

COMPARATIVE ANALYSIS**PROPOSED AMENDED RULE 69.4.1 – STATIONARY RECIPROCATING
INTERNAL COMBUSTION ENGINES**Statutory Requirements

Prior to adopting, amending, or repealing a rule or regulation, California Health and Safety Code Section 40727 requires findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined therein. As part of the consistency finding and to ensure proposed rule requirements do not conflict with or contradict other Air Pollution Control District (District) or federal regulations, Health and Safety Code Section 40727.2(a) requires the District to perform a written analysis identifying and comparing the air pollution control standards and other provisions of proposed amended Rule 69.4.1 with existing or proposed District rules and guidelines and existing federal rules, requirements, and guidelines applying to the same source category.

Comparison with existing District rules and regulations

Rule 69.4, which was last amended on July 30, 2003, was subsequently approved by the U.S. Environmental Protection Agency (EPA) as part of the San Diego County portion of the State Implementation Plan (SIP) for attaining and maintaining the air quality standards. The rule contains federal-only standards (Reasonably Available Control Technology – RACT) that reduce oxides of nitrogen (NOx) emissions from stationary engines with a brake horsepower (bhp) rating of 50 or more that are located at major stationary sources (facilities emitting 50 or more tons per year of NOx).

Rule 69.4.1, which was adopted on November 15, 2000, also applies to stationary engines with a bhp rating of 50 or greater. However, this rule contains more health-protective State requirements (Best Available Retrofit Control Technology – BARCT) for lower air pollutant emissions from stationary engines located at both major and non-major sources.

Proposed amended Rule 69.4.1 contains standards either equivalent to or more stringent than those in Rule 69.4. If adopted by the Board, proposed amended Rule 69.4.1 will be submitted to the EPA for approval into the SIP for attaining and maintaining the air quality standards. Existing Rule 69.4 will be automatically repealed at that time, as it is outdated and no longer needed.

In addition, Best Available Control Technology (BACT) is a requirement of the New Source Review regulations, developed according to federal guidelines. BACT emission standards are established for more general engine categories than proposed amended Rule 69.4.1 standards, though the emissions limits are nearly equivalent. Requirements for monitoring, recordkeeping and source testing in proposed amended Rule 69.4.1 are more stringent and specific than the BACT requirements.

Comparison with federal NSPS Subparts IIII and JJJJ

There are two federal regulations that apply to the control of NO_x emissions from stationary internal combustion engines: New Source Performance Standards (NSPS) Subpart IIII – Compression Ignition Internal Combustion Engines, and Subpart JJJJ – Spark Ignition Internal Combustion Engines. Proposed amended Rule 69.4.1 contains standards either equivalent to or more stringent than those in the two Subparts.

Conclusion

There are no conflicts or contradictions between proposed amended Rule 69.4.1 and BACT requirements, NSPS Subpart IIII, and NSPS Subpart JJJJ for stationary internal combustion engines.