

Resolution No: 21-010
Meeting Date: 12/9/2021 (D.2)

RESOLUTION ADOPTING AMENDMENTS TO RULE 69.3.1 – STATIONARY GAS TURBINE ENGINES-BEST AVAILABLE RETROFIT CONTROL TECHNOLOGY, AND REPEAL OF EXISTING RULE 69.3 – STATIONARY GAS TURBINE ENGINES-REASONABLY AVAILABLE CONTROL TECHNOLOGY, OF REGULATION IV OF THE RULES AND REGULATIONS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT

On motion of Member Bush, seconded by Member Medina, the following resolution is adopted:

WHEREAS, the San Diego County Air Pollution Control District Board, pursuant to Section 40702 of the California Health and Safety Code, adopted Rules and Regulations of the San Diego County Air Pollution Control District (District); and

WHEREAS, the San Diego County Air Pollution Control District Governing Board (Governing Board) now desires to amend said Rules and Regulations; and

WHEREAS, notice has been given and a public hearing has been held relating to the amendment of said Rules and Regulations pursuant to Section 40725 of the California Health and Safety Code and Section 51.102 of the Code of Federal Regulations; and

WHEREAS, pursuant to Section 40727 of the California Health and Safety Code, the Governing Board makes the following findings:

- (1) (Necessity) The adoption of proposed amended Rule 69.3.1 is necessary in order to implement federal requirements for Reasonably Available Control Technology to achieve the ambient air quality standards for ozone by reducing emissions of oxides of nitrogen in San Diego County, and the repeal of existing Rule 69.3 is necessary in order to maintain clarity of requirements for those affected;
- (2) (Authority) The adoption of proposed amended Rule 69.3.1 and repeal of existing Rule 69.3 are authorized by Section 40702 of the California Health and Safety Code;
- (3) (Clarity) Proposed amended Rule 69.3.1 and repeal of existing Rule 69.3 can be easily understood by persons directly affected by them;
- (4) (Consistency) The adoption of proposed amended Rule 69.3.1 and repeal of existing Rule 69.3 are in harmony with, and not in conflict with or contrary to, existing statutes, court decisions, and State and federal regulations;
- (5) (Non-duplication) The adoption of proposed amended Rule 69.3.1 and repeal of existing Rule 69.3 will not duplicate existing District, State, or federal requirements;

- (6) (Reference) The adoption of proposed amended Rule 69.3.1 and repeal of existing Rule 69.3 are necessary to comply with federal law, Clean Air Act Section 182(b)(2), which requires implementation of Reasonably Available Control Technology on stationary sources of oxides of nitrogen emissions;

WHEREAS, the Governing Board further finds pursuant to California Health and Safety Code Section 40001 that adoption of proposed amended Rule 69.3.1 will facilitate the attainment of ambient air quality standards; and

WHEREAS, the Governing Board further finds that existing Rule 69.3 is now duplicative of proposed amended Rule 69.3.1, and will be rendered obsolete upon the adoption of proposed amended Rule 69.3.1, at which time existing facilities are required to comply with the new requirements; and

WHEREAS, the Governing Board further finds that an analysis comparing proposed amended Rule 69.3.1 with applicable requirements of federal and local regulations is not required pursuant to California Health and Safety Code Section 40727.2 because the proposed amendments do not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements; and

WHEREAS, the Governing Board further finds that an incremental cost-effectiveness analysis pursuant to California Health and Safety Code Section 40920.6(a) is not required for proposed amended Rule 69.3.1; and

WHEREAS, the Governing Board further finds that an assessment of the socioeconomic impacts of proposed amended Rule 69.3.1 is not required pursuant to California Health and Safety Code Section 40728.5 as the proposed amended rule will not significantly affect air quality or emissions limitations.

NOW THEREFORE IT IS RESOLVED AND ORDERED by the San Diego County Air Pollution Control District Governing Board that the Rules and Regulations of the San Diego County Air Pollution Control District be, and hereby are amended as follows:

1. Proposed amended Rule 69.3.1 is to read as follows:

RULE 69.3.1. STATIONARY GAS TURBINE ENGINES
(Rev. Adopted and Effective *(date of adoption)*)

(a) **APPLICABILITY**

Except as provided in Subsection (b)(1), this rule shall apply to any stationary gas turbine engine with a power rating of 0.3 megawatt (MW) or greater. Any unit subject to Section (d) Standards of this rule shall not be subject to Rule 68 – Fuel-Burning Equipment-Oxides of Nitrogen.

(b) EXEMPTIONS

(1) The provisions of this rule shall not apply to the following:

(i) Any gas turbine engine when operated exclusively for the research, development or testing of gas turbine engines or their components.

(ii) Any portable gas turbine engine. It is the responsibility of any person claiming this exemption to maintain records indicating the dates that such gas turbine engine was located at each stationary source. These records shall be maintained for a minimum of two calendar years by the owner or operator of such gas turbine engine and made available to the District upon request.

(iii) Any stationary gas turbine engine with a power rating less than or equal to 0.4 MW used in conjunction with military tactical support equipment operated at military sites, provided that operations do not exceed 1,000 hours per calendar year. It is the responsibility of any person claiming this exemption to maintain records indicating the hours that such gas turbine engine was operated. These records shall be maintained for a minimum of two calendar years by the owner or operator of such gas turbine engine and made available to the District upon request.

(2) The provisions of Section (d) Standards shall not apply to any emergency unit provided that operation for testing or maintenance purposes to ensure operability in the event of an emergency situation does not exceed 80 hours per calendar year. It is the responsibility of any person claiming this exemption to maintain records in accordance with Subsections (e)(5) and (e)(8) of this rule.

(3) The provisions of Subsections (d)(1) and (d)(2) shall not apply to the following:

(i) Any unit during startup, shutdown or a fuel change for a period not to exceed 120 consecutive minutes except as provided for in Subsection (b)(4). Nothing in this rule shall be construed to limit the actual time needed to conduct a startup, shutdown or fuel change.

(ii) For turbines equipped with lean premix combustors, periods of operation at low load provided that:

(A) The aggregate time of such periods does not exceed 130 minutes in any calendar day;

(B) The aggregate of all such periods does not exceed 780 minutes in any calendar year; and

(C) The turbine is equipped with a continuous emission monitoring system (CEMS) or other monitoring system that monitors and records turbine fuel flow and gross electrical output in increments of one minute or less.

(4) The provisions of Subsection (d)(1) shall not apply to any combined-cycle gas turbine engine during an extended startup for a period not to exceed 360 consecutive minutes.

(c) **DEFINITIONS**

For the purposes of this rule, the following definitions shall apply:

(1) **"Combined-Cycle Gas Turbine Engine"** means any stationary gas turbine engine which recovers heat from the gas turbine exhaust gases to generate steam that is used to create additional power output in a steam turbine.

(2) **"Emergency Situation"** means any one of the following:

(i) An unforeseen electrical power failure of the serving utility or of onsite electrical transmission equipment;

(ii) An unforeseen flood or fire; or

(iii) An unforeseen event that requires the use of gas turbine engines to help alleviate the threat to public health and safety.

Emergency situation shall not include operation of any unit for training purposes or other foreseeable events, or operation of any peaking unit for the purpose of supplying power for distribution to an electrical grid.

(3) **"Emergency Unit"** means a stationary gas turbine engine used exclusively in emergency situations, or for testing or maintenance purposes only. A peaking unit shall not be considered an emergency unit.

(4) **"Extended Startup"** means the startup of a combined-cycle gas turbine engine when any of the following key operational parameters indicate that more than 120 consecutive minutes are needed to meet the emission limits of Section (d) Standards:

(i) The steam turbine reheat bowl temperature is less than or equal to 750°F when the startup period begins; or

(ii) The steam turbine inner casing temperature is less than or equal to 500°F when the startup period begins; or

(iii) The unit has experienced zero fuel flow for a period of 24 hours or more.

(5) **"Fuel Change"** means the transitory operating period when a switch occurs between liquid or gaseous fuels, or any combination thereof.

(6) **"Gaseous Fuel"** means natural gas, digester gas, landfill gas, methane, ethane, propane, butane, or any gas stored as a liquid at high pressure such as liquefied petroleum gas.

(7) **"Higher Heating Value (HHV)"** means the total heat liberated, including the heat of condensation of water, per mass of fuel burned (Btu per pound) when fuel and dry air at standard conditions undergo complete combustion and all resultant products are brought to standard conditions.

(8) **"Lean Mixture"** means a mixture of air and fuel such that the operating air-to-fuel ratio is more than 1.1 times the stoichiometric air-to-fuel ratio.

(9) **"Lean Premix Combustor"** means any turbine combustor design where the air and majority of the fuel are thoroughly mixed to form a lean mixture before combustion. Mixing may occur before or in the combustion chamber. A lean premix combustor may operate in a non-lean-premix mode (diffusion flame mode) during operating conditions including, but not limited to, startup and shutdown, or period of operation at low load.

(10) **"Liquid Fuel"** means any fuel which is a liquid at standard conditions including, but not limited to, distillate oils, kerosene and jet fuel. Liquefied gaseous fuels are not liquid fuels.

(11) **"Lower Heating Value (LHV)"** means the total heat liberated, excluding the heat of condensation of water, per mass of fuel burned (Btu per pound) when fuel and dry air at standard conditions undergo complete combustion and all resultant products are brought to standard conditions.

(12) **"Manufacturer's Rated Thermal Efficiency (MRTE)"** means the manufacturer's continuous rated percent thermal efficiency of the gas turbine engine, including the effect of any air pollution control equipment if such equipment is installed, at peak load, after correction to lower heating value.

(13) **"Military Tactical Support Equipment"** means any equipment owned by the U.S. Department of Defense or the National Guard and used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.

(14) **"Peaking Unit"** means a stationary gas turbine engine that is only operated for generation of electric power during periods of high energy demand as directed by the California Independent System Operator (CAISO), or for testing or maintenance purposes only.

(15) **"Period of Operation at Low Load"** means a period of time that begins when the gas turbine power level is reduced from a higher level to a lower level such that the gas turbine is unable to comply with the standards of Section (d) Standards, and ends 10 minutes after the turbine power level next exceeds the level where the gas turbine is capable of complying with the standards of Section (d) Standards, provided that fuel is continuously combusted during the entire period. No period of operation at low load shall begin during a period when the provisions of Section (d) Standards do not apply pursuant to Subsection (b)(3)(i), or Subsection (b)(4).

(16) **"Portable Gas Turbine Engine"** means a gas turbine engine which meets the definition of a portable emission unit in Rule 20.1 – New Source Review (NSR)-General Provisions.

(17) **"Power Augmentation"** means an increase in the gas turbine engine shaft output, or a decrease in turbine fuel consumption, by the addition of energy recovered from exhaust heat.

(18) **"Power Rating"** means the maximum, continuous, gross power output of a unit, in megawatts (MW) or equivalent at ISO standard day conditions, as certified by the manufacturer unless limited by a condition in a District Authority to Construct or a Permit to Operate. Power augmentation shall not be included in power rating.

(19) **"Selective Catalytic Reduction (SCR)"** means a post-combustion control technology that utilizes a reducing agent, such as ammonia, injected into the exhaust gas stream where it converts oxides of nitrogen (NO_x) to molecular nitrogen in the presence of a catalyst.

(20) **"Shutdown"** means an action necessary to cease operation of a unit and includes the amount of time needed to safely do so. For gas turbines equipped with a CEMS or other continuous monitoring system that monitors and records fuel flow in increments of one minute or less, a shutdown period ends five minutes after fuel flow to the unit ceases.

(21) **"Stationary Gas Turbine Engine"** means any gas turbine engine system, with or without power augmentation, which is permanently attached to a foundation, or is not a portable gas turbine engine. Two or more gas turbines powering a common shaft shall be treated as one gas turbine.

(22) **"Stationary Source"** means the same as defined in Rule 2 – Definitions.

(23) **"Startup"** means an action necessary to begin operation of a unit and includes the amount of time needed for a unit and ancillary equipment to achieve stable operation. For gas turbines equipped with a CEMS or other continuous monitoring system that monitors and records fuel flow in increments of one minute or less, a startup period begins when fuel starts flowing to the gas turbine engine.

(24) **"Testing or Maintenance"** means operating an emergency unit, or a peaking unit as otherwise indicated, to:

(i) Evaluate the ability of the unit or its supported equipment to perform during an emergency. "Supported Equipment" includes, but is not limited to, generators, pumps, transformers, switchgear, uninterruptible power supply, and breakers; or

(ii) Facilitate the training of personnel on emergency activities; or

(iii) Provide electric power for the facility when the utility distribution company takes its power distribution equipment offline to service that equipment for any reason that does not qualify as an emergency situation; or

(iv) Provide additional hours of operation to perform testing on an emergency unit that has experienced a breakdown or failure during maintenance. Upon approval by the Air Pollution Control Officer, these additional hours of operation will not be counted in the maximum allowable annual hours of operation for the emergency unit that provided the electrical power. Operation for testing or maintenance purposes as described in this Subsection may be allowed for not more than 10 hours per year, with prior written authorization from the Air Pollution Control Officer, provided that an owner or operator demonstrates to the satisfaction of the Air Pollution Control Officer that such additional operation is necessary; or

(v) Provide electric power from the emergency unit for the facility during an electrical upgrade, such as the replacement or addition of electrical equipment and systems resulting in increased generation, transmission and/or distribution capacity; or

(vi) Provide electric power from the emergency unit for the facility during the repair of supported equipment as defined in Subsection (c)(24)(i); or

(vii) Evaluate the ability of the peaking unit or its supported equipment, as defined in Subsection (c)(24)(i), to operate as directed by the CAISO.

(25) **"Unit"** means any stationary gas turbine engine.

(26) **"Unit Thermal Efficiency (E)"** means the percent thermal efficiency of the gas turbine engine and is calculated as follows:

$$E = \frac{(MRTE)(LHV)}{(HHV)}$$

A gas turbine engine with an efficiency lower than 25 percent shall be assigned a unit thermal efficiency of 25 percent.

(d) **STANDARDS**

(1) Except as provided for in Section (b) Exemptions and Subsection (d)(2), the emissions concentration in parts per million by volume (ppmv) of NO_x from any unit subject to this rule, calculated as nitrogen dioxide at 15% oxygen on a dry basis, shall not exceed the following:

<u>Power Rating (Gross Megawatts)</u>	<u>NOx Emissions Concentration</u> <u>(ppmv @ 15% O₂)</u>	
	<u>Gaseous Fuel</u>	<u>Liquid Fuel</u>
≥0.3 and <2.9	42	65
<4.0 and operating less than 877 hours per calendar year	42	65
≥2.9 and <10.0	25 x E/25	65
≥10.0 without installed post-combustion air pollution control equipment	15 x E/25	42 x E/25
≥10.0 with installed post-combustion air pollution control equipment	9 x E/25	25 x E/25

(2) Except as provided for in Section (b) Exemptions, and notwithstanding Subsection (d)(1), the emissions concentration in parts per million by volume (ppmv) of NOx from any unit subject to this rule, calculated as nitrogen dioxide at 15% oxygen on a dry basis, shall not exceed the following:

<u>Unit Description</u>	<u>NOx Emissions Concentration</u> <u>(ppmv @ 15% O₂)</u>	
	<u>Gaseous Fuel</u>	<u>Liquid Fuel</u>
Combined-cycle units, following the first 120 consecutive minutes of an extended startup	42	65

(e) MONITORING AND RECORD KEEPING REQUIREMENTS

(1) An owner or operator of a unit which is subject to the requirements of Section (d) Standards shall install, calibrate and maintain continuous monitors in accordance with the manufacturer's recommended procedures to monitor and record the operational characteristics of the unit and of any NOx emissions reduction system, as applicable, to demonstrate continuous compliance, including, but not limited to:

- (i) fuel flow rate;
- (ii) exhaust gas temperature;
- (iii) ammonia injection rate;
- (iv) water injection rate;
- (v) stack-gas oxygen content;
- (vi) inlet or outlet SCR catalyst temperature; and

(vii) operational parameters defining an extended startup.

(2) An owner or operator of any unit with a power rating of 10 MW or more that operates more than 4,000 hours per calendar year shall install and operate a CEMS to measure and record NOx emissions. The CEMS shall be certified, calibrated and maintained in accordance with all applicable federal regulations including, but not limited to, the requirements of Sections 60.7(c), 60.7(d), and 60.13 of Title 40, Code of Federal Regulations, Part 60 (40 CFR Part 60), performance specifications of Appendix B of 40 CFR Part 60, quality assurance procedures of Appendix F of 40 CFR Part 60, Sections 75.10 and 75.12 of 40 CFR Part 75, the specifications and test procedures of Appendix A of 40 CFR Part 75, the quality assurance and quality control procedures of Appendix B of 40 CFR Part 75, and a protocol approved in writing by the San Diego County Air Pollution Control Officer.

(3) An owner or operator of any unit with a CEMS which has been installed to monitor and record NOx emissions pursuant to any federal regulation shall certify, calibrate and maintain the CEMS in accordance with applicable federal regulations including the requirements of Sections 60.7(c), 60.7(d), and 60.13 of Title 40, Code of Federal Regulations Part 60 (40 CFR Part 60), performance specifications of Appendix B of 40 CFR Part 60, quality assurance procedures of Appendix F of 40 CFR Part 60, and a protocol approved in writing by the San Diego County Air Pollution Control Officer.

(4) An owner or operator of any unit subject to this rule shall maintain, as applicable for the type of unit, records of dates and times of operation, times of all startups, shutdowns, periods of operation at low load, fuel changes and records of the type and quantity of each fuel used during each calendar day and calendar year.

(5) An owner or operator of an emergency unit shall maintain records of dates and times of operation, including operating hours for testing or maintenance purposes and during each emergency situation. At a minimum, these records shall include the dates and times of all startups and shutdowns, total cumulative hours of operation for testing or maintenance purposes during each calendar year, and a description of each emergency situation.

(6) An owner or operator of a peaking unit shall maintain records of dates and times of operation, the hours of operation each calendar day, and the total cumulative hours of operation during each calendar year.

(7) An owner or operator of any unit operating less than 877 hours per calendar year and subject to Subsection (d)(1) shall maintain records of the total cumulative hours of operation during each calendar year.

(8) An owner or operator of any unit subject to this rule shall maintain all records required by this Section (e) Monitoring and Record Keeping Requirements and records of all source tests required by Subsection (g)(2) or Subsection(g)(3) for a minimum of two calendar years. These records shall be maintained on the premises and made available to the District upon request. Records for facilities that are unmanned may be kept at an

alternative location approved in writing by the San Diego County Air Pollution Control Officer.

(9) An owner or operator of any emergency unit subject to Subsection (b)(2) shall install and maintain a non-resettable meter that measures elapsed operating time if deemed necessary by the San Diego County Air Pollution Control Officer.

(f) TEST METHODS

When more than one test method or set of test methods are specified in this section, a violation of any requirement of this rule established by any one of the specified test methods or set of test methods shall constitute a violation of the rule.

(1) To determine compliance with Section (d) Standards, measurement of NO_x and stack-gas oxygen content shall be conducted in accordance with the U.S. Environmental Protection Agency (EPA) Method 7E (Determination of Nitrogen Oxides Emissions from Stationary Sources (Instrumental Analyzer Procedure)), May 2018, and Method 3A (Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure)), August 2017; or District Source Test Method 100 (Test Procedures for the Determination of Nitrogen Oxides, Carbon Monoxide and Diluent Gases by Continuous Emission Monitoring), May 1995, as approved by the EPA.

(2) The higher heating value and lower heating value of a fuel shall be determined by the following methods or their most current versions and can be provided by a fuel supplier:

(i) ASTM Test Method D240-19, “Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter”, or D4809-18, “Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method)” for liquid fuels, or their most current versions, and

(ii) ASTM Test Method D1826-94(2017), Standard Test Method for Calorific (Heating) Value of Gases in Natural Gas Range by Continuous Recording Calorimeter”, or D1945-14(2019), “Standard Test Method for Analysis of Natural Gas by Gas Chromatography”, in conjunction with ASTM Test Method D3588-98(2017)e1, “Standard Practice for Calculating Heat Value, Compressibility Factor, and Relative Density of Gaseous Fuels” for gaseous fuels, or their most current versions.

(g) SOURCE TEST REQUIREMENTS AND COMPLIANCE DETERMINATION

(1) Any required source testing shall be performed at no less than 80% of the power rating. If an owner or operator of a gas turbine engine demonstrates to the satisfaction of the San Diego County Air Pollution Control Officer that the turbine cannot operate at these conditions, then emissions source testing shall be performed at the highest achievable continuous power rating.

(2) Except as specified in Subsection (g)(3), a unit subject to the requirements of Section (d) Standards shall be tested for compliance at least once annually in the twelve-calendar-month period ending on the last day of the Permit to Operate expiration month, unless more frequent testing is specified in writing by the San Diego County Air Pollution Control Officer.

(3) Unless more frequent testing is specified in writing by the San Diego County Air Pollution Control Officer, a unit equipped with a continuous emission monitoring system (CEMS), subject to the requirements of Section (d) Standards, and subject to the provisions of the federal Acid Rain Program pursuant to Section 72.6 of 40 CFR Part 72, shall be tested for compliance at a frequency in accordance with 40 CFR Part 75 Appendix B Section 2.3.1 and Section 2.3.3.

(4) All testing shall be conducted in accordance with the requirements of Section (f) Test Methods and a source test protocol approved in writing by the San Diego County Air Pollution Control Officer.

(5) Test reports shall include the operational characteristics, as described in Subsection (e)(1), of the unit and of all add-on NO_x control systems.

(6) For the purposes of a compliance determination based on source testing, the NO_x emissions concentration shall be calculated as an average of three subtests.

(7) For the purposes of a compliance determination based on CEMS data, the averaging period to calculate NO_x emissions concentration shall be one clock hour. For the purposes of compliance determination, the clock hour average NO_x emissions concentration shall not include the data during periods of startup, shutdown, fuel change, and operation at low.

(8) Notwithstanding provisions of this Section (g) Source Test Requirements and Compliance Determination, the San Diego County Air Pollution Control Officer may require source testing to determine compliance with these Rules and Regulations or to determine emissions at any time.

(h) COMPLIANCE SCHEDULE

An owner or operator of a new or replacement unit shall comply with all applicable provisions of this rule upon initial installation and commencement of operation.

2. Existing Rule 69.3 is to be repealed in its entirety.

IT IS FURTHER RESOLVED AND ORDERED that proposed amended Rule 69.3.1 of Regulation IV shall take effect on *(date of adoption)*.

IT IS FURTHER RESOLVED AND ORDERED that the repeal of existing Rule 69.3 of Regulation IV shall take effect on *(date of adoption)*.

PASSED AND ADOPTED by the Air Pollution Control District Governing Board of the San Diego County Air Pollution Control District, State of California, this 9th day of December 2021, by the following votes:

Setting a meeting for January 19, 2022, at 9:00 a.m.; ON MOTION of Member Bush, seconded by Member Medina, the Air Pollution Control District Governing Board took action as recommended, on Consent.

AYES: Birkbeck-Garcia, Bush, Gomez, Martinez, Medina, Shu, Vargas

ABSENT: Fletcher, Elo-Rivera, Sanchez, Whitburn

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY: Rodney Lorang, Senior Deputy

STATE OF CALIFORNIA)
County of San Diego)^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.



MARVICE MAZYCK
Clerk of the Air Pollution Control District Governing Board