



October 28, 2016

Mr. Alfonso Baez, Program Supervisor
Best Available Control Technology
Science & Technology Advancement Office
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Dear Mr. Baez:

Re: Comments on the Draft Best Available Control Technology Guidelines

The Southern California Alliance of Publicly Owned Treatment Works (SCAP) appreciates this opportunity to provide comments on the draft Best Available Control Technology (BACT) Guidelines. SCAP represents 83 public agencies that provide essential water supply and wastewater treatment to nearly 19 million people in Los Angeles, Orange, San Diego, Santa Barbara, Riverside, San Bernardino and Ventura counties. SCAP's wastewater members provide environmentally sound, cost-effective management of more than two billion gallons of wastewater each day and, in the process, convert wastes into resources such as recycled water and biogas.

As discussed at the last BACT Scientific Review Committee (SRC) meeting, it would be helpful to update the BACT Guidelines to improve the clarity of this document and to update the major source BACT determinations. It is our understanding that such an effort will be made immediately after the adoption of the proposed update, which is only focused on incorporating existing requirements. Therefore, our comments at this time are limited to strategic modifications, which include: (1) Clean Fuel Requirement, (2) Emergency Portable Diesel Engine BACT, (3) Pollution Prevention, (4) Achieved in Practice LAER Reliability and (5) Monitoring and Testing.

Clean Fuel Requirement. As discussed at the last SRC meeting, the Clean Fuel Requirement provision is rather confusing by interchanging the terms "Policy", "Requirement" and "Guidelines". SCAP understands that the purpose of the BACT Guidelines is to provide general guidance regarding major and minor source BACT. Accordingly, the term "requirement" should be replaced by "guideline" throughout the entire document.

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Considering the Clean Fuels Program was adopted by the Governing Board in 1988, the SRC should revisit this provision in its entirety. For example, the December 15, 1997 recommendation to adopt a Five-Year Clean Fuels Program was clearly a program intended for a limited duration. Moreover, the Governing Board adopted an Energy Policy in 2011, which should supersede the outdated Clean Fuels Program. Rather than performing a complete revision of the Clean Fuel Requirement at this time, it is recommended to remove the term “requirement” as explained above. The subsequent update of the BACT Guidelines should address replacing the outdated Clean Fuel Requirement with a summary of the Energy Policy.

Emergency Portable Diesel Engine BACT. As operators of essential public services, SCAP members are concerned about the ability of Tier 4 engines to perform during an extended emergency (e.g., the depletion of urea). We are discussing these special circumstances with CARB staff and request that the BACT Guidance adequately reference CARB’s anticipated relief to avoid a revision of this document.

Another issue that should be addressed is the SCAQMD policy regarding BACT for existing PERP-registered diesel engines. As discussed at the last SRC meeting, SCAQMD staff has been requesting operators to obtain SCAQMD permits for their existing PERP emergency diesel engines. SCAP believes that NSR is not triggered by merely transferring permitted equipment from CARB to SCAQMD’s jurisdiction. To avoid confusion, it is recommended that this situation be addressed in the updated BACT Guidelines.

Pollution Prevention. The draft guidelines indicate that pollution prevention should be considered as part of the LAER and MSBACT determination processes, if the measures will result in the elimination or reduction of emissions. While pollution prevention should be considered by every facility, the Pollution Prevention Act of 1990 (42 U.S.C. §§13101-13109) does not require pollution prevention measures to be implemented without considering feasibility or cost-effectiveness. As drafted the major and minor source provisions are vague and do not provide clarity to SCAQMD permit engineers or applicants. Our membership believes that these provisions should be excluded at this time. At minimum, to avoid confusion, the minor source provisions should be removed and the major provisions should be amended as follows:

For purposes of these BACT Guidelines, and to be consistent with federal definitions, source reduction and pollution prevention shall include, ~~but not be limited to~~ a consideration of the feasibility of:

- *equipment or technology modifications,*
- *process or procedure modifications,*
- *reformulation or redesign of products,*
- *substitution of raw materials, or*
- *improvements in housekeeping, maintenance or inventory control,*

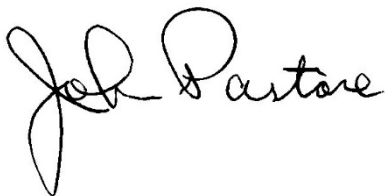
that reduce the amount of air contaminants entering any waste stream or otherwise released into the environment, including fugitive emissions, if deemed to be cost-effective.

Achieved in Practice LAER Reliability. Three proposed LAER determinations are included in draft BACT Guidelines for emergency compression ignition engines and list operating schedules of < 1 hrs/day; 1 days/week; 26 wks/yr. However, the achieved in practice reliability provision states, “All control technologies must have been installed and operated reliably for at least six months. If the operator did not require the basic equipment to operate daily, then the equipment must have at least 183 cumulative days of operation. During this period, the basic and/or control equipment must have operated: 1) at a minimum of 50% design capacity; or 2) in a manner that is typical of the equipment in order to provide an expectation of continued reliability of the control technology.” If these emergency engines did not conform with the reliability standards, then these determinations should not be included in the updated BACT Guidelines.

Monitoring and Testing. While the inclusion of monitoring and testing requirements at major stationary sources may be required, such provisions can be burdensome for minor sources. Permits should not contain monitoring requirements that are not relevant to air emissions. Moreover, the guidelines should clarify that required monitoring and testing should be feasible standard, industry-recognized measurement techniques and test methods. At minimum, as a permit streamlining issue, such provisions tend to unnecessarily complicate and slow the permitting process and should be omitted. SCAP requests that this provision be removed from the minor source provision and the major source provision be modified to omit the operating conditions sentence.

We look forward to working with you to refine the BACT Guidelines. Please do not hesitate to contact Mr. David Rothbart of the Los Angeles County Sanitation Districts, SCAP Air Quality Committee Chair, should you have any questions regarding our comments at (562) 908-4288, extension 2412.

Sincerely,

A handwritten signature in black ink that reads "John Pastore". The signature is written in a cursive style with a large, stylized initial "J".

John Pastore, Executive Director