

# Air Quality Update

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## September 4, 2019 – BAAQMD

### AB 617 REPORTING UPDATE

The “Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants,” or CTR Regulation, was revised by the California Air Resources Board (CARB) on May 13, 2019, and revised again on July 17<sup>th</sup>. Each of the proposed revisions was open for a comment period, which ended on June 7<sup>th</sup> and August 1<sup>st</sup>, respectively.

The May 13<sup>th</sup> changes involved delaying the initial annual reporting until 2020 for reporting 2019 emissions, with full reporting not being required until 2021 for 2020 emissions. Emissions reporting data is still due to the local air district by May 1<sup>st</sup>, with reports submitted to CARB by August 1<sup>st</sup>.

CARB also proposed changes to applicability. The first three criteria for those who have to report remain as required in Assembly Bill (AB) 617, including facilities that report greenhouse gas (GHG) emissions, facilities with permitted emissions greater than 250 tons per year of criteria pollutants, and facilities with elevated prioritization scores. The requirements for additional applicability were changed significantly. Facilities with permitted equipment in selected communities were removed and initially replaced with specifications that were based on permitted criteria pollutant emissions or sector-based activity levels. However, due to many comments provided after the first revision, all additional applicability requirements were removed from the second revision completed in July. CARB staff has indicated that they intend to include additional applicability in future rulemaking updates to the regulation.

The 2019 data reporting in 2020 will follow local air district policies and practices. Starting with 2020 data reporting in 2021, CARB data reporting requirements will be phased in, including reporting by device/process level. This device-level reporting will include stack heights and locations, exact facility location, and data on the footprint of the facility. In addition, CARB will be implementing a State-operated online electronic reporting system with air districts.

The proposed changes were updated to require reporting of emissions from permitted, and in some cases unpermitted, sources. Although the first revision included emissions from portable sources, that has been removed from the second revised version of the regulation, but will be considered in future rulemaking.

The reports require an attestation that the report is true, complete, and accurate, are required to be retained for 5 years, and are subject to audit.

The initial version of the regulation was anticipated to impact approximately 14,000 facilities, the first revision was anticipated to impact 50,000 facilities, and the current version of the regulation is anticipated to impact only about 1,300 facilities.

The regulation is tentatively scheduled to go to the Office of Legal Affairs later this summer for implementation, with the regulation scheduled to go into effect by the end of the year.

For more information and a list of subject facilities, visit the CARB website at the following URL:

<https://ww2.arb.ca.gov/our-work/programs/criteria-pollutant-and-toxics-emissions-reporting/potential-facilities-subject>

### Air Quality Tip

*When submitting a permit application, request to review the draft permit prior to issuance. This gives you the opportunity to review the equipment description, terms, and conditions of the permit prior to finalization. If there are errors or issues that may impact compliance, you can then discuss these with the permit engineer to see if they can be addressed. Remember, once the permit is issued, all information listed must be complied with, and changes require an application.*

#### Upcoming Training Offered by Yorke Engineering

- Bay Area Air Quality Regulations, Permitting, and Compliance Seminar: October 29 – October 30, 2019
- California Multi-Media Environmental Regulations: Permitting, Compliance, and Reporting Seminar: October 8 – October 9, 2019  
<http://yorkeengr.com/classes>

#### Upcoming Due Dates for 2019/2020\*

- CARB GHG Cap-and-Trade Annual Compliance Surrender..... 11/1/19
- CARB Off-Road Diesel Compliance for All Fleets, by Fleet Target or BACT ..... 1/1/20
- CARB On-Road HDDVs Must Be Repowered, Retired, or Low-Use .... 1/1/20
  - If > 26,000 GVWR, EMY 1999 or Older
  - If < 26,000 GVWR, EMY 2003 or Older
- Non-Exempt Tier 1 PERP Engines < 750HP May No Longer Be Operated in CA ... 1/1/20
- CARB On-Road TRUCRS Reporting for Flexibility Options... 1/31/20
- CARB Off-Road DOORS Reporting for All Fleets ..... 3/1/20
- CARB PERP Annual Reporting, Units and Low-Use ..... 3/1/20
- CARB Refrigerant Reporting for Med./Lrg. Systems (≥ 200 lbs) ..... 3/1/20
- CARB GHG Semiconductor Report . 3/1/20
- Semi-Annual Title V Report... Semi-Annually
- Annual Title V Compliance Cert. . Annually
- Title V – Application for Permit Renewal – Due 180 Days Prior to Permit Expiration

*\*Due dates listed are statutory dates; sometimes dates are extended when on a weekend/holiday.*

## BAAQMD PROPOSED RULE CHANGES

For full details on changes below, go to: <http://www.baaqmd.gov/rules-and-compliance/rule-development/rules-under-development>

- **Rule 13-2: Organic Material Handling and Composting Operations;**
- **Rule 13-4: Sewage Treatment and Anaerobic Digestion**

In anticipation of increased organic material processing in the Bay Area resulting from the AB 1383 mandated diversion away from landfills, the Bay Area Air Quality Management District (BAAQMD) is developing source-specific rules under a new Draft Regulation 13: Climate Pollutants. The goal of this regulation is to reduce methane and organic emissions (volatile organic compounds, or VOCs) in the Bay Area. Two rules are under development for this regulation: Rule 2 and Rule 4.

Draft Regulation 13, Rule 2 (Rule 13-2) was presented at a workshop in late June, with a public comment period that ended July 19<sup>th</sup>. As drafted, this rule is broadly applicable to many organic material handling operations. Rule 13-2 is scheduled for presentation to the BAAQMD Board of Directors for consideration in December 2019. In the meantime, BAAQMD rule development staff will receive comments, conduct socioeconomic and California Environmental Quality Act (CEQA) environmental analyses, and prepare a final draft of the rule and supporting documentation in advance of the Board of Directors meeting. The latest version of Rule 13-2 can be found at the following URL:

[http://www.baaqmd.gov/~media/dotgov/files/rules/regulation-13-rule-2/documents/20190606\\_dr\\_1302-pdf.pdf?la=en](http://www.baaqmd.gov/~media/dotgov/files/rules/regulation-13-rule-2/documents/20190606_dr_1302-pdf.pdf?la=en)

Draft Regulation 13, Rule 4 (Rule 13-4) has been released as a “concept paper” with proposed public workshops coming up in the fourth quarter of 2019. The rule concept is to reduce methane emissions from the traditional organic waste

processing facilities other than composting operations, such as anaerobic digesters and, by default, sewage treatment plants that commonly use anaerobic digestion as part of their wastewater treatment. The Draft Rule 13-4 concept paper can be found at:

[http://www.baaqmd.gov/~media/dotgov/files/rules/regulation-13-rule-4/documents/20190606\\_cp\\_1304-pdf.pdf?la=en](http://www.baaqmd.gov/~media/dotgov/files/rules/regulation-13-rule-4/documents/20190606_cp_1304-pdf.pdf?la=en)

- **Rule 8-34: Solid Waste Disposal Sites**

BAAQMD Regulation 8: Organic Compounds contains many source-specific rules focused on VOC emission reductions. Methane is specifically excluded (§8-1-201: “Organic Compound: Any compound of carbon, excluding methane...”). However, a concept paper released by the BAAQMD in June 2019 for Regulation 8, Rule 34 (Rule 8-34) may change that. In the concept paper, the BAAQMD states that Rule 8-34 will focus on methane emission reductions from solid waste landfills. The concept paper for upcoming Draft Rule 8-34 can be found at:

[http://www.baaqmd.gov/~media/dotgov/files/rules/regulation-8-rule-34/documents/20190606\\_cp\\_0834-pdf.pdf?la=en](http://www.baaqmd.gov/~media/dotgov/files/rules/regulation-8-rule-34/documents/20190606_cp_0834-pdf.pdf?la=en)

## GRANT OPPORTUNITIES

### BAAQMD Funding Programs for Diesel Engine Replacements

More than \$50 million in grant funding from the Community Health Protection Grant Program and the Carl Moyer Program will help improve air quality in the region. Eligible equipment includes medium- and heavy-duty trucks and buses, mobile construction and industrial equipment, marine vessels, locomotives and school buses.

The air district will prioritize applications for projects that reduce emissions

in the communities of West Oakland, Richmond-San Pablo, East Oakland-San Leandro, Eastern San Francisco, Pittsburg-Bay Point area, San Jose, Tri-Valley area, and Vallejo. The steps in the application process vary depending on the type of grant requested. Complete applications will be evaluated on a first-come, first-served basis until all funds have been awarded.

For more information about the grant program or to start an application online, you may visit the BAAQMD’s website at [www.baaqmd.gov/AB617grants](http://www.baaqmd.gov/AB617grants) or call or e-mail District staff at (415) 749-4994 or [Grants@BAAQMD.com](mailto:Grants@BAAQMD.com). A program fact sheet can also be found at: <http://www.baaqmd.gov/~media/files/strategic-incentives/carl-moyer/msif-cmp-overview-fact-sheet-yr-21-pdf.pdf?la=en>

### CARB Funding Programs for Community Engagement in AB 617 Process

CARB developed the Air Grants Program to catalyze community participation in the AB 617 process. CARB has been charged with administering these grants, and the funds are allocated from the Greenhouse Gas Reduction Fund (GGRF), the State’s portion of Cap-and-Trade auction proceeds. In 2018, CARB awarded 28 projects totaling \$10 million. This year the budget is \$5 million. In the past, community groups have received funding to improve outreach and air monitoring. Often community groups work in partnership with local industries and both can benefit from the additional funding.

For more information on the program and grants awarded, visit:

<https://ww2.arb.ca.gov/our-work/programs/community-air-protection-program/community-air-grants>

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