

Air Quality Update

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CALIFORNIA TOXICS – AB 2588 CHANGES & UPDATE

Big changes are right around the corner for facilities required to calculate an AB 2588 Prioritization Score (PS).

The Air Toxics “Hot Spots” Information and Assessment Act (AB 2588) is a State program that was enacted in September 1987. Under this program, certain facilities are required to report specific toxic air contaminants (TACs) emitted from their facilities, and in turn, ascertain localized health risks. The program is designed to inform the public of significant health risks from TACs emitted by facilities and also to reduce potentially significant risks. A facility is subject to AB 2588 if it emits any TAC listed by the Office of Environmental Health Hazard Assessment (OEHHA) and 1) emits more than 10 tons per year of total organic gases, particulate matter, nitrogen oxides, or oxides of sulfur, or 2) belongs to any OEHHA listed facility category. Local air districts are mandated by the State to implement and enforce all AB 2588 requirements. The California Air Resources Board (CARB) and OEHHA provide implementation guidance to the local air districts.

In March 2015, OEHHA adopted revisions to the Risk Assessment Guidelines. These revisions were mainly designed to provide enhanced protection to children as required by “The Children’s Environmental Health Protection Act.” Generally, the newly adopted methodologies result in higher calculated health risks compared to previous procedures. As a re-

sult, air districts are gradually reassessing facilities’ health risks with the revised procedures.

Going forward, affected AB 2588 facilities are being required to prepare and submit air toxics emissions inventory plans and reports. This data is then used by the air district to calculate a facility’s PS.

The process begins when a facility receives a notification letter from the air district. Air districts have begun sending notification letters to affected facilities according to a pre-determined schedule. The first step usually includes the preparation and submittal of an air toxics inventory plan and report. The plan typically includes a list of emission sources and TACs emitted by each source, as well as a brief description of the proposed calculation methodology (e.g., source test results, emission factors, mass balance). The air toxics inventory report includes detailed quantification of TACs for each source. This information is submitted to the air district, where it is used to calculate a facility priority score. The prioritization calculations are largely based on the revised OEHHA procedures.

In the San Joaquin Valley Air Pollution Control District (SJVAPCD), a PS below 1.0 requires no further action. A PS between 1.0 and 10 may require periodic updates of the plans and reports. A PS above 10 usually requires more significant action by the facility, including the preparation of a detailed health risk assessment (HRA) for the entire facility. In any case, accurate plans and reports are the key to a successful outcome.

Air Quality Tip

California’s Proposition 65 requires “clear and reasonable warning” regarding exposures to carcinogens or reproductive toxics at amounts exceeding the thresholds. (See the January 2017 Air Quality Update or <http://oehha.ca.gov/proposition-65> for details.) The data and information prepared under the Air Toxics “Hot Spots” reporting and risk assessment program becomes public information and may be used to determine warning requirements. Other agencies, like the California Division of Occupational Safety and Health (Cal/OSHA), may also use this information to determine if workers or others have been adequately notified of the air toxics reported.

Upcoming Training Offered by Yorke Engineering

- California Multi-Media Environmental Regulations: Permitting, Compliance, and Reporting Seminar:
October 3 – October 4, 2017
<http://yorkeengr.com/classes>

Upcoming Due Dates for 2017/2018*

- CARB GHG Verification..... 9/1/17
- CARB GHG Cap-and-Trade Annual Compliance Surrender 11/1/17
- CARB Off-Road Diesel Performance Requirements for Med./Lrg. Fleets.. 1/1/18
- CARB On-Road HDDVs: Many PM Filter Credits Expire..... 1/1/18
- CARB On-Road HDDVs: 1998 EMY w/ GVWR 14,001-26,000 lbs Must Be Replaced, Low-Use, or Retired..... 1/1/18
- CARB On-Road TRUCRS Reporting for Flexibility Options..... 1/31/18
- 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

**All due dates listed are the statutory dates; sometimes dates are extended when they fall on a weekend/holiday.*

SJVAPCD – AB 2588 TOXIC EMISSIONS INVENTORY PLAN & REPORT IMPLEMENTATION

As part of the effort to implement changes due to the March 2015 OEHHA adopted revisions to the *Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* and the corresponding potential increase in calculated health risk results, the SJVAPCD is in the process of notifying facilities throughout its jurisdiction regarding the facility's reassessment under the State's AB 2588 program. The notification letters sent to the facilities request that a Toxic Emissions Inventory Plan (TEIP) be prepared and submitted by the stated deadline. The notification letters are being sent in multiple phases, starting in 2016, with varying submittal deadlines to allow sufficient time for proper processing and approval by the air district. All facilities subject to the program are expected to receive an AB 2588 reassessment letter between 2016 and 2020.

The TEIP will be used as the basis to prepare the Toxic Emissions Inventory Report (TEIR), which will be used to assess the PS for the facility. Based on the PS results, facilities will be classified as one of the following:

1. Low Potential Risk Facilities: Will be classified as exempt from further reporting and will no longer be assessed through the program;
2. Medium Potential Risk Facilities: Will be subject to quadrennial update reporting to identify changes in equipment, processes, and process rates that might result in a significant risk increase; and
3. High Potential Risk Facilities: Will be required to perform an HRA.

The detailed TEIPs are to include all TAC emissions listed in Appendix A of the *Emission Inventory Criteria and Guidelines for the Air Toxics "Hot*

Spots" Program and a detailed description of the methods that the facility proposes to use to quantify air releases of listed substances from all points of release. The SJVAPCD has prepared a TEIP template to be used as a starting point for a detailed facility plan and has established 2015 as the reporting year for the AB 2588 reassessment. The sources of emissions to be included in the TEIP are:

- Permitted and Permit-Exempt Equipment Registration (PEER) sources;
- Non-fugitive, permit-exempt sources; and
- Fugitive, permit-exempt sources.

The AB 2588 guidelines allow for a number of listed substance uses to be excluded from the TEIP, such as usage as a structural component of the facility, office and administrative use of products, and personal use by employees, among others.

Once the TEIP is prepared and submitted, the SJVAPCD will review the plan for approval. During the TEIP review process, the SJVAPCD may contact the facility to request further clarifications or provide comments for the submitted TEIP. Once the TEIP is approved, the SJVAPCD will issue an approval letter. The TEIP approval letter also includes a request for the facility to prepare a TEIR by the stated deadline. The TEIR is to include a facility map with all toxics devices identified, receptor proximity, stack information, calculated emissions, and reporting forms. The facility may opt to report the calculated emissions in the Hotspots Analysis and Reporting Program, version 2 (HARP2)

or request that the SJVAPCD calculate emissions using the information available in the SJVAPCD database.

UPCOMING COMPLIANCE DATES FOR TIER 1 & TIER 2 DIESEL IC ENGINES

SJVAPCD Rule 4702, Internal Combustion Engines, applies to any internal combustion (IC) engine rated at 25 brake horsepower or greater. Pursuant to Section 5.2.4 of Rule 4702, all non-emergency use Tier 1 and Tier 2, Environmental Protection Agency (EPA)-certified diesel IC engines rated greater than 50 horsepower are to be removed from service by January 1, 2015, or 12 years after the installation date, but no later than **June 1, 2018**. Compliance with this requirement can be achieved by meeting one of the following options:

1. Replace the IC engine with a new IC engine meeting the latest certified EPA Tier and submit either a permit application by **December 1, 2017**, or a PEER application by **March 1, 2018**;
2. Replace the IC engine with an electric motor; or
3. Limit the usage to no more than 200 hours per calendar year (hr/yr). For a permitted unit, this can be achieved by applying for a modification to the current IC engine permit to lower the number of allowed operating hours to no more than 200 hr/yr. For a PEER unit, this can be achieved by notifying the District in writing of the intent to operate the engine no more than 200 hr/yr and by maintaining usage logs demonstrating that the engine operates no more than 200 hr/yr.

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 650 customers, including a wide variety of industrial facilities and government organizations throughout California.