Rule 69.2.1 is a "point of sale" rule that requires certification, labeling, and recordkeeping by the manufacturers, and does not require affected sources to obtain a Permit to Operate with the Air Pollution Control District.

Specifically, new Rule 69.2.1 is summarized as follows:

Applicability	This rule shall apply to any person who manufactures, sells, offers for sale or distributes for use within San Diego County, or installs within San Diego County a new unit (boiler, process heater, or steam generator) with a heat input rating from 600,000 Btu per hour to 2 million Btu per hour.
Exemptions	<p>The provisions of this rule shall not apply to the following:</p> <ol style="list-style-type: none"> (1) Any waste heat recovery boilers that are used to recover heat from the exhaust of gas turbines, internal combustion engines, or other combustion equipment. (2) Furnaces, kilns, and any combustion equipment where the material being heated is in direct contact with the products of combustion. (3) Thermal oxidizers and associated waste heat recovery equipment.

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Definitions	Provides definitions for terms used in the rule. For example, a “New Unit” means a unit installed, manufactured, or sold on or after March 25, 2010.
Emission Standards	<p>Effective March 25, 2010, no person shall manufacture, distribute, sell, offer for sale, or install within San Diego County any new unit that has:</p> <ul style="list-style-type: none"> (1) Emissions of oxides of nitrogen, calculated as nitrogen dioxide at 3% oxygen on a dry basis, that exceed the following levels: <ul style="list-style-type: none"> (i) 30 parts per million by volume when operated on a gaseous fuel as a primary fuel. (ii) 40 parts per million by volume when operated on a liquid fuel as a primary fuel. (2) Emissions of carbon monoxide, calculated at 3% oxygen on a dry basis, that exceed 400 parts per million by volume.
Certification Statement	<ul style="list-style-type: none"> (1) Manufacturers of any unit to be offered for sale within San Diego County shall submit to the Air Pollution Control Officer a statement certifying that each model of boiler, process heater, or steam generator subject to the requirements of Section (d) of this rule complies with the provisions of this rule. (2) Manufacturers shall submit to the Air Pollution Control Officer a new certification statement for any unit model whose design is changed in any manner which may alter oxides of nitrogen or carbon monoxide emissions. (3) Alternatively, manufacturers may submit to the Air Pollution Control Officer a certification statement for the unit model as required in the South Coast Air Quality Management District (SCAQMD) Rule 1146.2, Section (d).
Labeling Requirements	Manufacturers shall display on the shipping carton and the nameplate of every unit to be offered for sale within San Diego County, the model number and certification status of the unit complying with Section (e) of this rule, or alternatively, the most current requirements of the SCAQMD Rule 1146.2.
Recordkeeping Requirements	Manufacturers shall keep test records for oxides of nitrogen and carbon monoxide emissions and certification records for as long as the unit model is offered for sale or sold within San Diego County, or for three calendar years after date of manufacture, whichever is longer. Such records shall be provided to the San Diego County Air Pollution Control District upon request.

Test Methods	To determine compliance with the emission standards of this rule, manufacturers shall obtain measurements of oxides of nitrogen and carbon monoxide contents conducted by an independent testing laboratory in accordance with: (1) San Diego County Air Pollution Control District Test Method 100 as approved by the federal Environmental Protection Agency, or (2) SCAQMD Test Method 100.1 as approved by the federal Environmental Protection Agency.
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A copy of Rule 69.2.1 is available by contacting the District at (858) 586-2712 or on the District's web site at www.sdapcd.org/rules/rules/REG4.html. For more information, please contact the District Compliance Division at (858) 586-2650.

GMH:jl