

Mojave Desert
Air Quality Management District



Final
Staff Report
Adoption of the
*2015 8-Hour Reasonably Available Control
Technology - State Implementation Plan Analysis
(RACT SIP Analysis)*

Adopted
February 23, 2015

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**STAFF REPORT
TABLE OF CONTENTS**

***2015 8-Hour Reasonably Available Control Technology – State
Implementation Plan Analysis (RACT SIP Analysis)***

I. PURPOSE OF STAFF REPORT	1
II. EXECUTIVE SUMMARY	1
III. STAFF RECOMMENDATION	2
IV. LEGAL REQUIREMENTS CHECKLIST	3
V. DISCUSSION OF LEGAL REQUIREMENTS	4
A. REQUIRED ELEMENTS/FINDINGS	4
1. State Findings Required for Adoption of Rules & Regulations	4
a. Necessity	4
b. Authority	4
c. Clarity	4
d. Consistency	4
e. Non-duplication	5
f. Reference	5
g. Public Notice & Comment, Public Hearing	5
2. Federal Elements (SIP Submittals, Other Federal Submittals)	5
a. Satisfaction of Underlying Federal Requirements	5
b. Public Notice and Comment	5
c. Availability of Document	5
d. Notice to Specified Entities	6
e. Public Hearing	6
f. Legal Authority to Adopt and Implement	6
g. Applicable State Laws and Regulations Were Followed	6
B. WRITTEN ANALYSIS OF EXISTING REQUIREMENTS	6
C. ECONOMIC ANALYSIS	6
1. General	6
2. Incremental Cost Effectiveness	7
D. ENVIRONMENTAL ANALYSIS (CEQA)	7
E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS	7
1. Potential Environmental Impacts	7
2. Mitigation of Impacts	7
3. Alternative Methods of Compliance	8
F. PUBLIC REVIEW	8
VI. TECHNICAL DISCUSSION	8
A. SIP HISTORY	9
1. SIP History	9
a. SIP in the San Bernardino County Portion of MDAQMD	9
b. SIP in the Riverside County Portion of the MDAQMD	10
2. SIP Analysis	10
Appendix A - 8-Hour Reasonably Available Control Technology -- State Implementation Plan Analysis (RACT SIP Analysis)	A-1

Appendix B - Public Notice Documents.....	B-1
Appendix C - Public Comments and Responses.....	C-1
Appendix D - California Environmental Quality Act Documentation	D-1
Appendix E - Bibliography.....	E-1

Abbreviations and Acronyms

ATC	Authority to Construct
AVAQMD	Antelope Valley Air Quality Management District
BACT	Best Available Control Technology
BARCT	Best Available Retrofit Control Technology
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CPI	Consumer Price Index
CTG	Control Techniques Guideline
CFR	Code of Federal Regulations
FCAA	Federal Clean Air Act
FND	Federal Negative Declaration
H&S Code	California Health and Safety Code
FONA	Federal Ozone Non-attainment Area
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
NAAQS	National Ambient Air Quality Standard
NO _x	Oxides of Nitrogen
O ₃	Ozone
PTO	Permit to Operate
RACT	Reasonably Available Control Technology
SBCAPCD	San Bernardino County Air Pollution Control District
SCAQMD	South Coast Air Quality Management District
SIP	State Implementation Plan
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

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STAFF REPORT

2015 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)

I. PURPOSE OF STAFF REPORT

A staff report serves several discrete purposes. Its primary purpose is to provide a summary and background material to the members of the Governing Board. This allows the members of the Governing Board to be fully informed before making any required decision. It also provides the documentation necessary for the Governing Board to make any findings, which are required by law to be made prior to the approval or adoption of a document. In addition, a staff report ensures that the correct procedures and proper documentation for approval or adoption of a document have been performed. Finally, the staff report provides evidence for defense against legal challenges regarding the propriety of the approval or adoption of the document.

II. EXECUTIVE SUMMARY

The Mojave Desert Air Quality Management District (MDAQMD) Governing Board is being requested to conduct a public hearing, make findings, and then adopt a resolution adopting the *2015 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)*, and direct staff actions.

The FCAA requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Technique Guidelines (CTG) documents issued by the USEPA for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, portions of the District have been designated non-attainment for ozone and classified as Severe-15 for the new 8-hour ozone standard. As a result of this change, USEPA is requiring that all non-attainment areas adopt and submit an updated *RACT SIP Analysis* to ensure that District Rules adequately address current RACT requirements.

In 2006 the MDAQMD adopted the *8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)* in response to change on March 9, 2006 of the previous ozone standard from measurement on a one- hour basis (1-hour ozone standard) to an eight-hour basis (8-hour ozone standard). On September 14, 2006, USEPA provided comments on the 2006 *RACT SIP Analysis* requesting additional analysis on several rules to determine if they still represented RACT¹. On February 25, 2014, the MDAQMD sent the *2014 Supplement to the 2006 MDAQMD RACT SIP Analysis* addressing these comments and

¹ USEPA comment letter Re: 8-hour Ozone Reasonably Available Control Technology – State Implementation Plan (RACT SIP) Analysis, dated August 2006. September 14, 2006.

providing the requested analysis of those rules identified by USEPA ². This update was not acted on by the Governing Board pursuant to USEPA direction.

The MDAQMD must now adopt an updated *2015 RACT SIP Analysis* for the 2008 0.075 ppm 8-hour ozone NAAQS. The information contained in the original 2006 *RACT SIP Analysis*, the information in the supplemental *2014 RACT SIP Analysis*, together with this document, will comprise an analysis sufficient to satisfy the *RACT SIP Analysis* request for the 0.075 ppm 8-hour ozone NAAQS. The resultant *2015 RACT SIP Analysis* will, upon adoption, be submitted to USEPA for approval.

III. STAFF RECOMMENDATION

Staff and the Technical Advisory Committee recommends that the Governing Board of the MDAQMD adopt the proposed *2015 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (2015 RACT SIP Analysis)* and approve the appropriate California Environmental Quality Act (CEQA) documentation. Such action is necessary because portions of the MDAQMD have been designated ozone non-attainment areas and classified Severe-15 for the 8-hour ozone standard, therefore the MDAQMD must submit an updated *RACT SIP Analysis* to the USEPA pursuant to the FCAA.

The Governing Board of the Mojave Desert Air Quality Management District adopted the *2015 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (2015 RACT SIP Analysis)* at the February 23, 2015 Governing Board meeting.

² MDAQMD letter Re: 8-hour Ozone Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) Analysis – Supplemental Analysis. February 25, 2014.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct adoption of the *2015 RACT SIP Analysis*. Each item is discussed, if applicable, in Section V. Copies of related documents are included in the appropriate appendices.

FINDINGS REQUIRED FOR RULES & REGULATIONS:

- X Necessity
- X Authority
- X Clarity
- X Consistency
- X Non-duplication
- X Reference
- X Public Notice & Comment
- X Public Hearing

REQUIREMENTS FOR STATE IMPLEMENTATION PLAN SUBMISSION (SIP):

- X Public Notice & Comment
- X Availability of Document
- X Notice to Specified Entities (State, Air Districts, USEPA, Other States)
- X Public Hearing
- X Legal Authority to adopt and implement the document.
- X Applicable State laws and regulations were followed.

ELEMENTS OF A FEDERAL SUBMISSION:

- X Elements as set forth in applicable Federal law or regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):

- N/A Ministerial Action
- X Exemption
- N/A Negative Declaration
- N/A Environmental Impact Report
- N/A Appropriate findings, if necessary.
- X Public Notice & Comment

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):

- X Environmental impacts of compliance.
- N/A Mitigation of impacts.
- N/A Alternative methods of compliance.

OTHER:

- X Written analysis of existing air pollution control requirements
- X Economic Analysis
- X Public Review

V. DISCUSSION OF LEGAL REQUIREMENTS

A. REQUIRED ELEMENTS/FINDINGS

This section discusses the State of California statutory requirements that apply to the adoption of the *2015 RACT SIP Analysis*. Since this document is required to be adopted pursuant to public notice and other requirements under 42 USC 7410(a)(2), the District considers the rule adoption process pursuant to H&S Code §40702 to be a proper way to meet these requirements. Therefore, these are actions, that need to be performed, and/or information, that must be provided in order to adopt this document in a procedurally correct manner.

1. State Findings Required for Adoption of Rules & Regulations

Before adopting, amending, or repealing a rule or regulation, the Governing Board of the MDAQMD is required to make findings of necessity, authority, clarity, consistency, non-duplication, and reference based upon relevant information presented at the hearing. The information below is provided to assist the Governing Board in making these findings.

a. Necessity

The adoption of the *2015 RACT SIP Analysis* is necessary because portions of the MDAQMD have been designated as an ozone non-attainment area and classified Severe-15 for the 0.075 ppm 8-hour ozone standard. Therefore, the MDAQMD must submit a *RACT SIP Analysis* to the USEPA pursuant to the FCAA.

b. Authority

The District has the authority pursuant to H&S Code §40702 to adopt, amend or repeal rules and regulations.

c. Clarity

The adoption of the *2015 RACT SIP Analysis* is clear in that it is written so that the persons evaluating the analysis can easily understand the meaning.

d. Consistency

The adoption of the *2015 RACT SIP Analysis* is in harmony with, and not in conflict with or contradictory to any state law or regulation, federal law or regulation, or court decisions.

e. Non-duplication

The adoption of the *2015 RACT SIP Analysis* does not impose the same requirements as any existing state or federal regulation because federal law requires either certification of RACT status or updating rules to current RACT.

f. Reference

The District has the authority pursuant to H&S Code §40702 to adopt, amend or repeal rules and regulations.

g. Public Notice & Comment, Public Hearing

Notice for the public hearing for the adoption of the proposed *2015 RACT SIP Analysis* was published January 23, 2015. See Appendix “B” for a copy of the public notice. See Appendix “C” for copies of comments, if any, and District responses.

2. Federal Elements (SIP Submittals, Other Federal Submittals)

Submittals to the USEPA are required to include various elements depending upon the type of document submitted and the underlying Federal law that requires the submittal. The information below indicates which elements are required for the adoption of the *2015 RACT SIP Analysis* and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements

The adoption of the *2015 RACT SIP Analysis* is subject to all the requirements for a SIP submittal because the *2015 RACT SIP Analysis* is included in the MDAQMD SIP. The criteria for determining completeness of SIP submissions are set forth in 40 CFR Part 51, Appendix V, 2.0.

b. Public Notice and Comment

Notice for the public hearing for the adoption of the proposed *2015 RACT SIP Analysis* was published January 23, 2015. See Appendix “B” for a copy of the public notice. See Appendix “C” for copies of comments, if any, and District responses.

c. Availability of Document

Copies of the proposed *2015 RACT SIP Analysis* and the accompanying draft staff report were made available to the public on January 21, 2015. The proposed *2015 RACT SIP Analysis* was also reviewed by the Technical Advisory Committee, a committee

consisting of a variety of regulated industry and local governmental entities, on December 10, 2014.

d. Notice to Specified Entities

Copies of the proposed *2015 RACT SIP Analysis* and the accompanying draft staff report were sent to all affected agencies. The proposed documents were sent to CARB and USEPA on January 21, 2015.

e. Public Hearing

A public hearing to consider the proposed adoption of the *2015 RACT SIP Analysis* was held on February 20, 2015.

f. Legal Authority to Adopt and Implement

The District has the authority pursuant to H&S Code §40702 to adopt, amend, or repeal rules and regulations and to do such acts as may be necessary or proper to execute the duties imposed upon the District.

g. Applicable State Laws and Regulations Were Followed

Public notice and hearing procedures pursuant to H&S Code §§40725-40728 have been followed. See Section (V)(A)(1) above for compliance with state findings required pursuant to H&S Code §40727. See Section (V)(B) below for compliance with the required analysis of existing requirements pursuant to H&S Code §40727.2. See Section (V)(C) for compliance with economic analysis requirements pursuant to H&S Code §40920.6. See Section (V)(D) below for compliance with provisions of the CEQA.

B. WRITTEN ANALYSIS OF EXISTING REQUIREMENTS

H&S Code §40727.2 requires air districts to prepare a written analysis of all existing federal air pollution control requirements that apply to the same equipment or source type as the rule proposed for modification by the district. The adoption of the *2015 RACT SIP Analysis* is to ensure that District rules adequately address current RACT requirements. Therefore the preparation of a written analysis of existing pollution control requirements that apply to the same equipment or source type is not applicable in this staff report. The individual rule actions identified as a result of this analysis will be specifically evaluated to satisfy this requirement on a case-by-case basis through the rule amendment process.

C. ECONOMIC ANALYSIS

1. General

Adoption of the *2015 RACT SIP Analysis* will affect those facilities subject to rules requiring adoption or amendment to meet RACT requirements. The *2015 RACT SIP Analysis* identifies necessary rule actions. Cost analysis will be addressed on a rule specific basis for those actions identified in the *2015 RACT SIP Analysis* through the rule amendment process.

2. Incremental Cost Effectiveness

Pursuant to H&S Code §40920.6, incremental cost effectiveness calculations are required for rules and regulations which are adopted or amended to meet the California Clean Air Act requirements for Best Available Retrofit Control Technology (BARCT) or “all feasible measures” to control volatile compounds, oxides of nitrogen or oxides of sulfur. The adoption of the *2015 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis)* is not subject to incremental cost effectiveness calculations because this document does not impose BARCT or “all feasible measures.” Potential environmental effects will be addressed on a rule by rule basis through the rule amendment process as specific rule changes and their potential impacts are currently not foreseeable.

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below the appropriate CEQA process for the adoption of the proposed *2015 RACT SIP Analysis* was determined.

1. The adoption of the proposed *2015 RACT SIP Analysis* meets the CEQA definition of “project.” It is not a “ministerial” action.
2. The adoption of the proposed *2015 RACT SIP Analysis* is exempt from CEQA review because it will not create any adverse impacts on the environment. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies. Potential environmental effects will be addressed on a rule by rule basis through the rule amendment process as specific rule changes and their potential impacts are currently not foreseeable. Copies of the documents relating to CEQA can be found in Appendix “D.”

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

There are no potential negative environmental impacts of compliance with the adoption of the proposed *2015 RACT SIP Analysis*.

2. Mitigation of Impacts

N/A

3. Alternative Methods of Compliance

N/A

F. PUBLIC REVIEW

See Staff Report Section (V)(A)(1)(g) and (2)(b), as well as Appendix “B”

VI. TECHNICAL DISCUSSION

The FCAA requires that ozone non-attainment areas implement RACT for sources that are subject to CTGs and for major sources of ozone precursors. The *2015 RACT SIP Analysis* document: (1) reviews all available instances of RACT for applicability to the MDAQMD; (2) reviews all MDAQMD major sources for RACT applicability; and (3) identifies any actions the MDAQMD must take to address applicable RACT requirements. This document satisfies 42 U.S.C. §§7511a (FCAA §182) regarding RACT requirements for the eight-hour ozone National Ambient Air Quality Standard (NAAQS).

The MDAQMD has evaluated its adopted rules and all of its major sources of ozone precursors to ensure that current rules meet the definition of RACT. This section gives a brief overview of the elements identified for further action in the adoption of the proposed *2015 RACT SIP Analysis*. Complete rule analysis is available in the *2015 RACT SIP Analysis* presented in Appendix “A” of this Staff Report.

Rule 461 – *Gasoline Transfer and Dispensing* will be updated to address current RACT for mobile fuelers, CARB Certified equipment/Executive Order requirements, self-compliance program provisions, and ORVR exemption.

Rule 462 – *Organic Liquid Loading* will be updated to meet RACT based on a future cost effectiveness analysis. The District currently does not have requirements for CMS, or vapor system reduction of emissions to 0.08 pounds or less per thousand gallons, or backpressure requirements.

Rule 463 – *Storage of Organic Liquids* will be amended to meet federal RACT requirements based on updated RACT determinations of reviewed District rules. The SIP must also be updated for entire District upon amendment.

Rule 464 – *Oil-Water Separators* was amended on 06/23/2014. This rule has been submitted to the California Air Resources Board with a request for inclusion in the SIP, and it is expected that the rule will be determined to fulfill RACT.

Rule 1104 – *Organic Solvent Degreasing* does not meet all CTG recommended control options, work practices and alternative composite vapor pressure limit. Rule 1104 will be updated to meet current federal RACT requirements.

Rule 1106 – *Marine Coating Operations* does not meet CTG overall control efficiency for add on controls of 90%. Rule 1106 will be updated to meet current federal RACT requirements.

Rule 1114 – *Wood Products Coating Operations* must be amended to meet RACT when comparing to more recently amended District rules. Rule 1114 does not have same applicability as the Flat Wood Paneling CTG. Rule 1114 will not be amended to include flat wood paneling requirements (as SJVAPCD has done), but a Federal Negative Declaration (FND) will be filed for the flat wood paneling category.

Rule 1115 – *Metal Parts & Product Coating Operations* does not meet several of the CTG VOC limits or control efficiency requirements. Rule 1115 will be amended to meet current federal RACT requirements.

Rule 1118 – *Aerospace Vehicle Parts and Products Coating Operations* is to be amended to include additional CTG categories and adjust VOC limits to conform to current federal RACT requirements.

Rule 1157 – *Boilers and Process Heaters* is to be amended to include entire District, not excluding the Federal Ozone Nonattainment Area. NO_x limits to be adjusted if necessary to conform to current federal RACT.

Rule 1158 – *Electric Utility Operations* is to be amended to include entire District, not excluding the Federal Ozone Nonattainment Area. NO_x limits to be adjusted if necessary to conform to current federal RACT.

Rule 1160 – *Internal Combustion Engines* is in the process of amendment. The current amendment will address and fulfill RACT.

Rule 1161 – *Portland Cement Kilns* does not meet current RACT as determined by a more recent RACT rule comparison with other states rules. Rule 1161 must be amended to meet Federal RACT requirements based on updated RACT determinations of reviewed state rules.

Rule 1162 – *Polyester Resin Operations* does not match control efficiency requirements in Sacramento Rule 465 or SJVUAPCD Rule 4684 which have been determined to fulfill federal RACT. Rule 1162 must be amended to meet Federal RACT requirements based on updated RACT determinations of reviewed state rules.

A. SIP HISTORY

1. SIP History

a. SIP in the San Bernardino County Portion of MDAQMD

On July 1, 1993 the MDAQMD was formed pursuant to statute. Pursuant to statute it also retained all the rules and regulations of the SBCAPCD until such time as the Governing Board of the

MDAQMD wished to adopt, amend or rescind such rules. The MDAQMD Governing Board, at its very first meeting, reaffirmed all the rules and regulations of the SBCAPCD. Since SIP revisions in California are adopted by USEPA as effective in areas which happen to be defined by both air basin designations and the jurisdictional boundaries of local air districts within those air basins, the MDAQMD “inherited” the SBCAPCD SIP which was in effect for what is now called the San Bernardino County Portion of MDAB.

There is no equivalent document to the *2015 RACT SIP Analysis* currently in the MDAQMD SIP.

b. SIP in the Riverside County (Blythe/Palo Verde Valley) Portion of the MDAQMD

One of the provisions of the legislations which created the MDAQMD allowed areas contiguous to the MDAQMD boundaries and within the same air basin to leave their current air district and become a part of the MDAQMD. On July 1, 1994 the area commonly known as the Palo Verde Valley in Riverside County, including the City of Blythe, left SCAQMD and joined the MDAQMD. Since USEPA adopts SIP revisions in California as effective within the jurisdictional boundaries of local air districts, when the local boundaries change the SIP as approved by USEPA for that area up to the date of the change remains as the SIP in that particular area. Upon annexation of the Blythe/Palo Verde Valley the MDAQMD acquired the SIP prior to July 1, 1994 that was effective in the Blythe/Palo Verde Valley. Therefore, the SIP history for the Blythe/Palo Verde Valley Portion of the MDAQMD is based upon the rules adopted and approved for that portion of Riverside County by SCAQMD.

There is no equivalent document to the *2015 RACT SIP Analysis* currently in the SIP for the Riverside County portion of the MDAQMD.

2. SIP Analysis

The *2015 RACT SIP Analysis* will be submitted to the USEPA for inclusion into the State Implementation Plan

Appendix “A”
***8-Hour Reasonably Available Control Technology - State Implementation Plan
Analysis (RACT SIP Analysis)***

Please see the MDAQMD *2015 8-Hour Reasonable Available Control Technology – State Implementation Plan Analysis (2015 RACT SIP Analysis)* as contained in the February 23, 2015 adoption package.

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Appendix “B”
Public Notice Documents

1. Proof of Publication – Daily Press, January 23, 2015
2. Proof of Publication – Riverside Press Enterprise, January 23, 2015

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PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Bernardino

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the publisher of the DAILY PRESS, a newspaper of general circulation, published in the City of Victorville, County of San Bernardino, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, under the date of November 21, 1938, Case number 43096, that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

January 23

All in the year 2015.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated this: 23rd day of January, 2015.

Signature

Leslie Jacobs

This space is the County Clerk's Filing
Stamp

FILED
MOJAVE DESERT AQMD
CLERK OF THE BOARD

FEB 02 2015

BY

Proof of Publication of NOTICE OF HEARING

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on February 23, 2015 at 10:00 A.M. to consider the proposed adoption of the 2015 8-Hour Reasonably Available Control Technology - State Implementation Plan Analysis (2015 RACT SIP Analysis).

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2310 where all interested persons may be present and be heard. Copies of the proposed 2015 RACT SIP Analysis and the Staff Report are on file and may be obtained from the Clerk of the MDAQMD Offices. Written comments may be submitted to Eldon Heaston, APCO at the above office address. Written comments must be received no later than February 20, 2015 to be considered. If you have any questions you may contact Tracy Walters at (760) 245-1661, extension 6122 for further information. Traducción esta disponible por solicitud.

The proposed adoption of the 2015 RACT SIP Analysis will adequately address current RACT requirements. The Federal Clean Air Act (CAA) requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to Control Technique Guidelines (CTG) documents issued by the United States Environmental Protection Agency (USEPA) for "major sources" of volatile organic compounds (VOCs) and oxides of nitrogen (NOX) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the CAA, portions of

the District have been designated non-attainment for ozone and classified as Severe-15 for the new 8-hour standard. As a result of the shift to the 0.075 ppm standard, USEPA is requiring that all non-attainment areas submit an updated RACT SIP Analysis.

In 2006, the MDAQMD adopted the 8-Hour Reasonably Available Control Technology - State Implementation Plan Analysis (RACT SIP Analysis) in response to a shift by USEPA on March 9, 2006 of the previous ozone standard from measurement on a one-hour basis to an eight-hour basis (8-hour ozone standard). On September 14, 2006, USEPA provided comments on the 2006 RACT SIP Analysis requesting additional analysis on several rules to determine if they still represent RACT. On February 23, 2014, the MDAQMD sent the 2014 Supplement to the 2006 MDAQMD RACT SIP Analysis to USEPA. This document addressed comments in the September 14, 2006 USEPA comment letter, and provided the requested analysis of those rules identified by USEPA.

The MDAQMD must now adopt an updated 2015 RACT SIP Analysis for the 2008 0.075 ppm 8-hour ozone NAAQS. The original 2006 RACT SIP Analysis, together with the Supplemental 2014 RACT SIP Analysis and this document, represents a current and complete 2015 RACT SIP Analysis document for the 0.075 ppm 8-hour ozone NAAQS.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg §15308) applies and has prepared a Notice of Exemption for this action.

Michele Baird
Clerk of the Board
Mojave Desert Air Quality
Management District

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THE PRESS-ENTERPRISE

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PROOF OF PUBLICATION
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Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, under date of February 4, 2013, Case Number RIC 1215735, under date of July 25, 2013, Case Number RIC 1305730, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

01/23/2015

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: January 23, 2015
At: Riverside, California

MOJAVE DESERT AQMD
14306 PARK AVE
ATTN: MICHELE BAIRD
VICTORVILLE, CA 92392

Ad Number: 0010010556-01

P.O. Number:

FILED
MOJAVE DESERT AQMD
CLERK OF THE BOARD

FEB 02 2015

BY

Ad Copy:

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on February 23, 2015 at 10:00 A.M. to consider the proposed adoption of the 2015 8-Hour Reasonably Available Control Technology - State Implementation Plan Analysis (2015 RACT SIP Analysis).

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2310 where all interested persons may be present and be heard. Copies of the proposed 2015 RACT SIP Analysis and the Staff Report are on file and may be obtained from the Clerk of the Governing Board at the MDAQMD Offices. Written comments may be submitted to Eldon Heaston, APCD at the above office address. Written comments must be received no later than February 20, 2015 to be considered. If you have any questions you may contact Tracy Walters at (760) 245-1861, extension 6122 for further information. Traducción esta disponible por solicitud.

The proposed adoption of the 2015 RACT SIP Analysis will adequately address current RACT requirements. The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to Control Technique Guidelines (CTG) documents issued by the United States Environmental Protection Agency (USEPA) for "major sources" of volatile organic compounds (VOCs) and oxides of nitrogen (NOx) which are ozone precursors. Effective May 27, 2008 (73 FR 16436; March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, portions of the District have been designated non-attainment for ozone and classified as Severe-15 for the new 8-hour standard. As a result of the shift to the 0.075 ppm standard, USEPA is requiring that all non-attainment areas submit an updated RACT SIP Analysis.

In 2006, the MDAQMD adopted the 8-Hour Reasonably Available Control Technology - State Implementation Plan Analysis (RACT SIP Analysis) in response to a shift by USEPA on March 9, 2006 of the previous ozone standard from measurement on a one-hour basis to an eight-hour basis (8-hour ozone standard). On September 14, 2006, USEPA provided comments on the 2006 RACT SIP Analysis requesting additional analysis on several rules to determine if they still represent RACT. On February 25, 2014, the MDAQMD sent the 2014 Supplement to the 2006 MDAQMD RACT SIP Analysis to USEPA. This document addressed comments in the September 14, 2006 USEPA comment letter, and provided the requested analysis of those rules identified by USEPA.

The MDAQMD must now adopt an updated 2015 RACT SIP Analysis for the 2008 0.075 ppm 8-hour ozone NAAQS. The original 2006 RACT SIP Analysis, together with the Supplemental 2014 RACT SIP Analysis and this document, represents a current and complete 2015 RACT SIP Analysis document for the 0.075 ppm 8-hour ozone NAAQS.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg §15308) applies and has prepared a Notice of Exemption for this action.

Michele Baird
Clerk of the Board
Mojave Desert Air Quality Management District 1/23

Appendix “C”

Public Comments and Responses

1. EPA Comments on 2014 MD RACT SIP prelim draft, 11-6-14.
2. ACMA Comment Letter, February 19, 2015
3. Molded Fiber Glass Companies, February 18, 2015

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Comment Letter 1

2014 MD RACT SIP prelim draft (st) 11-6-14 [Read-Only] [Compatibility Mode]

Main document changes and comments

1

Page 2: Comment [TS1] Tong, Stanley 8/11/2014 10:31:00 AM

Insert somewhere:

For the purposes of the FCAA portions of the District have been designated non-attainment for ozone and classified as severe for the 1997 and 2008 ozone standard. (May 8, 2012 [77 FR 26950](#) and June 6, 2013 [78 FR 34178](#))

2

Page 9: Comment [TS2] Tong, Stanley 8/11/2014 10:39:00 AM

Insert somewhere, that for severe ozone non-attainment areas a major source is defined as any stationary source or group of sources that emits or has the potential to emit, at least 25 tons per year of VOCs or NOx (CAA 182(d) and (f)).

3

Page 11: Comment [TS3] Tong, Stanley 8/11/2014 10:46:00 AM

The 2008 CTG for Misc Metal and Plastic parts coatings includes pleasure crafts – see Table 5. Does this facility paint pleasure crafts/parts. Rule 1106 has slightly higher limits than the CTG for “high gloss” and “all other pleasure craft surface coatings”. 1106 adopted in 2006; CTG issued in 2008.

http://www.epa.gov/groundlevelozone/SIPToolkit/ctg_act/200809_voc_epa453_r-08-003_misc_metal_plasticparts_coating.pdf

There is also a CTG for fiberglass boats, not sure if this company’s operations fall under the 2008 CTG – includes manufacture of fiberglass hulls or decks

<http://yosemite.epa.gov/r9/r9sips.nsf/Agency?ReadForm&count=500&state=California&cat=Mojave+Desert+AQM+D-Agency-Wide+Provisions>

4

Page 11: Comment [TS4] Tong, Stanley 8/11/2014 1:24:00 PM

If the Misc Metal and Plastic Parts CTG applies and this is a major source, does the wording “not a major source” still apply?

5

Page 14: Comment [TS5] Tong, Stanley 8/11/2014 1:40:00 PM

Does Edwards AFB perform aerospace coating work?

6

Page 19: Comment [TS6] Tong, Stanley 8/11/2014 3:31:00 PM

Can wording such as this be added:

The District has reviewed its permit files and the emission inventory for its federal Clean Air Plan, *[include any other information sources searched such as SIC Codes, telephone yellow pages, internet search, or discussion with knowledgeable District inspectors etc]*, and has determined that there are no stationary sources or emitting facilities for the following CTG categories. The District also does not anticipate these sources in the future.

7

Page 19: Comment [TS7] Tong, Stanley 8/11/2014 2:05:00 PM

Only CTGs need to be Neg Dec. No need to Neg Dec any NOx sources or other non-CTG categories.

See May 20, 2011 [76 FR 29153](#)

8

Page 19: Comment [TS8] Tong, Stanley 8/11/2014 3:37:00 PM

These 6 are not CTG categories – Petro Refining, Metallurgical Processes, Nitric Acid, Adipic Acid, Explosives, Coal

9

Page 19: Comment [TS9] Tong, Stanley 8/11/2014 3:44:00 PM

This is a CTG

10	Page 20: Comment [TS10]	Tong, Stanley	8/11/2014 3:43:00 PM
	This is a CTG, but the above – Veg oil, Beer, Whiskey, Plywood, Plywood Veneer are not CTGs		
11	Page 20: Comment [TS11]	Tong, Stanley	8/11/2014 3:45:00 PM
	This is a CTG		
12	Page 20: Comment [TS12]	Tong, Stanley	8/11/2014 3:46:00 PM
	Not a CTG		
13	Page 20: Comment [TS13]	Tong, Stanley	8/11/2014 3:45:00 PM
	These are CTGs Cans, Coils, Fabrics, Light duty Trucks, Appliances		
14	Page 20: Comment [TS14]	Tong, Stanley	8/11/2014 4:55:00 PM
	Add: 3. Control of Volatile Organic Emissions from Existing Stationary Sources-Vol II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks (EPA-450/2-77-008, 5/77, NTIS PB-272-445), CTG.		
	:		
15	Page 21: Comment [TS15]	Tong, Stanley	8/11/2014 3:46:00 PM
	This is a CTG		
16	Page 21: Comment [TS16]	Tong, Stanley	8/11/2014 3:46:00 PM
	Not a CTG – Waste, bakery, Phosphate plants, H2SO4 plant, Process heaters.		
17	Page 21: Comment [TS17]	Tong, Stanley	8/11/2014 3:48:00 PM
	These are CTGs Vacuum, Refinery Equip, Leaks from Natural gas;		
18	Page 21: Comment [TS18]	Tong, Stanley	8/11/2014 5:01:00 PM
	Above CTG includes wastewater separators – do you have these? Otherwise considering adding to neg dec		
19	Page 21: Comment [TS19]	Tong, Stanley	8/11/2014 3:51:00 PM
	Not a CTG		
20	Page 22: Comment [TS20]	Tong, Stanley	8/11/2014 3:52:00 PM
	All on this page are CTGs except auto/transportation and business machine; and the last one – batch processes.		
21	Page 22: Comment [TS21]	Tong, Stanley	8/11/2014 5:05:00 PM
	Same as above? Delete?		
22	Page 23: Comment [TS22]	Tong, Stanley	8/11/2014 3:54:00 PM
	Not a CTG, Styrene, Polystyrene, Auto / transportation and business machine plastic parts (also same category listed above)		
23	Page 23: Comment [TS23]	Tong, Stanley	8/11/2014 5:10:00 PM
	Repeat from bottom of pg 22		
24	Page 23: Comment [TS24]	Tong, Stanley	8/11/2014 3:55:00 PM
	Repeat category from pervious page, also not a CTG		
25	Page 23: Comment [TS25]	Tong, Stanley	8/11/2014 5:11:00 PM
	Repeat from middle of pg 22		
26	Page 23: Comment [TS26]	Tong, Stanley	8/12/2014 1:24:00 PM
	If MD doesn't have plastic parts coating operations >15 lb/day, consider adopting a neg dec for a portion of the CTG		

Also, do you have flat wood paneling coatings?
EPA-450/2-78-032 (no threshold level) and EPA-453/R-06-004 (15 lb/day threshold)

27	Page 25: Comment [TS27]	Tong, Stanley	11/6/2014 10:15:00 AM
-	I got lost. The 1978 and 2006 CTGs have a 15 lb/day applicability threshold. Is the facility taking federally enforceable conditions to be below 15 lb/day? Otherwise if the facility meets the CTG applicability then R1114 needs to meet the CTG(s). See also pg 30 "Rule 1114 must be amended to meet RACT" and my "earlier" confusion on pg 31 comment.... Unless there are no flat wood coaters in the District.		
28	Page 27: Comment [TS28]	Tong, Stanley	11/6/2014 10:27:00 AM
	R1106 was amended in 2006, prior to the 2008 Misc Metal and Plastic Parts CTG (which included Pleasure Craft). Somewhere there should be a statement whether the 2006 rule satisfies the 2008 CTG.		
	If 1106 needs amending, please add to the next section "Required RACT Actions"		
29	Page 27: Comment [TS29]	Tong, Stanley	11/6/2014 10:49:00 AM
	The Fiberglass boat manufacturing CTG was issued in 9/2008, a year after R1162 was amended. Somewhere we should say whether 1162 meets the 2008 CTG		
30	Page 28: Comment [TS30]	Tong, Stanley	8/12/2014 6:33:00 AM
	Maybe add something like this here and in the front section of this document.		
31	Page 28: Comment [TS31]	Tong, Stanley	11/6/2014 10:33:00 AM
	It's not clear if this cost effectiveness analysis is already done or will be done in the future		
32	Page 28: Comment [TS32]	Tong, Stanley	8/12/2014 7:22:00 AM
	Note that Bay Area 8-33 set a 0.04 #/1000 gallon limit effective 2011. http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Rules%20and%20Regs/reg%2008/rg0833.as http://www.vcapcd.org/pubs/Planning/AQMP/VCAPCDDraft2014RACTSIP.pdf		
	I submitted comments to SC, SJ, and VC to consider this and perhaps look at what actual source tests were showed.		
	Before making this comment, I heard that most facilities were already meeting that limit or lower. VC chose to do an analysis stating it was too costly for RACT. See Rule 70 on page 24 of 40 here (there is a typo – VC says 0.4, it should be 0.04 lb ROG per 1000 gallons) http://www.vcapcd.org/pubs/Planning/AQMP/VCAPCDDraft2014RACTSIP.pdf		
33	Page 29: Comment [TS33]	Tong, Stanley	8/12/2014 7:39:00 AM
	For future consideration, and not this document, I've also suggested SC (and SJ?) may want to investigate warm-mix asphalt (WMA). There are different WMA technologies being used/evaluated.		
	http://www.dot.ca.gov/newtech/innovation/docs/warmmix_ver6_final.pdf http://lactiowa.org/sites/default/files/uploads/corrigan_-_wma_in_the_united_states_from_evolution_to_revolution.pdf		
34	Page 30: Comment [TS34]	Tong, Stanley	8/12/2014 8:30:00 AM
	Are any sources covered under these 2 rules? 474: Fuel burning equipment (8/25/97) 476: Steam Generating Equip (8/25/97) >50 MMBtu/hr vs 1157 > 5 MMBtu/hr		
35	Page 30: Comment [TS35]	Tong, Stanley	8/12/2014 8:35:00 AM
	1114 Wood Products (11/25/96) Similar to SC 1136 which meets EPA-453/R-96-007 -- Wood Furniture CTG.		

Does MD have flat wood paneling facilities? [EPA-450/2-78-032](#) and the [2006 EPA-453/R-06-004](#) Flat Wood Paneling; If no sources, adopt Neg Dec. Otherwise I'm unable to cross match coating categories for VOC limits; see 2006 CTG pg 7 for 1978 limits; and pg 10 for 2006 limits.

[1115 Metal Parts / Products \(1996\)](#) Does MD have metal furniture coating? Otherwise adopt a neg dec. See [EPA-450/2-77-032](#) and 2007 [EPA 453/R-07-005](#).

Metal Parts CTGs The 1978 CTG [EPA-450/2-78-015](#) has a 3.0 lb/gal limit for all other coatings (pg v); 2008 CTG [EPA 453/R-08-003](#) further broke this down to many categories. MD's general limits are 3 – 3.5 #/gallon for General coatings; 2008 recommends 2.3 – 2.8 (baked/air dried).

Also see other categories in the 2008 CTG.

[1118 Aerospace](#); Does MD have sources >10 tpy 1 HAP or >25 tpy all HAPs? (Applicability threshold for CTG); if not adopt a Neg Dec.

[1126 Landfill](#); Is there a major source Landfill; what is the source of emissions – flare?

[1157 Boilers/Process heaters](#) 70 ppm/115 ppm; update NOx limits to meet RACT; e.g., 1157's BARCT limits would now be considered RACT level. See [Sac Metro 411](#) has 30 ppm for gas; 40 ppm for liquid effective in 1997 BARCT. [Ventura 74.15](#) (1994) has 40 ppm NOx limit or lower for smaller boilers [74.15.1](#)

[1158 Electric Utility Operations](#) – same comment as for 1157

[1160.1 IC Engines in Ag](#) has not been submitted for SIP approval – Are there major NOx sources with Ag engines?

36

Page 1: Comment [TS36] Tong, Stanley 8/12/2014 11:52:00 AM

442 – not sure what “verify SIP status” means – We believe it's in the SIP
<http://yosemite.epa.gov/r9/r9sips.nsf/Agency?ReadForm&count=500&state=California&cat=Mojave+Desert+AQM+D-Agency-Wide+Provisions>

Some typos – see under 461 – mobil; equipement;

464 – maybe state Rule 464 was amended 6/23/14 and will be submitted?

1106

The 2008 CTG for Misc Metal and Plastic parts coatings includes pleasure crafts – see Table 5. Rule 1106 has slightly higher limits than the CTG for “high gloss” and “all other pleasure craft surface coatings”. 1106 adopted in 2006; CTG issued in 2008. Are emissions < 15 lb/day = CTG's applicability threshold.
http://www.epa.gov/groundlevelozone/SIPToolkit/ctg_act/200809_voc_epa453_r-08-003_misc_metal_plasticparts_coating.pdf

37

Page 2: Comment [TS37] Tong, Stanley 8/12/2014 1:31:00 PM

3 typos “mobil” under AV 461/applicability

38

Page 5: Comment [TS38] Tong, Stanley 8/12/2014 1:57:00 PM

Wastewater separators have a 200 gal/day applicability threshold. Ref: Bluebook.

39

Page 8: Comment [TS39] Tong, Stanley 8/12/2014 2:42:00 PM

Typo on Texas/RACT version -- year is 1905?

Header and footer changes

Text Box changes

District response to Comment Letter 1

1. Language inserted as requested.
2. Language inserted as requested.
3. Rule analysis showed Rule 1106 – *Marine Coating Operations* does not meet CTG overall control efficiency for add on controls of 90%. The provisions of the 2008 CTGs for Miscellaneous Metal and Plastic Parts and Fiberglass Boat Manufacturing Materials will also be reviewed when the rule is updated to meet current federal RACT requirements.
4. This facility is not a major source of ozone precursors, but is still subject to Title V.
5. Edwards AFB does not perform aerospace coating work in the MDAQMD portion of the facility. There are permitted test stands in the MDAQMD portion. There is no applicable CTG for this facility.
6. Language inserted as requested.
7. Removed referenced source category for which there is no CTG.
8. Removed referenced source category for which there is no CTG.
9. Large Petroleum Dry Cleaners left on FND list.
10. Removed referenced source category for which there is no CTG.
11. FND for Pneumatic Rubber Tire Manufacturing left on FND table.
12. Removed referenced source category for which there is no CTG.
13. FND for these categories left on FND table.
14. FND table updated with requested CTG reference.
15. FND for this category left on FND table.
16. Removed referenced source category for which there is no CTG.
17. FND table updated as needed.
18. District has a recently submitted rule for wastewater separators. At the time of the submission, it was determined that the rule should be submitted as a RACT rule based on previous submission history, although subsequent EPA direction probably would have allowed this category to be a FND since the sources do not meet the applicability threshold given that there are no refineries in the MDAQMD.
19. Removed referenced source category for which there is no CTG.
20. Removed referenced source category for which there is no CTG.
21. Removed referenced source category for which there is no CTG.
22. Removed Negative Declarations for which there are no CTGs.
23. Removed referenced source category for which there is no CTG.
24. Removed referenced source category for which there is no CTG.
25. Removed Negative Declarations for which there are no CTGs. FND table updated as needed.
26. FND table updated as needed. The MDAQMD does not have flat wood paneling coating operations.
27. The MDAQMD does not have flat wood paneling coating operations. The District previously had a major source which is withdrawing Title V Permit.
28. Rule 1106 has been added as a rule requiring update.
29. Rule 1162 will be updated to address new CTG.
30. Language added as requested.
31. A cost effectiveness analysis has not been done. It will be completed in conjunction with the rule amendment.

32. A complete rule analysis will be done at the time of individual rule analysis. All of the criteria for amendment have not been identified at this time.
33. Rule 1103 will be reviewed for current RACT standards in the next RACT SIP Analysis, and if different technologies are in place and have been determined to meet RACT, will be analyzed for that standard. At the time of this analysis, Rule 1103 is identified as meeting current federal RACT.
34. Rule 474 and 476 generally apply outside the FONA. Both rules will effectively be null when the corresponding Reg. XI rules are amended to include areas outside the FONA.
35. All 2006-2008 CTGs have now been addressed in the current RACT SIP Analysis.
36. Rule 442 is in the SIP, but it is not necessary to be evaluated for RACT. Typos have been corrected. Rule 464 was amended and submitted. Rule analysis showed Rule 1106 – *Marine Coating Operations* does not meet CTG overall control efficiency for add on controls of 90%. The provisions of the 2008 CTGs for Miscellaneous Metal and Plastic Parts and Fiberglass Boat Manufacturing Materials will also be reviewed when the rule is updated to meet current federal RACT requirements.
37. Typos corrected.
38. Wastewater separator applicability threshold noted.
39. Typos corrected.



703.525.0511
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February 19, 2015

Mr. Eldon Heaston
Executive Director/APCO
Mojave Desert Air Quality Management District
Victorville, CA 92392-2310

VIA FACSIMILE - 760.245.2699

Re: MDAQMD 8-Hour Reasonably Available Control Technology - State Implementation Plan Analysis

Dear Mr. Heaston,

The American Composites Manufacturers Association¹ appreciates this opportunity to provide comments to the Mojave Desert Air Quality Management District ("the District") regarding the February, 2015 *MDAQMD 8-Hour Reasonably Available Control Technology - State Implementation Plan Analysis* ("SIP analysis").

At this time we have two concerns:

1

- • The District's SIP analysis characterizes the Sacramento Metropolitan AQMD and San Joaquin Valley AQMD rules for Polyester Resin Operations as Reasonably Available Control Technology despite the obsolete requirements of these rules, and,

2

- • A revision of the Mojave Desert AQMD Rule 1162 for PRO to reflect this purported definition of RACT, as the District proposes, would likely increase VOC emissions.

Regarding our first concern, we believe the Sacramento and San Joaquin PRO (composites manufacturing) rules should not be considered RACT. The resin application technology requirements at SMAQMD Rule 465 Sect. 302 and SJVAQMD Rule 4684 Sect. 5.1.2 are obsolete holdovers from the days when PRO spray operations were regulated based on a spray-painting model. Starting in the mid-1990's, our industry developed and started using a family of low-emission "non-atomized" resin application technologies, and this equipment was rapidly adopted by PRO facilities because of the benefits in reducing worker exposures and environmental

¹ ACMA is the national trade association for the composites industry, representing some 3,000 mostly small and medium-sized companies that use combinations of glass or carbon fiber reinforcement and engineered polymers to produce such products as wind turbine blades and nacelles, recreational boats, utility poles, pollution control equipment, automotive and truck components, ballistic panels, equipment for chemical and food processing, and rebar and girders for highway bridges.

releases. Certainly since compliance with the Subpart WWWW NESHAP was required in 2006, few if any polyester resin spray application operations have used the spray-painting application techniques listed in the Sacramento and San Joaquin rules.

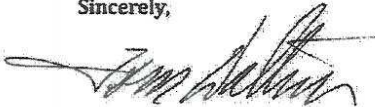
Sources complying with the composites manufacturing NESHAP at 40 CFR 63 Subpart WWWW achieve the lowest feasible VOC emission rate for PRO. Since major VOC sources regulated by MDAQMD Rule 1162 almost certainly comply with the Subpart WWWW NESHAP, these sources already achieve RACT.

The SMAQMD and SJVAQMD rules do not limit VOC emissions as effectively as the current Mojave Desert AQMD's Rule 1162. Further, the Sacramento and San Joaquin requirements for resin application techniques conflict with requirements of the Subpart WWWW NESHAP. It should not be the objective of the District to update its Rule 1162 to adopt the obsolete PRO requirements of these other AQMDs.

In summary, the MDAQMD's Rule 1162 already provides equivalent if not superior environmental performance compared to the other AQMD rules for PRO. Further, compliance with the Subpart WWWW NESHAP further ensures that the PRO major sources in the District achieve the lowest feasible VOC emission rates.

Thank you for your consideration of our comments regarding the District's SIP analysis. Should you have any questions on this matter, please contact John Schweitzer, ACMA's Vice President of Government Affairs, at 734.604.9095 or jschweitzer@acmanet.org.

Sincerely,



Tom Dobbins
President

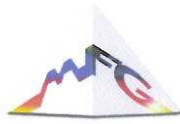
District response to Comment Letter 2

1. The proposed adoption of the *2015 RACT SIP Analysis* is to ensure that District rules adequately address current RACT requirements. The individual rule actions identified as a result of this RACT SIP Analysis will be specifically evaluated to satisfy this requirement on a case-by-case basis through the rule amendment process. The MDAQMD identified the control efficiency requirement in MDAQMD Rule 1162 – *Polyester Resin Operations* at 85% and the control device efficiency in SMAQMD Rule 465 – *Polyester Resin Operations* and SJVUAPCD Rule 4684 – *Polyester Resin Operations* at 90%. The lower requirement in MDAQMD Rule 1162 indicates that this provision may not meet current federal RACT. The control device efficiency, as well as all other rule elements that affect the federal RACT determination, will be evaluated when Rule 1162 is amended. Obsolete requirements from other district rules would not be considered for inclusion in a rule amendment. All affected industries will be included in the future Rule 1162 amendment process and will be relied upon to provide comments and technical expertise at the time of amendment.

2. The District will not adopt or amend a rule that might cause the release of additional air contaminants or create any adverse environmental impacts.

The District thanks ACMA for their review of, and comments regarding, the *2015 RACT SIP Analysis*, and will look forward to working with the association on the future amendment of Rule 1162 – *Polyester Resin Operations*.

Comment Letter 3



Molded Fiber Glass Companies

2925 MFG Place Ashtabula, OH 44004
Phone: (440) 994-5207 Fax: (440) 994-5162
E-mail: pbennett@moldedfiberglass.com

February 18, 2015

To: Mr. Eldon Heaston
Executive Director/APCO
Mojave Desert Air Quality Management District
Victorville, CA 92392-2310

Cc: Alan De Salvio – Deputy Director – Operations MDAQMD
Tracy Walters – MDAQMD
Jackie Thompson – MFG West
John Schweitzer – ACMA

RE: Written comments regarding the MDAQMD Proposal to adopt the 2015 RACT SIP Analysis at the February 23, 2015 Governing Board Meeting

Molded Fiber Glass Companies appreciates the opportunity to comment on the MDAQMD 2015 RACT SIP Analysis Staff Report. Molded Fiber Glass Companies (MFG) West is located at 9400 Holly Road, in Adelanto, CA (Title V permit Number 42701095). As a Fiberglass Reinforced Plastics (FRP) Composites Manufacturer with Polyester Resin Operations (PRO), our facility is currently subject to MDAQMD Rule 1162, and the federal MACT Standard for FRP Composites, in accordance with 40 CFR 63 Subpart WWW.

These comments are focused on our concerns regarding the conclusion in the SIP Analysis Staff Report that states, “MDAQMD Rule 1162 does not meet the control efficiency requirements in SMAQMD Rule 465 or SJVUAPCD Rule 4684, which have been determined to meet federal RACT Requirements based on updated RACT Determinations of reviewed state rules” (SIP Analysis pg. 27).

The Table in Appendix A-21 (page A-25) of the SIP analysis (shown below) proposes to revise the control efficiency requirement in Rule 1162 from 85% to the efficiency level in the SMAQMD and SJVAQMD rules, which is 90%. MFG does not see a problem with an increase of control efficiency from 85% to 90% for sources who chose the control device compliance option currently allowed in MDAQMD Rule 1162.

However, the Analysis also proposes a change in the required polyester resin and gelcoat spray application technologies. Currently, the MDAQMD requires use of certain *non-atomizing* spray technologies for resin application, but proposes to revise Rule 1162 to require use of the *atomizing spray* technologies for resin application as required in the SMAQMD and SJVAQMD rules. We disagree with this proposed change. Those atomizing paint applications methods are obsolete, and are holdovers from the days when polyester resin spray operations were regulated

1 →

based on spray paint equipment terminology. We don't believe the Sacramento and San Joaquin rules should be considered RACT, as these rules do not limit resin application VOC emissions as effectively as the current MDAQMD Rule 1162.

	Applicability	Application Technique	Control Efficiency
MDAQMD Rule 1162 - Polyester Resin Operations, 8/27/2007 (73 FR 70883, 11/24/2008)	New and existing manufacture of products from, or the use of, PRO, including repair, rework, and touch-up activities for commercial, military or industrial use.	Non-atomizing spray application Flowcoaters Pressure-fed rollers Resin impregnators Hand lay-up Other non-atomizing tech. with	85%
SMAQMD Rule 465 - Polyester Resin Operations, 9/25/2008 (76 FR 44493, 9/29/2011)	Polyester resin operations.	Airless Air-assisted airless HVLP LVLP Electrostatic Other	90%
SJUAPCD Rule 4684 - Polyester Resin Operations, 8/18/2011 (77 FR 5709, 2/6/2012)	Applicable to all commercial and industrial PRO, fiberglass boat manufacturing operations, and to the organic solvent cleaning, and the storage and disposal of all solvents and waste solvent materials associated with such operations.	Airless Air-assisted airless HVLP Electrostatic Other	90%

In the mid 1990's the composites industry began developing non-atomizing mechanical resin application technology. The industry also developed Unified Emission Factors (UEF) for each of the application technologies commonly in use. The UEF emission factors were subsequently adopted by federal EPA in the FRP Composites MACT Rule (40 CFR 63 Subpart WWW) and the official AP-42 compendium of approved emission factors. The UEF factors cover all of the non-atomized application techniques given in the MDAQMD 1162 for resin application plus atomized spray and controlled atomized spray.

2



There should be a clear distinction maintained between resin application and gelcoat application. Resin can be applied using non-atomizing techniques in nearly all circumstances. However, atomizing spray application is necessary for most gelcoat applications in order to achieve an acceptable surface finish, which is demanded by our customers. The current MDAQMD Rule makes this important distinction between resin and gelcoat application and allows for atomized spray application of gelcoat. This is absolutely necessary and must remain unchanged.

3



Finally, we have an ongoing objection to the use of paint terminology to regulate composite processes. Airless, air-assisted airless, HVLP, and LVLP, refer to forms of atomized paint application equipment. These terms do not apply to resin or gelcoat applicators. You cannot find an emission factor in the UEF or the MACT rule for the application of resin or gelcoat using

HVLP, electrostatic, airless, or air-assisted airless equipment, because those terms do not apply to composite processes. Such equipment does not exist. Unlike paint, gelcoat is a two-part reactive material. Gelcoat and catalyst are mixed either inside the gun (internal mix) or at the tip of the gun (external mix). Unlike paint, most of the styrene monomer in the gelcoat polymerizes and only a small portion is evaporated, while in most paint applications the solvent (reducer) is all evaporated. Most paint coatings are premixed in a pot or cup, or mixed inline at the pump. This is not practical for resin or gelcoat. Gelcoat spray guns have some gross similarities to airless, air assist, and HVLP guns, but those similarities have no relationship to emissions or gun performance. This is truly an apples-to-oranges comparison. The use of paint terminology to characterize composite processes should cease. MDAQMD should use the terminology recognized by US EPA and industry when promulgating regulations for this industry.

4



In conclusion, MFG believes that MDAQMD should not adopt the application technologies in the SMAQMD and SJVAQMD rules as proposed, because they are not practical for the PRO, are not reasonably available control technology, and would not be as effective in controlling emissions as those required in MDAQMD Rule 1162.

5



MFG recommends that the MDAQMD work closely with the District stakeholders and the American Composites Manufacturers Association when considering updating Rule 1162 and evaluating current available application technology.

Unfortunately, I will be unable to attend the public hearing scheduled on February 23, 2015. However, I will be in the Victorville area during the week of March 1st and would be pleased to meet with AQMD staff at your convenience Monday through Thursday that week. Also, MFG would be pleased to assist the District in developing a RACT rule that meets agency expectations and is achievable for the industry.

Sincerely,

Perry A. Bennett Jr. REM, CEA
Health Safety and Environmental Director
Molded Fiber Glass Companies

1. The proposed adoption of the *2015 RACT SIP Analysis* is to ensure that District rules adequately address current RACT requirements. The individual rule actions identified as a result of this RACT SIP Analysis will be specifically evaluated to satisfy this requirement on a case-by-case basis through the rule amendment process. The MDAQMD identified the control efficiency requirement in MDAQMD Rule 1162 – *Polyester Resin Operations* at 85% and the control device efficiency in SMAQMD Rule 465 – *Polyester Resin Operations* and SJVUAPCD Rule 4684 – *Polyester Resin Operations* at 90%. The lower requirement in MDAQMD Rule 1162 indicates that this provision may not meet current federal RACT. The control device efficiency, as well as all other rule elements that affect the federal RACT determination, will be evaluated when Rule 1162 is amended. Obsolete requirements from other district rules would not be considered for inclusion in a rule amendment. All affected industries will be included in the future Rule 1162 amendment process and will be relied upon to provide comments and technical expertise at the time of amendment.
2. The MDAQMD has not developed an amended version of Rule 1162 at this time. All affected industry comment and expertise will be welcomed in the development of a draft rule. Existing provisions that are currently considered RACT will be maintained. The “Evaluation for RACT” included at the bottom of the 1162 Analysis Table merely identified that the control efficiency requirements were more stringent in the other district referenced rules.
3. The MDAQMD has not developed an amended version of Rule 1162 at this time. All affected industry comment and expertise will be welcomed in the development of a draft rule, including, but not limited to, industry terminology.
4. The MDAQMD has not developed an amended version of Rule 1162 at this time. All affected industry comment and expertise will be welcomed in the development of a draft rule. Existing provisions that are currently considered RACT will be maintained. The District will not amend a rule that might cause the release of additional air contaminants or create any adverse environmental impacts.
5. The District thanks MFG for their review of, and comments regarding, the *2015 RACT SIP Analysis*, and will look forward to working with the association on the future amendment of Rule 1162 – *Polyester Resin Operations*.

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Appendix “D”
California Environmental Quality Act
Documentation

1. Notice of Exemption – San Bernardino County, posted 03/09/15
2. Notice of Exemption – Riverside County, posted 3/10/15

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DATE FILED & POSTED
Posted On: 03-09-15
Removed On: 04-21-15
Receipt No: 36-2015-129

Mojave Desert Air Quality Management District

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Eldon Heaston, Executive Director

NOTICE OF EXEMPTION

TO: County Clerk
San Bernardino County
385 N. Arrowhead, 2nd Floor
San Bernardino, CA 92415

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

☒ MDAQMD Clerk of the Governing Board

PROJECT TITLE: 2015 8-hour Reasonably Available Control Technology – State Implementation Plan Analysis (2015 RACT SIP Analysis).

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Technique Guidelines (CTG) documents issued by the USEPA for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, portions of the District have been designated non-attainment for ozone and classified as Severe-15 for the new 8-hour ozone standard. As a result of this change, USEPA is requiring that all non-attainment areas adopt and submit an updated RACT SIP Analysis to ensure that District Rules adequately address current RACT requirements.

In 2006 the MDAQMD adopted the 8-Hour Reasonably Available Control Technology – State Implementation Plan Analysis (RACT SIP Analysis) in response to change on March 9, 2006 of the previous ozone standard from measurement on a one- hour basis (1-hour ozone standard) to an eight-hour basis (8-hour ozone standard). On September 14, 2006, USEPA provided comments on the 2006 RACT SIP Analysis requesting additional analysis on several rules to determine if they still represented RACT. On February 25, 2014, the MDAQMD sent the 2014 Supplement to the 2006 MDAQMD RACT SIP Analysis addressing these comments and providing the requested analysis of those rules identified by USEPA. This update was not acted on by the Governing Board pursuant to USEPA direction.

The MDAQMD must now adopt an updated 2015 RACT SIP Analysis for the 2008 0.075 ppm 8-hour ozone NAAQS. The information contained in the original 2006 RACT SIP Analysis (for the 1997 8-hour ozone standard), the information in the supplemental 2014 RACT SIP Analysis, together with this document, represent a current and complete RACT SIP Analysis document to satisfy the District’s RACT obligation for the 1997 and 2008 8-hour ozone standard. The resultant 2015 RACT SIP Analysis will, upon adoption, be submitted to USEPA for approval.

City of Adelanto	Town of Apple Valley	City of Barstow	City of Blythe	City of Hesperia	City of Needles	County of Riverside	County of San Bernardino	City of Twentynine Palms	City of Victorville	Town of Yucca Valley
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NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert AQMD

EXEMPT STATUS (CHECK ONE)

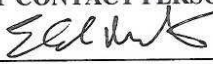
Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

☒ Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

REASONS WHY PROJECT IS EXEMPT: The proposed *2015 RACT SIP Analysis* causes no change in emissions. The RACT SIP Analysis simply identifies necessary rule actions. Specific rule actions will be addressed through the rule adoption process.

LEAD AGENCY CONTACT PERSON: Eldon Heaston **PHONE:** (760) 245-1661

SIGNATURE:  **TITLE:** Executive Director **DATE:** February 23, 2015

DATE RECEIVED FOR FILING:



Mojave Desert Air Quality Management District

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Eldon Heaston, Executive Director

Neg Declaration/Ntc Determination
Filed per P.R.C. 21152
POSTED

NOTICE OF EXEMPTION

TO: Clerk/Recorder
Riverside County
3470 12th St.
Riverside, CA 92501

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

MAR 10 2015

APR 22 2015

By: [Signature] Dept.
County of Riverside, State of California

☒ MDAQMD Clerk of the Governing Board

PROJECT TITLE: 2015 8-hour Reasonably Available Control Technology – State Implementation Plan Analysis (2015 RACT SIP Analysis).

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

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NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert AQMD

EXEMPT STATUS (CHECK ONE)

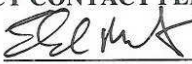
Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

☒ X Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

REASONS WHY PROJECT IS EXEMPT: The proposed *2015 RACT SIP Analysis* causes no change in emissions. The RACT SIP Analysis simply identifies necessary rule actions. Specific rule actions will be addressed through the rule adoption process.

LEAD AGENCY CONTACT PERSON: Eldon Heaston **PHONE:** (760) 245-1661

SIGNATURE:  **TITLE:** Executive Director **DATE:** February 23, 2015

DATE RECEIVED FOR FILING:

Appendix “E”

Bibliography

The following documents were consulted in the preparation of this staff report.

1. EPA – various CTGs, ACTs, and other documents
2. EPA – letter from Andrew Steckel, EPA Region IX to Kurt Karperos, ARB dated March 9, 2006 – RACT SIP
3. EPA – letter from Andrew Steckel, EPA Region IX to Kurt Kaperos, ARB dated April 4, 2006 – RACT CTG table
4. California Health and Safety Code – various sections

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