

Air Quality Update

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January 9, 2013 – BAAQMD

CARB REPORTING FOR FACILITIES WITH 10,000 TO 25,000 METRIC TONS BEGINS

All facilities that have not previously been required to report their greenhouse gas (GHG) emissions and emitted between 10,000 and 25,000 metric tons (MT) of carbon dioxide equivalent emissions (CO₂e) in 2012 are required to prepare abbreviated 2012 emission reports by June 1, 2013. The California Air Resources Board (CARB) estimates an additional 150-200 facilities will be required to submit abbreviated reports.

For facilities required to submit abbreviated reports for the first time, registration is required to set up the California electronic greenhouse gas reporting tool (Cal e-GGRT). Registration is suggested to be completed by April. This process requires a signed and dated certification statement by the designated representative of the facility. More information on Cal e-GGRT can be found here: <http://www.arb.ca.gov/cc/reporting/ghg-rep/tool/ghg-tool.htm>

For most new facilities required to submit abbreviated emission reports, the facility's emissions will be determined based on the total annual fuel usage at the facility. Therefore, in many cases, the gas bills will be the main source used to calculate GHG emissions. More detailed guidance can be found on the CARB website: <http://www.arb.ca.gov/cc/reporting/ghg-rep/guidance/guidance.htm>

CARB GHG CAP-AND-TRADE UPDATE

CARB approved the Cap-and-Trade

program on December 16, 2010, under Assembly Bill 32, the Global Warming Solutions Act (AB 32). Additional amendments were passed on November 2, 2012, revising the initial Cap-and-Trade program and adding further clarification and updates on facility reporting requirements based on emission thresholds.

Starting in 2013, all GHG emitting facilities with non-biogenic GHG emissions equal to or greater than 25,000 MT will be required to cover their emissions with allowances or offset emissions credits. The first compliance obligation deadline for the 2013 emissions is November 1, 2014.

Also, the CARB February 2013 auction is scheduled to take place on February 19th from 10 a.m. to 1 p.m. The application deadline for the auction is January 22nd. There will be both 2013 and 2016 vintage allowances available at auction.

Reporting deadlines are June 1, 2013, for electric entities that do not generate and April 10, 2013, for all other facilities and suppliers subject to Cap-and-Trade.

EPA GHG UPDATE

The Environmental Protection Agency (EPA) recently passed new regulations that will require additional data elements for the 2010 and 2011 GHG emission reports to be added to the 2012 GHG emission reports due March 31st. Examples include non-default heating values, or measured carbon content of fuels used to calculate combustion GHG emissions from various sources. For more information, visit: <http://www.epa.gov/ghgreporting/reporters/index.html>

Air Quality Tip

Bay Area Air Quality Management District (BAAQMD) Regulation 2, Rule 1 §407 mandates that an Authority to Construct (ATC) expires 2 years from the date of issuance, unless the ATC has been renewed. If installation/construction of your new source or sources is going to take longer than 2 years for the sources listed in the ATC, be sure to submit a written request for the one-time extension for an additional 2 years and pay any applicable fees as directed by the BAAQMD.

Upcoming Training Offered by Yorke Engineering:

- Bay Area Air Quality Permitting and Compliance Seminar:
March 5 – March 6, 2013
<http://www.yorkeengr.com/AirQualityClasses.htm>

Upcoming Due Dates for 2013

- USEPA GHG Report3/31
- CARB GHG >25K Tons.....4/10
- CARB GHG 10-25K Tons and >25K Tons Electric.....6/1
- CARB PERP Annual Reports....3/1
- CARB On-Road Heavy-Duty DV* Phase-In Report.....1/31
- CARB In-Use Off-Road DV* EIN Label Requirement1/1
- CARB In-Use Off-Road DV* Report3/1
- Semi-Annual Title V Report.....Semi-Annually
- Annual Title V Compliance Certification..... Annually
- Title V – Application for Permit Renewal – Due 180 Days Prior to Permit Expiration

*Diesel Vehicle

BAAQMD RULE CHANGES ADOPTED

Since recent PM_{2.5} monitoring data showed that the BAAQMD is in attainment with the 24-hour PM_{2.5} standard, the EPA issued a *Clean Data Determination* in October 2012 to suspend the requirement to update the State Implementation Plan (SIP) to address non-attainment with the federal standard. To ensure continued attainment, the BAAQMD amended Regulation 2 (Permits), Rules 1, 2, 4, and 6 on December 19, 2012. Regulation 2, Rule 4 became effective on December 19, 2012, while Regulation 2, Rules 1, 2, and 6 will be effective upon EPA approval, expected in early 2013.

- Regulation 2, Rule 1 – *Permits: General Requirements* modifications include the addition of PM_{2.5} to the list of criteria pollutants in the rule. Additional changes have also been adopted to provide clarification and improve the organization of the rule as it relates to other BAAQMD rules.

- Regulation 2, Rule 2 – *Permits: New Source Review* modifications include the addition of PM_{2.5} and GHG emissions to the list of pollutants included in the District Prevention of Significant Deterioration (PSD) program, as well as the addition of PM_{2.5} to the list of Best Available Control Technology (BACT) pollutants. Other changes include revisions to the overall order/structure of the regulation, clarification where needed, and removal of redundant language.

- Regulation 2, Rule 4 – *Permits: Emissions Banking* was amended to include PM_{2.5} and to correct references to other rules that had been reorganized. Additionally, the amendments allow for the re-evaluation of any PM₁₀ emission reduction credits (ERCs) previously banked for the partial conversion to PM_{2.5} and the inclu-

sion of the condensable portion of PM₁₀ that was not previously included in the banking action.

- Regulation 2, Rule 6 – *Permits: Major Facility Review* amendments include the addition of GHG to the list of pollutant thresholds for Major Facility Review (MFR) consideration, based on the requirements of the federal Tailoring Rule. Certain definitions have also been modified to reference the definitions in Regulation 2, Rule 1 or address certain definitions specific to MFR.

The proposed and final versions of the rules above can be found at:

<http://www.baaqmd.gov/Divisions/Engineering/Proposed-Reg-2-Changes.aspx>

BAAQMD RULE CHANGES PROPOSED

For full details on recent and upcoming public hearings on proposed rule changes, go to:

<http://www.baaqmd.gov/Divisions/Planning-and-Research/Rule-Development/Current-Regulatory-Public-Hearings.aspx>

- Regulation 9, Rule 10 – *Inorganic Gaseous Pollutants: Nitrogen Oxides and Carbon Monoxide from Boilers, Steam Generators and Process Heaters in Petroleum Refineries*. The proposed amendments will provide an additional option to enable specified pre-1994 refinery heaters to comply with the regulation without triggering the requirement for additional NO_x controls on these units.

Refineries choosing the option of the Alternate NO_x Compliance Plan

(ANCP) rather than the emission limit of Regulation 9, Rule 10 Section 301 would be subject to a daily total NO_x emission limit for all subject heaters. This limit would be calculated using the ERC methodology as specified in Regulation 2, Rule 2. Facilities electing to use ANCP will be required to install a Continuous Emission Monitoring System (CEMS) within 18 months of ANCP approval.

Additionally, the proposed regulation includes amendments to the monitoring provisions for pre-1994 heaters operating under curtailed or low-fire operating conditions.

The latest version of the regulation is found at the following location (URL): http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Rules%20and%20Regs/Workshops/2012/RG0910_DR_10-26-12.ashx?la=en

- Regulation 12 (*Miscellaneous Standards*), Rule 13 – *Metal Melting and Processing Operations* and 14 – *Metal Recycling and Shredding Operations*. The proposed new Regulation 12, Rule 13 will apply to foundries and forges that operate furnaces or ovens permitted by the BAAQMD, while Regulation 12, Rule 14 will apply to metal recycling facilities. These newly proposed rules are designed to reduce fugitive emissions of particulate and odorous emissions by the development and implementation of Emissions Minimization Plans (EMPs) and National Emission Standards for Hazardous Air Pollutants (NESHAPs) Compliance for specified processes.

Yorke Engineering, LLC specializes in air quality and environmental consulting for stationary and mobile sources, including dispersion modeling, health risk assessments, permitting, emission inventories, air quality compliance systems, etc. Yorke Engineering has assisted over 300 customers, including a wide variety of industrial facilities and government organizations throughout California.