

**San Joaquin Valley
Unified Air Pollution Control District**

Flexibility in Equipment Descriptions in ATCs

Approved By: <u> Signed </u> Seyed Sadredin Director of Permit Services	Date: <u> 3/14/04 </u>
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Purpose: To establish the procedures and conditions for issuing Authorities to Construct for equipment units where the applicant has requested flexibility to substitute District approved equivalent equipment for proposed equipment.

I. Applicability:

This policy applies to applications for Authority to Construct where the applicant requests, prior to issuance and in writing, that certain proposed equipment be authorized with provisions for substitution of equivalent equipment without the need for re-application. **It does not apply to Permits to Operate nor applications for Permit to Operate existing equipment.**

Permit Services Division Policy APR 1030, Proper Description of Equipment on Permits, specifies equipment descriptions on permits be as concise as possible. Minor components of a permit unit that do not affect the emissions are not to be specified on the permit. Major components and auxiliary equipment that significantly impact emissions must be identified and their rating or capacity (as applicable) should be specified. This policy is not to be construed as contradicting APR 1030. Instead, it is intended to supplement APR 1030 by providing for the equivalency determination criteria to be expressed in an authorizing ATC to allow for substitution with alternate equipment found by the District to be equivalent to the initially proposed equipment.

II. Engineering Evaluation

The engineering evaluation (EE) for an ATC with proposed equipment or approved alternate equipment does not differ significantly from an EE authorizing only the proposed equipment. The compliance section is used to establish criteria that allow the District to determine that the identified alternate equipment is equivalent to the proposed equipment prior to installation of the alternate equipment. This is accomplished through the addition of conditions specifying the criteria for the equivalency determination.

Under no circumstances may the equivalency determination be extended to include emissions units of a different class or category of source on the same Authority to Construct. If an applicant wants authorization to install either one of two classes or category of sources, he or she should file for and receive separate ATCs each conditioned to say, "This ATC shall be automatically canceled upon initiation of ATC (*specify the ATC number of the alternative emissions unit*)".

In addition to the typical items covered in an EE, the reviewing engineer should pay attention to these items when reviewing an application requesting equipment equivalency provisions:

- a. The proposed equipment to be authorized with "or equivalent" must be identified with the degree of specificity typically required under APR 1030;
- b. The rating or capacity of the alternate equipment may not be greater than the proposed equipment;
- c. No change to the operating schedule, severity of operation, or fuels may be authorized through this policy;
- d. The emissions and emission factors for the alternate equipment must not be greater than those for the proposed equipment;
- e. The alternate equipment cannot change the class or category of stationary source, otherwise a new application and a new BACT analysis must be performed.

III. Processing Requests for Equivalency Determinations

Processing of a complete request for equivalency determination shall be assigned for review when Authority to Construct applications deemed complete on the same date are assigned for engineering evaluation. Processing of a request for equivalency determination shall not be given priority over the processing of complete applications for Authority to Construct except when, in the judgment of the APCO, extraordinary circumstances warrant expediting the request.

IV. Permits and Permit Conditions

After the proposed equipment for which the equipment equivalency provision of this policy is described in the ATC, the words "or District approved equivalent" shall appear. Permit conditions setting forth the grounds for equivalency should be identified in the Compliance Section of the EE and shall be included on the ATC. These conditions include #'s 1 – 4 below and any other conditions deemed appropriate.

1. The permittee shall obtain written District approval for the use of any equivalent equipment not specifically approved by this Authority to Construct. Approval of the equivalent equipment shall be made only after the District's determination that the submitted design and performance of the proposed alternate equipment is equivalent to the specifically authorized equipment. [District Rule 2201]
2. The permittee's request for approval of equivalent equipment shall include the make, model, manufacturer's maximum rating, manufacturer's guaranteed emission rates, equipment drawing(s), and operational characteristics/parameters. [District Rule 2010]
3. Alternate equipment shall be of the same class and category of source as the equipment authorized by the Authority to Construct. [District Rule 2201]
4. No emission factor and no emission shall be greater for the alternate equipment than for the proposed equipment. No changes in the hours of operation, operating rate, throughput, or firing rate may be authorized for any alternate equipment. [District Rule 2201]