



AGRICULTURAL BOILERS EMISSION REGULATION BYLAW CONSOLIDATED

THIS IS A CONSOLIDATION, FOR REFERENCE PURPOSES, OF:

- “Greater Vancouver Regional District Agricultural Boilers Emission Regulation Bylaw No. 1098, 2008
(Adopted October 24, 2008)
- “Greater Vancouver Regional District Agricultural Boilers Emission Regulation Amending Bylaw No. 1109, 2009
(Adopted July 31, 2009)

As of September 2, 2009

COPIES OF THE ORIGINAL BYLAWS MAY BE INSPECTED AT THE CORPORATE
SECRETARY’S DEPARTMENT – METRO VANCOUVER.

Greater Vancouver Regional District

Agricultural Boilers Emission Regulation Bylaw No. 1098, 2008

WHEREAS:

- A. The Greater Vancouver Regional District has enacted the Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008; and
- B. That Bylaw contemplates that the Board of the Greater Vancouver Regional District may establish emission regulations.

NOW THEREFORE the Board of Directors of the Greater Vancouver Regional District in open meeting duly assembled enacts as follows:

General

- 1 This Bylaw may be cited for all purposes as the “Greater Vancouver Regional District Agricultural Boilers Emission Regulation” (in this Bylaw, “this Emission Regulation”).
- 2 (1) This Emission Regulation is an emission regulation for the purposes of section 26 of the Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008 (“the Bylaw”), and is deemed to be an integral part of the Bylaw.
(2) Terms defined in the Bylaw, or incorporated by reference into the Bylaw, have the same meaning in this Emission Regulation.
- 3 An operator who is in compliance with the Bylaw and this Emission Regulation is exempt from section 5 of the Bylaw and from section 6(2) and (3) of the Environmental Management Act, in relation to the discharge of air contaminants from the combustion of natural gas, propane and biomass, if the operator also complies with any further restrictions or conditions imposed under the Environmental Management Act.

Definitions

- 4 In this Emission Regulation:

“**biomass**” means:

- (a) wood or wood products;
- (b) uncontaminated wood waste, such as mill ends, wood chips, shavings, sawdust, sander dust, clean construction waste and hog fuel;
- (c) manufactured wood fuel;
- (d) vegetative or agricultural products as specifically authorized by the district director; but, unless otherwise authorized by the district director, does not include substances that contain any of the following:
 - (e) glue, paint or preservative, or foreign substances harmful to humans, animals or plants when combusted;
 - (f) wood or wood products with chloride content greater than 0.05 percent dry basis;
 - (g) wood or wood products with moisture content greater than 60 percent dry basis;
 - (h) manure;

- (i) recyclable post consumer waste;
- (j) paper or paper products; or
- (k) demolition waste or other municipal solid waste containing materials other than uncontaminated wood waste;

“boiler” means any combustion equipment fuelled solely by natural gas, propane or biomass that produces hot water or steam;

“capacity” means:

- (a) for boilers fuelled by natural gas or propane, the maximum rate of energy input to each boiler;
- (b) for boilers fuelled by biomass, the maximum rate of energy output from each boiler;

“current total erected cost” means cost of complete replacement of the boiler (purchased, constructed and installed), expressed in Canadian dollars, adjusted for inflation to the date of calculation, including burners, burner management and control systems but excluding the stack, flue gas ducting, feedwater system and fuel delivery system;

“effective date” means the date of final adoption of the bylaw for the enactment of this Emission Regulation;

“existing boiler” means any boiler which, on the effective date, existed and was operational;

“facility capacity” means the sum of the individual capacities of all boilers operating at the same location, facility or complex burning the same fuel, or as determined by the district director;

“good engineering practice” in relation to stack height means the height in accordance with methods set out in the applicable handbooks of the American Society of Heating, Refrigerating and Air Conditioning Engineers;

“heating season” means the period beginning on October 1 in one calendar year and ending on April 30 in the next calendar year;

“low NOx boiler” means a boiler from which emissions of NOx in the preceding year have not exceeded 60 mg/m³ at any time;

“manufactured wood fuel” means wood pellets and wood pucks derived from virgin wood waste residuals only, with a chloride content not exceeding 0.05 percent dry basis, or as otherwise authorized by the district director;

“modified boiler” means an existing boiler fuelled by natural gas or propane which, after the effective date, has undergone:

- (a) a modification or improvement, involving a burner change, to the combustion process or the capacity of the existing boiler where the cost of the modification or improvement exceeded 12% of the current total erected cost of the existing boiler, or
- (b) any maintenance or repair where the cost of the maintenance or repair exceeded 50% of the current total erected cost of the existing boiler;

or for an existing boiler fuelled by biomass which, after the effective date, has undergone:

- (c) an increase in its capacity of 25% or more;

“MW” means megawatt;

“new boiler” means any boiler which, on the effective date, was not operational;

“nitrogen oxides (NOx)” means the sum of nitric oxide and nitrogen dioxide in flue gas, collectively expressed as nitrogen dioxide (NO₂);

“operator” includes:

- (a) a person who holds any interest in a boiler, including a lessee, but not including a secured creditor; and
- (b) a person who has management or control, direct or indirect, over the operations of a boiler;

“ultra low NOx boiler” means a boiler from which emissions of NOx in the preceding year have not exceeded 20 mg/m³ at any time.

Application of Emission Regulation

- 5** This Emission Regulation applies to boilers with a facility capacity of 50 MW or less and engaged solely in agricultural operations located wholly in the agricultural land reserve.

Registration

- 6** An operator of one or more boilers fuelled by natural gas or propane with a facility capacity of greater than 3 MW, but not exceeding 50 MW, must register in accordance with procedures approved by the district director.
- 7** An operator of a boiler fuelled by biomass with a facility capacity of 50 MW or less must register in accordance with procedures approved by the district director.
- 8** All operators of existing boilers specified in section 6 or 7 must register prior to discharge.
(Amended by Bylaw 1109, 2009 Adopted July 31, 2009)
- 9** *(Section 9 Deleted by Bylaw 1109, 2009 Adopted July 31, 2009)*

Fees

- 10** All operators must pay a registration fee of \$100.
- 11** *(Section 11 Deleted by Bylaw 1109, 2009 Adopted July 31, 2009)*
- 12** Each year, beginning April 1, 2010, each registered operator of a boiler must pay to the District a fee of \$200 plus the total emission fees calculated in accordance with Appendix 1 for each calendar year or portion thereof, payable by April 1 of each calendar year, or upon registration if registration occurs after April 1 of that year.
- 13** No fees are payable for one or more boilers where the facility capacity is 3 MW or less.
- 14** The district director may authorize alternative calculation methods for the emission fees calculated in section 12.

General Requirements and Standard Conditions

- 15** Every boiler and related emission control works must be maintained and operated in the manner prescribed by the manufacturer of the boiler or emission control works.

- 16** No operator may bypass any control works required to comply with the emission requirements of Appendix 2, except with the prior written authorization of the district director. In the event of an emergency, an operator may bypass such works only for such period as is necessary to effect a shutdown of the boiler.
- 17** Every operator of a boiler must initiate corrective action immediately upon discovering a breakdown or malfunction, emergency, or other condition which prevents the continuous use of any works required to meet the requirements under section 22 or 23. Every operator must take all reasonable steps to minimize the discharge of air contaminants during any such conditions.
- 18** In the event of an emergency or condition beyond the control of the operator which prevents continuing operation of the treatment works, the operator must promptly notify the district director and take remedial action acceptable to the district director.
- 19** Biomass must be stored and handled in a manner that minimizes fugitive particulate matter emissions.
- 20** All concentrations specified in this Emission Regulation for boilers fuelled by natural gas or propane are referenced at 3 percent oxygen content in stack gas corrected to dry conditions at 20° Celsius and a pressure of 101.325 kilopascals.
- 21** All concentrations specified in this Emission Regulation for boilers fuelled by biomass are referenced at 8 percent oxygen content in stack gas corrected to dry conditions at 20° Celsius and a pressure of 101.325 kilopascals.

Emission Limits

- 22** Subject to section 24, emissions from a new or modified boiler fuelled by natural gas or propane must comply with the emission limits specified in section 1 of Appendix 2.
- 23** Subject to section 24, emissions from a boiler fuelled by biomass must comply with the applicable emission limits specified in section 2 of Appendix 2.
- 24** Fuel oil may be used as a standby fuel provided that:
 - (1) The fuel does not have a sulphur content exceeding 15 mg/kg, unless otherwise authorized by the district director;
 - (2) The opacity of emissions from the use of standby fuel does not exceed ten percent;
 - (3) The quantity and duration of standby fuel use must be recorded and records maintained for a period of three years. Records must be available for inspection by an officer;
 - (4) The total use of standby fuels for any boiler must not exceed 350 hours per calendar year.

Emission Stack

- 25** Emissions from all boilers must be discharged from a stack that is designed, built and maintained in accordance with good engineering practice.
- 26** For boilers fuelled by biomass, the minimum stack height must be 15 metres above ground level unless otherwise specified by the district director.
- 27** The district director may require any operator to conduct, at the operator's expense, dispersion modeling of boiler emissions.

28 All operators must comply with sections 25 to 26 by October 1, 2009.

Emission testing requirements for boilers fuelled by natural gas or propane

29 An operator of a boiler fuelled by natural gas or propane must conduct emission testing as required by the district director.

Emission testing requirements for boilers fuelled by biomass

- 30** (1) An operator of a boiler fuelled by biomass must conduct emission testing to determine concentrations of filterable particulate matter as provided in this section.
- (2) Operators of new or modified boilers fuelled by biomass must conduct emission testing required in subsection (1) within three months of commencing operation of the new or modified boiler, or as otherwise authorized by the district director, and at the intervals specified in subsection (4).
- (3) Operators of existing boilers fuelled by biomass with a capacity of greater than 1 MW must conduct emission testing required in subsection (1) by April 30, 2009, and at the intervals specified in subsection (4).
- (4) (a) Operators of boilers fuelled by biomass, other than those specified in paragraph (b), must conduct emission testing as required in subsection (1) once during every heating season;
- (b) Operators of boilers with a capacity of greater than 1 MW and less than or equal to 3 MW and fuelled exclusively by manufactured wood fuel must conduct emission testing as required in subsection (1) once every two heating seasons.
- (5) Operators of existing boilers fuelled by biomass and with a capacity of 1 MW or less must conduct emission testing as required by the district director.
- (6) The district director may vary the frequency of emission testing and the air contaminants to be tested for any operator.
- 31** All emission testing under this Emission Regulation must be conducted while the boiler is operating at no less than 75% capacity and with operating conditions and fuel characteristics typical of the operations of that boiler over the preceding year, or as otherwise authorized by the district director.
- 32** All emission testing under this Emission Regulation must be conducted in accordance with the methodology approved by the district director. Operators must provide the district director a minimum of 3 days advance notice prior to undertaking any emission testing. If emission test results indicate that emissions of filterable particulate matter exceed the emission limits specified in Appendix 2, the operator must take corrective action within 30 days and must undertake another emission test within 6 months of the initial test, unless otherwise specified by the district director.

(Amended by Bylaw 1109, 2009 Adopted July 31, 2009)

Record Keeping and Reporting Requirements

33 Every operator of one or more boilers fuelled by natural gas or propane with a facility capacity greater than 3 MW and every operator of a boiler fuelled by biomass must keep accurate records and supporting documentation setting out, in respect of each of its boilers

and works:

(1) a record of all inspections and maintenance including without limitation, the date and time of the inspection or maintenance, the condition of the boiler or works observed during the inspection or maintenance, combustion analysis data pertaining to the boiler, and the name and signature of a responsible person who is able to verify the information contained in the record;

(2) for natural gas or propane, the type and amount of fuels burned;

(3) for biomass, the type, source and amount of fuels burned;

34 Every operator required to keep records and supporting documentation in accordance with section 33 must keep all records and supporting documentation for at least 3 years after the date of preparation or receipt thereof.

35 Upon the demand of the district director or an officer, an operator must make the records under section 33 available for inspection or must deliver such records to the district director in the manner that the district director requires, within 48 hours.

36 Emission test results under this Emission Regulation must be submitted to the district director:

(1) immediately upon receipt by the operator if the test results indicate that any of the emission limits specified in Appendix 2 have been exceeded; or

(2) in any other case, within 60 days of testing; and

(3) must include all field data and calculations reported in the appropriate metric units, process data relevant to the operation of the source of the emissions and the performance of the emission control works.

(Amended by Bylaw 1109, 2009 Adopted July 31, 2009)

Future Emission Regulation Requirements

37 The district director must undertake an assessment of the appropriateness of the requirements of this emission regulation and report to the Board by October 31, 2013.

Read a first time this _____ day of _____.

Read a second time this _____ day of _____.

Read a third time this _____ day of _____.

Reconsidered, passed and finally adopted by the Board of Directors of the Greater Vancouver Regional District this _____ day of _____.

Chair

Secretary

Appendix 1 – Air Contaminant Emission Fees for Boilers

1 “Air contaminant emission fees” (Z) are calculated as follows:

$$Z = A \times B \times C \times D \times E \times F$$

Where:

A = the concentration of air contaminant in milligrams per cubic metre (mg/m³) determined in accordance with section 2 of this Appendix;

B = volume of flue gas in cubic metres per gigajoule of fuel energy input (m³/GJ) for natural gas, propane or biomass, as specified by the district director;

C = the facility capacity in MW (or GJ per hour), as provided by the operator;

D = 3,504 hours per year;

(Amended by Bylaw 1109, 2009 Adopted July 31, 2009)

E = 1/10⁹ (a conversion factor to convert from mg to tonnes); and

F = the corresponding fee per tonne of air contaminant listed in column 2 of Table 1.

Table 1 – Air Contaminant Emission Fees per Tonne of Air Contaminant

Column 1	Column 2
Air contaminant	Emission fee per tonne of air contaminant
Particulate Matter (filterable and condensable)	\$300
Nitrogen Oxides (NOx)	\$50

2 (1) Unless otherwise specified by the district director, flue gases from boilers fuelled by natural gas or propane are deemed to have the following concentrations of air contaminants for the purpose of emission fee calculations:

(a) Particulate matter (filterable and condensable): 12 mg/m³;

(b) Nitrogen oxides (NOx), as follows:

(i) 20 mg/ m³ from ultra low NOx boilers;

(ii) 60 mg/m³ from low NOx boilers;

(iii) 160 mg/m³ from all other boilers;

(2) Unless otherwise specified by the district director, flue gases from boilers fuelled by biomass are deemed to have the following concentrations of air contaminants for the purpose of emission fee calculations:

(a) Nitrogen oxides: 200 mg/m³;

(b) Condensable particulate matter: 15 mg/m³;

(c) Filterable particulate matter: 35 mg/m³;

3 “Total emission fees” are calculated as the sum of all air contaminant emission fees applicable for annual emissions authorized by this Emission Regulation.

Appendix 2 – Air Contaminant Emission Limits for Boilers

Emission Limits for New or Modified Boilers Fuelled by Natural Gas or Propane

- 1 Operators of all new or modified boilers fuelled by natural gas or propane must not cause or allow emissions of nitrogen oxides (NO_x) to exceed a concentration of 60 mg/m³ of flue gases.

Emission Limits for Boilers Fuelled by Biomass

- 2 (1) Subject to subsections (2) and (3), no operator of a boiler fuelled by biomass may cause or allow emissions to exceed the emission limits specified in Table 2.
 (2) The opacity limits in Table 2 may be exceeded after startup for a maximum of one hour, unless otherwise specified by the district director.
 (3) For existing boilers with a capacity of 1 MW or less, the emission limits are 100 mg/m³ filterable particulate matter and 20% opacity, unless otherwise specified by the district director.

Table 2 – Emission Limits for Boilers Fuelled by Biomass

Column 1	Column 2		Column 3	
Capacity of Boiler	Emission Limits (effective on the date this Emission Regulation is enacted)		Emission Limits (effective September 1, 2010)	
	Filterable Particulate Matter (mg/m ³)	Opacity (%)	Total Particulate Matter, filterable (mg/m ³)	Opacity (%)
Greater than 3 MW	50	10	35	10
Less than or equal to 3 MW	100	20	50	10

(Amended by Bylaw 1109, 2009 Adopted July 31, 2009)

Extensions

- 3 The district director may extend the effective dates identified in Table 2 by a period not exceeding two years.