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Comments on Draft Rule 1147.2 Nox Reduction from Metal Melting and Heating Furnaces issued on September 9, 2021

1.0 Rule Review Time and Proposed Release Date

More time is needed to review and comment on the draft Rule 1147.2 and the schedule for releasing the rule should be extended for the following reasons;

1.1 The draft language of this rule was issued to the Stakeholders on September 9. There were only 5 working days available to review and comment, excluding the day it was issued and the day comments were due. That is not enough time to draft comments and have them reviewed and proofed by all interested parties.

1.2 The draft rule contains language that skirts the current SCAQMD policy for establishing permit requirements. That language needs to be fully evaluated to determine if it meets the intent of Rule 219 which has been used for this purpose to date.

1.3 There are many new terms in this rule, many are technical, sufficient time is needed to evaluate these definitions to ensure they accurate and complete.

1.4 There are formulas and emission limits that have not had their source data provided to stakeholder so that they can be fully evaluated.

1.5 The draft rule as it stands is incomplete, there are sections that "Staff is evaluating additional applicability criteria." Therefore, the rule language cannot be fully evaluated when there may be significant new language added with short notice on the tight Rule release schedule.

2.0 Paragraph (e) Demonstration of Less than 1 Pond Nox per Day

This paragraph in its entirety should be removed from this proposed rule for the following reasons:

2.1 The burners addressed in this paragraph are rated less than 2 MMBtu/hr. Burners under that size are exempted from permit in Rule 219 Paragraph (b)(2). Rule 219 states that "the purpose of this rule is to identify equipment, processes, or operations that emit small amounts of air contaminants that shall not require written permits."

2.2 SCAQMD does not regulate unpermitted equipment within the basin unless it falls under special circumstances, none of which have been outlined for this equipment in this Draft Rule.

2.3 Paragraph (e)(1) places conditions on the operation burners 2 MMBtu/hr. and requires facility owners to make expenditures on equipment that is not either permitted or regulated.

2.4 During the working group meetings on Rule 1147.2 SCAQMD stated that does not have an inventory of heat-treating equipment with burners under 2 MMBtu/hr. (I believe it was less than 10 units) The reason for this is that they are not permitted or regulated by SCAQMD. A good understanding of how this equipment is used and the potential Nox emissions from these units is needed for the following reasons;

2.4.1 Prior to establishing regulations for a class of equipment SCAQMD should determine if regulating and limiting emissions from these units will have a significant reduction of emissions in the basin to warrant regulating them.

2.4.2 Table 6 calculates the hours per month that burners rated from 325,000 Btu/hr. to 500,000 Btu/hr. can operate not exceed 1 lb. per day Nox. The data in Table 6 does not indicate that some or all of these burners are potential significant Nox sources.

1) example: If a proper survey finds that furnaces do not operate continually, they need down time for loading and unloading, cleaning, maintenance and other activities during the month, the 420 hr. per month may be near the top of the possible operating ours. Even if there are exceptions it would not warrant regulating these units and causing expenditures for the operators.

2) example: If Nox emissions are linier to the Btu rating and the 480 hr. monthly operating time is based on the 500,000 Btu/hr. burner emissions, the 325,000 Btu/hr. can likely run approximately 720 hr. a month and not exceed 1 lb. per day Nox. If true, there is no reason to have operators make an investment to track operating hours or fuel usage on these pieces of equipment.

3) The burner Btu/hr. ranges in Table 6 have been selected arbitrarily. There may be more appropriate burner Btu/hr. range categories for Nox emissions based on other characteristics such as the type of burner, operating temperature of the furnace or type of heat treating being conducted.

2.5 Rule 1147.2 covers just a small slice of the equipment that have burners of this size in the basin. If these burner sizes are a significant source of Nox emissions all burners in this size category should be placed under the same limits. Rule 219 should be amended accordingly.

2.6. Paragraph (e)(2) nullifies the permit exemption for burners under 2 MMBtu/hr. found in Rule 219 (b)(2). This paragraph in the proposed Rule requires equipment that is found to exceed 1-pound Nox per Day to obtain a permit and meet Nox limits found in Table 1 of the Rule. Rule 219 does not address Nox limits for exemption of permit. Rule 219 should be modified to require permitting if that can be shown as a major emission reduction in the basin. It should not be left to downstream source specific rules to require a permit to operate.