

Proposed Amended Rule 3002 – Requirements Public Workshop

October 2, 2024



Join Zoom Webinar Meeting:

<https://scaqmd.zoom.us/j/99044884995>

Webinar ID: 990 4488 4995

Teleconference Dail-In: 1-669-900-6833



Rule 3002 Background

- Regulation XXX – Title V Permits, was adopted in 1993 to encompass the permitting process and requirements established by the United States Environmental Protection Agency (U.S. EPA) in the 1990 amendments to the federal Clean Air Act
- Title V facilities are defined as major sources which emit the largest quantities of pollutants in South Coast AQMD as determined by meeting and/or surpassing the applicable emission thresholds of any pollutants in Rule 3001– Applicability
- Rule 3002 – Requirements establishes provisions for Title V facilities including obtaining a Title V permit and complying with its conditions
- Approximately 320 facilities in the South Coast AQMD have a Title V permit

Emergency Affirmative Defense

- Rule 3002 allows an affirmative defense to be used to mitigate or prevent emission violation penalties during an emergency if the conditions listed in Rule 3002 are met
- The U.S. EPA reevaluated its interpretation of affirmative defense provisions in Clean Air Act programs after court decisions made by the U.S. Court of Appeals for the D.C. Circuit¹
- On August 21, 2023, the U.S. EPA removed Title V emergency affirmative defense provisions from operating permit program regulations
 - Regulatory agencies mandated to remove provisions from permit programs
- PAR 3002 will remove its emergency affirmative defense provisions to be consistent with the U.S. EPA's Title V operating permit program regulations

¹ [HTTPS://WWW.FEDERALREGISTER.GOV/D/2023-15067](https://www.federalregister.gov/d/2023-15067)

Greenhouse Gas Provisions

- On June 23, 2014, the U.S. Supreme Court held that the U.S. EPA may not treat greenhouse gases (GHGs) as an air pollutant for purposes of determining whether a source is a major source required to obtain a Prevention of Significant Deterioration or Title V permit²
- PAR 3002 will remove provisions relating to the U.S. EPA's Greenhouse Gas Tailoring Rule, which are not being implemented, to be consistent with the U.S. Supreme Court decision

² [HTTPS://WWW.EPA.GOV/NSR/CLEAN-AIR-ACT-PERMITTING-GREENHOUSE-GASES](https://www.epa.gov/nsr/clean-air-act-permitting-greenhouse-gases)

PAR 3002 Preliminary Draft Rule Language

Emergency Affirmative Defense Provision Changes

- Removal of subdivision (g) - Emergency Provisions
- Removal of reference to subdivision (g) in paragraph (c)(3)

Greenhouse Gas Tailoring Rule Changes

- Removal of paragraphs (a)(3) and (a)(4)

Impact Assessments

Emission Reductions

- No emission reductions from PAR 3002 are expected, as the proposed amendments are administrative

Costs, Cost-Effectiveness, and Incremental Cost-Effectiveness

- PAR 3002 is not expected to impose any additional costs as Title V permits will be updated during regular permit renewal or other permit revision
- Health and Safety Code Section 40920.6 requires a cost-effectiveness analysis when establishing Best Available Retrofit Control Technology (BARCT) requirements and an incremental cost-effectiveness analysis for BARCT rules when there is more than one control option
- PAR 3002 does not include new BARCT requirements, so Health and Safety Code Section 40920.6 does not apply

Socioeconomic Impact Assessment

- Socioeconomic Impact Assessment not required pursuant to Health and Safety Code Sections 40440.8 and 40728.5 because:
 - PAR 3002 is administrative and does not affect air quality or emissions limitations
 - No socioeconomic impacts expected

California Environmental Quality Act (CEQA)

- PAR 3002 is exempt from CEQA pursuant to:
 - CEQA Guidelines Section 15061 (b)(3) – Common Sense Exemption, where it can be seen with certainty that there is no possibility that the activities may have a significant adverse effect on the environment
 - CEQA Guidelines Section 15308 – Actions by Regulatory Agencies for Protection of the Environment
 - CEQA Guidelines Section 15321 – Enforcement Actions by Regulatory Agencies
 - None of the exceptions to the categorical exemptions, as set forth in CEQA Guidelines Section 15300.2 – Exceptions, apply to PAR 3002

Next Steps

Public Workshop
Comment
Deadline
October 16, 2024

Set Hearing
December 06, 2024

Stationary Source
Committee
November 15, 2024

Public Hearing
January 10, 2025

Receiving PAR 3002 Updates

- To receive email updates, sign up at South Coast AQMD sign-up page:

<http://www.aqmd.gov/sign-up>

- Enter email address and name
- Subscribe by scrolling down to “Rule Updates,” check the box for Rule 3002, and click on the subscribe button at bottom of the page
- An email will be sent to confirm the subscription
- Future meeting notices, links to documents, and any updates will be sent via email

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Rule Updates:

	Requirements
<input checked="" type="checkbox"/> Rule 3002	
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<input type="checkbox"/> Old Vehicle Scrapping	Vehicle scrapping updates for collectors and restorers of vintage cars (More Information)
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<input type="checkbox"/> All American Asphalt, Inc.	Notifications related to All American Asphalt (More Information)
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