

## **NOTICE OF PUBLIC HEARING**

### **PROPOSED ADOPTION OF, OR AMENDMENT TO, THE RULES AND REGULATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AND PROPOSED SUBMISSION INTO THE STATE IMPLEMENTATION PLAN**

#### **PROPOSED RULE 1109.1 – EMISSIONS OF OXIDES OF NITROGEN FROM PETROLEUM REFINERIES AND RELATED OPERATIONS**

#### **PROPOSED RULE 429.1 – STARTUP AND SHUTDOWN PROVISIONS AT PETROLEUM REFINERIES AND RELATED OPERATIONS**

#### **PROPOSED AMENDED RULE 1304 – EXEMPTIONS**

#### **PROPOSED AMENDED RULE 2005 – NEW SOURCE REVIEW FOR RECLAIM**

#### **PROPOSED RESCINDED RULE 1109 – EMISSIONS OF OXIDES OF NITROGEN FROM BOILERS AND PROCESS HEATERS IN PETROLEUM REFINERIES**

**NOTICE IS HEREBY GIVEN** that a public hearing on the matter of adoption of rules and regulations for the South Coast Air Quality Management District (South Coast AQMD), or the amendments thereto, will be held on Friday, November 5, 2021 in the Dr. William A. Burke Auditorium at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, CA 91765, at 9:00 a.m., at which time evidence will be taken and all interested persons will be heard by the South Coast AQMD Board. The meeting will also be conducted via webcast with opportunities for public comment. Given the health and safety concerns regarding the coronavirus (COVID-19), auditorium seating availability may be limited and the meeting format may be changed to full remote via webcast. Please refer to South Coast AQMD's website for information regarding the format of the Public Hearing, updates if the meeting is changed to a full remote via webcast format, and details on how to participate: <http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>.

**NOTICE IS FURTHER GIVEN** that the South Coast AQMD is considering the adoption of Proposed Rule 1109.1 – Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations (Proposed Rule 1109.1). The objective of Proposed Rule 1109.1 is to reduce NOx emissions, while not increasing CO emissions. Proposed Rule 1109.1 will establish NOx and CO emission limits and averaging times to meet the proposed NOx and CO emission limits for combustion equipment located at petroleum refineries and facilities with operations related to petroleum refineries, which includes, asphalt plants, biofuel plants, hydrogen production plants, facilities that operate petroleum coke calciners, sulfuric acid plants, and sulfur recovery plants. PR 1109.1 includes alternative implementation plans to achieve the NOx and CO emission limits, provisions for time extensions, source testing provisions, recordkeeping and reporting requirements, and exemptions.

**NOTICE IS FURTHER GIVEN** that the South Coast AQMD is considering the adoption of Proposed Rule 429.1 –Startup and Shutdown Provisions at Petroleum Refineries and Related Operations (Proposed Rule 429.1). The objective of Proposed Rule 429.1 is to provide an exemption from the NOx and CO emission limits in Proposed Rule 1109.1 during startup, shutdown, and certain maintenance events. Proposed Rule 429.1 will establish provisions for

startup, shutdown, and certain maintenance events, and notification and recordkeeping provisions for units that are subject to Proposed Rule 1109.1.

**NOTICE IS FURTHER GIVEN** that the South Coast AQMD is considering the amendment of Proposed Amended Rule 1304 – Exemptions (Proposed Amended Rule 1304) and Proposed Amended Rule 2005 – New Source Review for RECLAIM (Proposed Amended Rule 2005). The objective of Proposed Amended Rule 1304 and Proposed Amended Rule 2005 is to provide a narrow exemption from Best Available Control Technology for PM10 and SOx emission increases associated with projects where the installation of add-on air pollution control equipment on an existing unit or installation of new units with add-on pollution control equipment is to meet the proposed NOx limits in Proposed Rule 1109.1. Proposed Amended Rule 1304 establishes a series of conditions for using this exemption, including provisions to ensure federal New Source Review requirements are met.

**NOTICE IS FURTHER GIVEN** that the South Coast AQMD is considering rescinding Rule 1109 – Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries (Proposed Rescinded Rule 1109). Rule 1109 will also be rescinded because with the adoption of Proposed Rule 1109.1, the existing Rule 1109 will be outdated and not necessary.

**NOTICE IS FURTHER GIVEN** that Proposed Rule 1109.1, Proposed Rule 429.1, Proposed Amended Rule 1304, and Proposed Amended Rule 2005 will be submitted to the California Air Resources Board and the United States Environmental Protection Agency for inclusion into the State Implementation Plan.

**NOTICE IS FURTHER GIVEN** that Proposed Rule 1109.1, Proposed Rule 429.1, Proposed Amended Rule 1304, Proposed Amended Rule 2005, and Proposed Rescinded Rule 1109 implement Sections 110, 172, 173, and 182(e) of the Clean Air Act.

**NOTICE IS FURTHER GIVEN** that a written analysis pursuant to Health and Safety Code Section 40727.2 has been prepared that identifies all existing federal air pollution control requirements, all South Coast AQMD existing and proposed rules and regulations, and all pollution control requirements and guidelines that apply to the same equipment or source type as the rules proposed for adoption and amendment.

**NOTICE IS FURTHER GIVEN** that the South Coast AQMD staff has prepared the following documents relevant to the proposed adopted, amended, and rescinded rules, including:

- Proposed Rule 1109.1
- Proposed Rule 429.1
- Proposed Amended Rule 1304
- Proposed Amended Rule 2005
- Proposed Rescinded Rule 1109
- Draft Staff Report for Proposed Rule 1109.1 and Proposed Rescinded Rule 1109
- Draft Staff Report for Proposed Rule 429.1
- Draft Staff Report for Proposed Amended Rules 1304 and 2005

- Draft Subsequent Environmental Assessment
- Draft Socioeconomic Impact Assessment
- Comparative Analyses for Proposed Rules 1109.1 and 429.1 and Proposed Amended Rules 1304 and 2005 are included in the Staff Report

**NOTICE IS FURTHER GIVEN** that the above documents may be obtained from the South Coast AQMD website at <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/proposed-rules>, or by calling the South Coast AQMD's Public Information Center at (909) 396- 2001, or from: Mr. Derrick Alatorre – Deputy Executive Officer/Public Advisor, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765, (909) 396-2432, [dalatorre@aqmd.gov](mailto:dalatorre@aqmd.gov).

**NOTICE IS FURTHER GIVEN** that at the conclusion of the public hearing, consistent with Health and Safety Code Section 40726, the South Coast AQMD Board may make other modifications to Proposed Rule 1109.1, Proposed Rule 429.1, Proposed Amended Rule 1304, Proposed Amended Rule 2005, and Proposed Rescinded Rule 1109, which are justified by the evidence presented, or may decline to adopt some or all of the proposed rules.

Questions, comments, or requests for clarification regarding Proposed Rule 1109.1, Proposed Rule 429.1, Proposed Amended Rule 1304, Proposed Amended Rule 2005, and Proposed Rescinded Rule 1109 can be directed to: Michael Krause, Planning and Rules Manager, [MKrause@aqmd.gov](mailto:MKrause@aqmd.gov), (909) 396-2706. CEQA inquiries can be directed to: Kevin Ni, [kni@aqmd.gov](mailto:kni@aqmd.gov), (909) 396-2462. Socioeconomic Impact Assessment inquiries can be directed to: Ryan Finseth, [rfinseth@aqmd.gov](mailto:rfinseth@aqmd.gov), (909) 396-3575. Comments and inquiries can also be submitted to the attention of the above person(s) to Planning, Rule Development and Area Sources, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765.

Interested persons may provide oral or written statements at the Public Hearing. Ten (10) copies of all hard copy written materials or an electronic copy must be submitted to the Clerk of the Boards. Individuals who wish to submit written or electronic comments must submit such comments to: Clerk of the Boards, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, (909) 396-2500, or to [cob@aqmd.gov](mailto:cob@aqmd.gov) on or before 5:00 p.m. on Tuesday November 2, 2021.

#### **Americans with Disabilities Act and Language Accessibility**

Disability and language-related accommodations can be requested to allow participation in the Governing Board meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov. Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the South Coast AQMD. Please contact the Clerk of the Boards Office, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA, 91765-4178, at (909) 396-2500 (for TTY, 909-396-3560) from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to [PICrequests@aqmd.gov](mailto:PICrequests@aqmd.gov).

DATED: September 21, 2021

FAYE THOMAS  
Clerk of the Boards