

State of California  
AIR RESOURCES BOARD

Resolution 01-50

November 15, 2001

Agenda Item No.: 01-9-1

WHEREAS, sections 39600 and 39605 of the Health and Safety Code authorize the Board to act as necessary to execute the powers and duties granted to and imposed upon the Board and to provide assistance to the districts;

WHEREAS, section 41514.10 of the Health and Safety Code directs the Board to issue guidance to the districts (district guidance), by January 1, 2003, on the permitting or certification of electrical generation technologies under their regulatory jurisdiction;

WHEREAS, section 41514.10 of the Health and Safety Code requires the district guidance to address best available control technology (BACT) determinations for electrical generation technologies and, by the earliest practicable date, shall make the determinations equivalent to the level determined by the ARB to be BACT for permitted central station power plants in California;

WHEREAS, section 41514.10 of the Health and Safety Code requires the district guidance to address methods for streamlining the permitting and approval of electrical generation units, including the potential for precertification of one or more types of electrical generation technologies;

WHEREAS, the Board approved *Guidance for Power Plant Siting and Best Available Control Technology* on July 22, 1999, for Power Plants that are 50 megawatts and greater;

WHEREAS, the *Guidance for the Permitting of Electrical Generation Technologies* proposed by the ARB staff affects electrical generation that is less than 50 megawatts;

WHEREAS, the ARB staff has worked closely with the affected industry, the districts, and the public to develop the proposed *Guidance for the Permitting of Electrical Generation Technologies*;

WHEREAS, concepts of the proposed guidance were discussed at public consultation meetings on November 8, 2000; July 11, 2001; and July 17, 18, and 19, 2001;

WHEREAS, the proposed *Guidance for the Permitting of Electrical Generation Technologies* was presented at a public hearing on November 15, 2001, and testimony was taken on this item;

NOW, THEREFORE, BE IT RESOLVED that the Board finds that:

The proposed *Guidance for the Permitting of Electrical Generation Technologies* establishes appropriate ARB guidance and recommendations regarding BACT, and addresses methods for streamlining the permitting and approval of electrical generation technologies, which meet the requirements of Health and Safety Code section 41514.10;

Electrical generation technologies will most likely only meet emission levels of central station power plants that are equipped with BACT, by using efficient combined heat and power applications;

It is necessary and appropriate for staff to evaluate the need for modification to the *Guidance for the Permitting of Electrical Generation Technologies* on a periodic basis for the purposes of modifying BACT emission levels, and to make other related modifications.

BE IT FURTHER RESOLVED that the Board hereby approves the *Guidance for the Permitting of Electrical Generation Technologies*, as proposed by the ARB staff and noticed on September 28, 2001, (identified as Attachment A to this Resolution) with specific modifications as identified in Attachment B hereto.

BE IT FURTHER RESOLVED that the Board delegates authority to the Executive Officer to approve, and make available, modifications to the *Guidance for the Permitting of Electrical Generation Technologies* regarding in-use application of combined heat and power, techniques for calculating the benefits of combined heat and power, and the most current BACT determinations, particularly those that reflect progress towards the achievement by all electrical generation technologies to the level determined by the ARB to be BACT for permitted central station power plants in California.

BE IT FURTHER RESOLVED that the Board directs the Executive Officer to distribute the *Guidance for the Permitting of Electrical Generation Technologies*, approved herein, as modified, to the districts for use in siting of electrical generation technologies.

I hereby certify that the above is a true and correct copy of Resolution 01-50, as adopted by the Air Resources Board.

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Stacey Dorais, Clerk of the Board

Resolution

November 15, 2001

Identification of Attachment to the Board Resolution

**Attachment A:** Proposed Guidance for the Permitting of Electrical Generation Technologies as Noticed on September 28, 2001

**Attachment B:** Staff's Suggested Modifications to the September 28, 2001, Proposed Guidance (which was distributed at the Board Hearing on November 15, 2001)

## **Attachment A**

### **Proposed Guidance For The Permitting Of Electrical Generation Technologies**

## **Attachment B**

### **Staff's Suggested Modifications to the Proposed Guidance For The Permitting Of Electrical Generation Technologies**