



PUBLIC HEARING NOTICE

April 4, 2011

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **PUBLIC HEARING: PROPOSED AMENDMENTS TO REGULATION 9, RULE 7: NITROGEN OXIDES AND CARBON MONOXIDE FROM INDUSTRIAL, INSTITUTIONAL AND COMMERCIAL BOILERS, STEAM GENERATORS AND PROCESS HEATERS; AND REGULATION 1: GENERAL PROVISIONS AND DEFINITIONS**

On **Wednesday, May 4, 2011**, the Board of Directors of the Bay Area Air Quality Management District will conduct a public hearing to consider adoption of proposed amendments to **Regulation 9: Inorganic Gaseous Pollutants, Rule 7: Nitrogen Oxides and Carbon Monoxide from Industrial, Institutional and Commercial Boilers, Steam Generators and Process Heaters** and to **Regulation 1: General Provisions and Definitions**, and also to consider approval of an addendum to the California Environmental Quality Act (CEQA) Negative Declaration approved for the July 30, 2008 amendments to Regulation 9, Rule 7. The hearing will be held in the 7th floor Board Room of the District Office, 939 Ellis Street, San Francisco. **District Board meetings commence at 9:45 a.m.**

Regulation 9, Rule 7 sets emission limits for nitrogen oxides (NO_x) and carbon monoxide (CO) from boilers, steam generators and process heaters used in industrial, institutional and commercial applications in order to reduce ozone forming emissions to the atmosphere, and reduce emissions of CO. Amendments to the rule were adopted in 2008, which included:

1. Expansion of Regulation 9, Rule 7 applicability to natural gas and LPG-fired devices so that the rule applies to devices rated >2 to <10 MM BTU/hr, and establishment of NO_x and CO emission limits for these devices; and
2. Establishment of a manufacturer certification requirement for new, natural gas-fired devices rated >2 to <10 MM BTU/hr as well as a prohibition on commerce in uncertified devices.

The District currently is considering additional amendments to Regulation 9, Rule 7. The District proposes to extend the emissions requirement compliance dates from January 1, 2011 to January 1, 2013 for heaters rated >2 to 5 MM BTU/hr and from January 1, 2012 to January 1, 2013 for heaters rated >5 to <10 MM BTU/hr. Also, the District proposes to allow additional test methods, including U.S. EPA and CARB methods for certification of emission rates, and to require certification of new heaters smaller than 10 MM BTU/hr effective January 1, 2012. The District also proposes a number of minor corrections and clarifications to Regulation 9, Rule 7.

The District also proposes to amend two sections of Regulation 1: General Provisions and Definitions. Section 1-410 would be amended to state that individual pieces of equipment may be required to be registered by District rules regardless of whether the District permits other equipment in the same facility. The proposed amendments to Section 1-412 would require advance notice for changes to the owner or address of record to ensure that the District has current information for addressing official correspondence.

Pursuant to the California Environmental Quality Act (Public Resources Code § 21000 et seq. and CEQA Guidelines 14 CCR §§ 15162 and 15164), an addendum to the CEQA Negative Declaration for the 2008 amendments has been prepared. The addendum concludes that the current proposed amendments would not have significant adverse environmental impacts and that the CEQA Negative Declaration prepared for the 2008 amendments adequately examines the potential for adverse environmental impacts and no additional Initial Study, Environmental Impact Report or Negative Declaration is required. Prior to adopting the proposed amendments to Regulation 9, Rule 7 and to Regulation 1, the Board of Directors will consider approval of the addendum to the July 2008 CEQA Negative (14 CCR § 15064).

A hearing notice, the proposed amendments to Regulation 9, Rule 7 and to Regulation 1, a staff report, the addendum to the CEQA Negative Declaration and an addendum to the 2008 socioeconomic analysis are available at the District website: http://www.baaqmd.gov/pln/ruledev/regulatory_public_hearings.htm. Comments on the proposed rule and Negative Declaration may be directed to Julian Elliot, Senior Air Quality Engineer, Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, California, 94109, or via e-mail at jelliot@baaqmd.gov. **Written comments on the regulatory proposal and Negative Declaration will be accepted until 5:00 p.m. on Monday, April 18, 2011.**

PUBLIC TRANSPORTATION

MUNI -- #47 AND 49 NORTH AND SOUTH ON VAN NESS AVENUE

BART -- CIVIC CENTER STATION 8TH AND MARKET STREETS

Attendees are encouraged to ride public transit, rideshare, bicycle, walk or use other non-motorized modes to and from the District.