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Topic / Ref. : Proposed Regulation 13, Rule 5

Air Liquide has been actively involved in the process to develop Regulation 13, Rule 5 since the beginning and appreciates this opportunity to offer further comment on the proposed rule language. We understand and commend the district staff's zeal in protecting our climate. It is a goal we share with them.

We are concerned that there is a mismatch between the requirements of 13-5-502.1 and -502.4. 13-5-502.4 allows until the next turnaround, but no more than five years, for the installation of a sampling port in a deaerator vent whereas 13-5-502.1 allows only 12 months for the installation of a flowmeter in that same vent. The installation of a flowmeter requires the entire unit to be shut down for an extended period such as during a turnaround period. We request that 13-5-502.1 be reworded to allow the installation of the flowmeter during the next turnaround, but no more than five years.

13-5-502.3 has the confusing phrase "both methane and organic compounds" at the end. Methane is an organic compound and is the subject of this rule. 13-5-502.2 requires total organic carbon (TOC) to be quantified as methane, a common analytical practice to simplify reporting by using a single yardstick. We ask that the apparently extraneous reference to organic compounds be removed from 13-5-502.3.

We have a lingering concern raised in prior comments that does not appear to have been affirmatively addressed by the text of the rule, by staff reports, or by communications with the staff. 13-5-502.2 requires quarterly testing of the TOC content of the deaerator vent stream. We already test this vent stream for volatile organic carbon (VOC) once per year and do not object to performing an additional test for TOC. Stack testing for criteria pollutants and toxic air contaminants is consistently an annual requirement district-wide. We believe that the requirement for this particular testing to be performed quarterly is excessive. The district has not produced any evidence which supports testing sources emitting a few pounds of non-toxic GHGs more frequently than those emitting multi-ton quantities of NO_x, SO_x, PM, and TACs. There are few third-party test companies that are both capable and competent to perform this test. The availability of these companies is a limited resource shared amongst the regulated parties. Each test requires the mobilization of a crew and equipment over several days. The test operator has to scale plant equipment and collect a sample in close proximity to an operating live steam vent. The added risk to the test operators by quadrupling the frequency is unwarranted given the indiscernible benefit to air quality by that more frequent measurement.

We are still concerned about the dry basis for TOC in 13-5-502.2. This elementary mistake is incongruous with a deaerator vent stream that is 99.99+% water vapor. It also would render compliance with -502.1 and -502.3 impossible since the flowmeter would record the total flow including steam, and the wet concentration in

conjunction with the flow is necessary to ascertain the mass emissions. We ask for TOC to be quantified on a wet concentration basis, or on a mass basis alone.

Thank you for this opportunity to comment. We look forward to further collaboration with the district to combat climate change.

Regards,

Eric KLEINSCHMIDT