

**AIR POLLUTION CONTROL DISTRICT  
COUNTY OF SAN DIEGO**

**DRAFT PROPOSED AMENDMENTS TO  
RULE 12.1 – PORTABLE EQUIPMENT REGISTRATION,  
AND RELATED CHANGES TO  
RULE 12 – REGISTRATION OF SPECIFIED EQUIPMENT**

**WORKSHOP REPORT**

A workshop notice on the draft proposed amendments to Rule 12.1 – Portable Equipment Registration, and related changes to Rule 12 – Registration of Specified Equipment, was mailed to all Permit and Registration Certificate holders in San Diego County. Notices were also mailed to all economic development corporations and chambers of commerce in San Diego County, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (CARB), and other interested parties.

The workshop was held on September 25, 2018, and was attended by 36 people. Oral and written comments were received during and after the workshop. A summary of the comments and the Air Pollution Control District’s (District) responses to these comments are as follows:

**1. WORKSHOP COMMENT**

Existing Section (a) – Applicability precluded an emission unit from having a Certificate of Registration and a Permit to Operate simultaneously. However, the proposed amendments would allow it. Why would an owner/operator obtain both a Registration and a Permit to Operate for their emission unit?

**DISTRICT RESPONSE**

As proposed, an owner/operator may obtain both a Registration and a Permit to Operate (Permit) if the emission unit will be used at a stationary source for longer than 12 months or as an integral part of the stationary source operation (thus requiring a Permit) and also used as portable equipment off site (thus requiring a Registration). Also, registered emission units that will be used at a stationary source for longer than 12 months or used to support the primary function of the stationary source, even if less than 12 months, invalidate the Registration at that location and therefore the owner/operator must obtain a Permit to Operate.

**2. WORKSHOP COMMENT**

Will emission units that have a valid Registration and also require a Permit to Operate be issued a separate Permit, or would the Registration be modified to incorporate the Permit? Will there be additional fees associated with obtaining both a Permit and a Registration?

**DISTRICT RESPONSE**

The District will issue a separate Permit to Operate for the registered emission unit. There will be separate fees associated with the Permit and the Registration, including separate annual renewal fees.

**3. WORKSHOP COMMENT**

Subsection (b)(2) – Ineligible Equipment or Invalid Certificates details specific situations of when registered generators can be used at a stationary source. Would a permitted stationary emergency backup generator be allowed to be registered and used for short term electrical upgrades, such as replacing a transformer or upgrading an automatic transfer switch?

**DISTRICT RESPONSE**

No. A permitted emission unit may not be used for any other purpose than as specified in the Permit to Operate. The permitted emission unit may be registered only if the registered emission unit will also be used off site. The owner/operator may apply to amend the Permit to allow for uses other than what is currently specified. The District will review the application and will modify the Permit provided the requested amendments comply with all regulatory requirements.

**4. WORKSHOP COMMENT**

The District should consider amending the exemption under Subsection (b)(2) – Ineligible Equipment or Invalid Certificates to specifically allow compressors or mechanical drives.

**DISTRICT RESPONSE**

The District disagrees. The proposed amendments to Rule 12.1 incorporate the most recent version of the State Portable Equipment Registration Program (PERP) requirements. Proposed Subsection (b)(2) incorporates the requirements and exemptions from the PERP Subsection §2453(m)(4)(E), which has specific requirements for when registered generators may be used at stationary sources. This subsection does not have allowances for other emission units.

The District does not allow a registered emission unit to supplement the primary function of the stationary source and thereby circumvent New Source Review rules. Also, the PERP has specific language in Subsection §2453(m)(4)(B) that invalidates State Registrations when the District determines that an equipment unit is being used as part of a stationary source.

**5. WORKSHOP COMMENT**

The PERP requires a green plaque to be displayed on the State-registered equipment. Will the District require this green plaque for Rule 12.1-registered equipment? Will the District enforce this green plaque requirement?

**DISTRICT RESPONSE**

The District does not issue green placards as part of the District's registration program under Rule 12.1. However, the District is the agency conducting the inspections of State-registered equipment in San Diego County and is authorized to issue citations on behalf of the State when the placard is not affixed on State PERP-registered equipment.

**6. WORKSHOP COMMENT**

The rule has a definition for "Location" under Subsection (c)(12) which states "...under the same ownership or operation..." What does the District mean by operation in this definition and how would this affect engines or equipment units?

**DISTRICT RESPONSE**

The District's proposed definition of "Location" will incorporate operations that may have multiple owners of emission units or properties involved. An operation would include all of the emission units that are being used in the process.

**7. WORKSHOP COMMENT**

The District should consider adding a definition for "project" to clarify which equipment units are included when calculating the particulate matter (PM) emissions for determining compliance with the emission limits.

**DISTRICT RESPONSE**

The District agrees and has added a proposed definition for "project." All PM emissions from all equipment units at a project will be counted towards the 82 pounds per day limit. The individual equipment unit's total PM emissions for all projects over the year will be counted toward the 10 tons per year PM emission limit.

For example, an owner/operator of a project with one or more registered equipment units would need to ensure that all the PM emissions combined from all the equipment units do not exceed 82 pounds per day.

In addition, an owner/operator of an individual equipment unit that is operated at 5 different projects over the course of a year would have to record the PM emissions from that equipment unit for each of the 5 projects individually. The summation of those emissions will be used to ensure compliance with the 10 tons per year limit.

**8. WORKSHOP COMMENT**

Why is the District proposing the inclusion of opacity in Subsections (d)(2)(iii)(A) and (d)(2)(iv)(A) – Confined and Unconfined Abrasive Blasting Operations?

**DISTRICT RESPONSE**

The District is proposing to modify this language to be consistent with existing District Rule 50 – Visible Emissions. Abrasive blasting operations have always been required to comply with opacity requirements.

**9. WORKSHOP COMMENT**

The District should consider adding cementitious mortar silos to the list of equipment units eligible to obtain a registration under Rule 12.1.

**DISTRICT RESPONSE**

The District agrees and has modified the proposal to include cementitious silos in the list of equipment units eligible for registration. Proposed amendments to Subsection (d)(2)(v) outline the standards for this equipment.

**10. WORKSHOP COMMENT**

The proposed amendments to Subsections (d)(2)(vi)(C) and (D) state visible emissions from screens, crushers, and transfer points and conveyors shall comply with the visible emission requirements of the rule by being ducted through filters or utilize wet suppression. Will the wet suppression system need to be an integrated part of the equipment to meet this requirement?

**DISTRICT RESPONSE**

Yes. The District has modified the proposal to clarify that the wet suppression system needs to be an integrated part of the equipment. This will ensure that the wet suppression system will be in operation when the equipment unit is operating.

**11. WORKSHOP COMMENT**

The District added new Section (g) – Record Keeping Requirements. Is it similar to the State PERP requirements which specify documentation of the operating locations and limitations?

**DISTRICT RESPONSE**

Yes. The District is proposing similar requirements to the State PERP regulation in new Section (g), including documenting the location and dates of operation, type and quantity of materials processed or daily hours of operation, and hourly throughput rate for the equipment unit. In addition, owners/operators of engines will be required to record the hours of operation or fuel consumed.

**12. WORKSHOP COMMENT**

The current Rule 11 – Exemptions from Permit Requirements exempts engines with a brake horsepower rating of less than 50. Will the District require these engines to be registered under Rule 12.1?

**DISTRICT RESPONSE**

No, the District will not require engines rated at less than 50 brake horsepower to be registered. Those engines will remain exempt from permit and registration requirements under existing Rule 11, Subsection (d)(2)(i).

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2/13/19