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Thomas J. Christofk, Air Pollution Control Officer

MEMORANDUM

TO: Board of Directors, Placer County Air Pollution Control District

FROM: Don Duffy, Associate Air Quality Engineer

AGENDA DATE: October 9, 2008

SUBJECT: Modification of Proposed Rule 515, Stationary Rail Yard Control Emission

Reduction Credits (Action/Public Hearing)

Background:

Rule 515, <u>Stationary Rail Yard Control Emission Reduction Credits</u> is before the Board for adoption in Agenda Item 11. After Rule 515 was finalized for submission to the Board for consideration on October 9, 2008, additional verbal comments were received from ARB via EPA. These comments resulted in modifications to the proposed rule. One comment dealing with a change in the definition of "applicant" was originally rejected because this definition had previously been extensively worked out between EPA, UPRR, and the District.

Discussion:

The ARB comment requests the phrase "or an authorized agent of such owners or operators" be deleted from the definition of applicant. Discussions on this definition have continued with EPA and UPPR since the Board package was finalized and printed for the October 9 meeting. As a result of these discussions, Staff has agreed to remove the phrase. A strikeout version of the Section 204, APPLICANT, would be:

APPLICANT: The owners or operators of a rail yard or an authorized agent of such owners or operators submitting an application to bank ERCs and obtain ERC certificates in accordance with this rule.

The complete text of revised Rule 515 is presented in Exhibit #1.

Recommendation:

Modification of Adoption of Rule 515, Stationary Rail Yard Control Emission Reduction Credits

PCAPCD Board of Directors Agenda Date: October 9, 2008

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Staff recommends and requests that the Board:

(1) Adopt Resolution #08-09, Attachment #1, as amended by replacing Exhibit I with the attached rule, thereby adopting the revised proposed Rule 515.

Exhibit I: Rule 515, Stationary Rail Yard Control Emission Reduction Credits

Exhibit I

SUBJECT:

Rule 515 Stationary Rail Yard Emission Reduction Credits