

TITLE 17. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER THE AMENDMENT AND ADOPTION OF REGULATIONS REGARDING STATIONARY SOURCE TEST METHODS

The Air Resources Board (the "Board" or "ARB") will conduct a public hearing at the time and place noted below to consider amending six existing test methods and adopting one new test method for determining emissions from nonvehicular, or stationary sources.

DATE: September 26, 1996
TIME: 9:30 a.m.
PLACE: Air Resources Board
Hearing Room, Lower Level
2020 L Street
Sacramento, California

This item will be considered at a two-day meeting of the Board, which will commence at 9:30 a.m., September 26, 1996, and may continue at 8:30 a.m., September 27, 1996. This item may not be considered until September 27, 1996. Please consult the agenda for the meeting, which will be available at least 10 days before September 26, 1996, to determine the day on which this item will be considered.

INFORMATIVE DIGEST OF PROPOSED ACTION

Sections Affected: Proposed amendment of Title 17, California Code of Regulations (CCR), Sections 94105, 94107, 94114, 94135, 94141, and 94143 and proposed adoption of Section 94161, which incorporate by reference the affected stationary source emission test methods.

Background

Local air pollution control districts have the primary responsibility in California for controlling air pollution from nonvehicular, or stationary sources. All districts have adopted regulations establishing emission standards for stationary sources. The Air Resources Board is mandated by Section 39607(d) of the Health and Safety Code to adopt test procedures to determine compliance with ARB and district nonvehicular emission standards. Since 1983, the Board has adopted 47 test methods which are applicable to a wide variety of stationary sources. The adopted test methods are referenced in Sections 94101-94147, Title 17, California Code of Regulations (CCR). However, if a district has established a test method for a specific source, Section 94100 of the CCR directs that the district test method shall be used to determine compliance with the district's emission limit for that source. In addition to their use in determining compliance with emission limitations, adopted test methods can be used to evaluate air pollution control equipment, support control measure development for the criteria and toxic pollutant stationary source programs, and develop emission inventories. ARB test methods are required to be used in the preparation of the air toxic emission inventory mandated by the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (stats. 1987, Chapter 1252, Health and Safety Code section 44300 et seq.).

Description of the Proposed Regulatory Action

The ARB staff proposes the amendment of six existing incorporated source test methods which are listed below:

Section 94105	Method 5	Determination of Particulate Matter Emissions from Stationary Sources (first adopted June 29, 1983 and last amended January 7, 1988)
Section 94107	Method 7	Determination of Nitrogen Oxide Emissions from Stationary Sources (adopted June 29, 1983)
Section 94114	Method 100	Procedures for Continuous Gaseous Emission Stack Sampling (adopted June 29, 1983)
Section 94135	Method 425	Determination of Total Chromium and Hexavalent Chromium Emissions from Stationary Sources (first adopted January 22, 1987 and last amended September 12, 1990)
Section 94141	Method 429	Determination of Polycyclic Aromatic Hydrocarbon (PAH) Emissions from Stationary Sources (adopted September 12, 1989)
Section 94143	Method 431	Determination of Ethylene Oxide Emissions from Stationary Sources (adopted by September 12, 1989)

ARB staff also proposes the adoption of the following new incorporated test method:

Section 94161	Method 436	Determination of Multiple Metals in Emissions from Stationary Sources (adopted: [date of adoption])
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Need for Proposal

The proposed new and revised test methods reflect improvements in emissions sampling and laboratory analysis techniques, introduce more complete quality assurance procedures, and include new compounds in stationary source tests. Pretest planning requirements and detailed procedures for low concentration laboratory analysis have been added to some methods. Flexibility has been introduced where alternatives would improve the quality of test data or simplify a test without reducing the quality of test results. To provide more consistent testing requirements throughout the state, staff revised the ARB methods to require that modifications be approved by the Executive Officer of the ARB, and not by a district. Districts continue to have the option to adopt their own test methods. The proposed regulations also specify a contact for obtaining the incorporated test methods. Finally, ARB test methods were modified to be consistent with the applicable United States Environmental Protection Agency (U.S. EPA) test methods.

The proposed new and amended source test methods were subject to public comments at a workshop held on December 12, 1995.

No adverse environmental impacts are expected from adoption of the proposed regulatory action.

Comparable Federal Regulations

Comparable test methods have been adopted by the U.S. EPA for the seven proposed new and amended ARB source test methods under consideration in this rulemaking. The proposed new and amended ARB test methods are consistent with those of the applicable U.S. EPA test methods. However, ARB methods contain necessary additional and complementary provisions not in U.S. EPA methods, including pretest planning protocol, specific procedures for air pollutant sampling and analysis, and flexibility to improve the accuracy of testing at difficult-to-test emission sources. Finally, ARB methods are needed for determining compliance with district regulations and are often referenced in district rules. The U.S. EPA test methods which are comparable to the proposed new and amended ARB methods are listed below:

1. EPA Method 205, Verification of Gas Dilution Systems for Field Instrument Calibrations, CFR 40, Part 51, Appendix M.
2. EPA Method 3A, Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure), CFR 40, Part 60, Appendix A.
3. EPA Method 6C, Determination of Sulfur Dioxide Emissions from Stationary Sources (Instrumental Analyzer Procedure), CFR 40, Part 60, Appendix A.
4. EPA Method 7E, Determination of Nitrogen Oxides Emissions from Stationary Sources (Instrumental Analyzer Procedure), CFR 40, Part 60, Appendix A.
5. EPA Method 10, Determination of Carbon Monoxide Emissions from Stationary Sources, CFR 40, Part 60, Appendix A.
6. EPA Method 25A, Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer, CFR 40, Part 60, Appendix A.
7. EPA Method 25B, Determination of Total Gaseous Organic Concentration Using a Nondispersive Infrared Analyzer, CFR 40, Part 60, Appendix A.
8. EPA Method 306 and 306A, Determination of Chromium Emissions from Decorative and Hard Chromium Electroplating and Anodizing Operations, CFR 40, Part 63, Appendix A.
9. SW-846 0013, November 1986, 3rd edition, U.S. EPA Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, CFR Title 40, Part 266, Appendix IX.

10. EPA Method 23, Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources, CFR 40, Part 60, Appendix A.
11. EPA Method 8270, Gas Chromatography/Mass Spectrometry for Semivolatile Organics: Capillary Column Technique, SW-486, November 1986, 3rd Edition, U.S. EPA Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, CFR 40, Part 261.
12. EPA Method 1625, Revision B - Semivolatile Organic Compounds by Isotope Dilution Gas Chromatography/Mass Spectrometry, CFR 40, Part 136, Appendix A.
13. Ethylene Oxide Emissions Standard for Sterilization Facilities, December 6, 1994, CFR 40, Part 63.360.
14. EPA Method 29, Determination of Metals Emissions from Stationary Sources, CFR 40, Part 60, Appendix B.
15. EPA Method 5, Determination of Particulate Emissions from Stationary Sources, CFR 40, Part 60, Appendix A.
16. EPA Method 202, Determination of Condensable Particulate Emissions from Stationary Sources, CFR 40, Part 51, Appendix M.
17. EPA Method 7, Determination of Nitrogen Oxide Emissions from Stationary Sources, CFR 40, Part 60, Appendix A.

Availability of Documents and Contact Person

The ARB staff has prepared a Staff Report on this proposal which includes the initial statement of reasons for the proposed action and a summary of the environmental impacts of the proposed regulatory action. Copies of the Staff Report, the proposed amendments to the California Code of Regulations and the full text of the proposed new and amended test methods, as well as a copy of the current test methods, may be obtained from the Board's Office of Communications, 2020 L Street, Sacramento, CA 95814, (916) 322-2990. The Board's staff has compiled a record which includes all information upon which the proposal is based. This material is available upon request to the contact person identified below.

Further inquiries regarding this matter should be directed to Mr. George Lew of the Board's Monitoring and Laboratory Division, P.O. Box 2815, Sacramento, CA 95812, telephone (916) 263-1630.

Costs to Public Agencies and to Businesses and Persons Affected

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred in reasonable compliance with the proposed regulations are presented below:

The Executive Officer has determined that the proposed regulations will not create costs or savings, as defined in Government Code Section 11346.5(a)(6), to any state agency or in federal funding to the state, costs or mandate to any local agency or school district whether or not reimbursable by the state pursuant to Part 7 (commencing with Section 17500), Division 4, Title 2 of the Government Code, or other nondiscretionary costs or savings to local agencies.

The Executive Officer has also determined that adoption of the proposed regulations will not have a significant adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states. An assessment of the economic impacts can be found in the Staff Report.

In accordance with Government Code Section 11346.3, the Executive Officer has determined that the proposed regulatory action will not affect the creation or elimination of jobs within California, the creation of new businesses or the elimination of existing businesses within California, or the expansion of businesses currently doing business within California.

The Board's Executive Officer has also determined pursuant to Government Code Section 11346.5 (a) (3) (B), that the regulations will not affect small businesses because the regulations do not directly impose any requirements on small businesses.

The Executive Officer has also determined that the potential cost impact on private persons or businesses directly affected by the proposed regulations will be insignificant, as defined in Government Code Section 11346.5(a)(9).

In addition, before taking final action on the proposed action, the Board must determine that no alternative considered by the agency would be more effective in carrying out the purpose of the proposed regulations or would be as effective and less burdensome to affected private persons than adoption of the proposed regulations.

Submittal of Comments

The public may present comments relating to this matter orally or in writing. To be considered by the Board, written submissions must be addressed to and received by the Board Secretary, Air Resources Board, P.O. Box 2815, Sacramento, CA 95812, no later than 12:00 noon, September 25, 1996, or received by the Board Secretary at the hearing.

The Board requests, but does not require, that 20 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing. The Board encourages members of the public to bring to the attention of staff, in advance of the hearing, any suggestions for modification of the proposed regulations.

Any party who previously submitted comments on the proposed methods at the December 12, 1995 informal workshop is advised that the comments must be resubmitted to be assured formal consideration by the Board during the comment period.

Statutory Authority and Hearing Procedures

These regulations are proposed under the authority granted in Sections 39600, 39601, and 39607 of the Health and Safety Code. The regulations are proposed to implement, interpret, or make specific Sections 39515, 39516, 39605, 39607, 39666, and 40001 of the Health and Safety Code.

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Title 2, Division 3, Part 1, Chapter 3.5 (commencing with Section 11340) of the Government Code.

Following the public hearing, the Board may adopt the proposed regulations as proposed or with nonsubstantial or grammatical modifications. The Board may also adopt the proposed regulations with other modifications if the amended regulations as modified are sufficiently related to the originally proposed text that the public was adequately placed on notice that the regulations as modified could result from the proposed regulatory action; in such event the full text of the regulations with the modifications clearly indicated will be made available to the public, for written comment, at least 15 days before they are adopted. The public may request the text of the modified regulations from the Board's Office of Communications, 2020 L Street, Sacramento, CA 95814, (916) 322-2990.

California Air Resources Board



James D. Boyd
Executive Officer

Date: July 30, 1996