

Air Quality Update

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AB 617 IMPLEMENTATION

The “Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants,” or CTR Regulation, was adopted by the California Air Resources Board (CARB) on December 14, 2018. The CARB staff is expected to continue to modify elements of the regulation before it becomes finalized and effective. There are four facility categories that trigger applicability to report criteria air pollutants and toxic air contaminants to local air districts and CARB, which include:

- 1) Facilities subject to the CARB greenhouse gas (GHG) Mandatory Reporting Regulation (MRR);
- 2) Facilities permitted to emit 250 tons per year or more of non-attainment criteria pollutants or their precursors;
- 3) Facilities that received an elevated Air Toxic Hot Spot prioritization score from their local air district; and
- 4) All facilities with one or more permitted sources that are within a selected community.

CARB has released an initial list of facilities potentially subject to the emissions reporting requirements of the regulation, available for download here: <https://ww2.arb.ca.gov/our-work/programs/criteria-pollutant-and-toxics-emissions-reporting/potential-facilities-subject>

Most facilities that fall under Categories 1-3 will start reporting emissions annually, beginning with reporting 2018 emissions in 2019. Facilities that fall under Category 4 will start reporting 2019 emissions in 2020. Emissions reporting data will be due to the local air district prior to May 1st of each year.

Emissions reports will be submitted by the air districts to CARB by August 1st of each year. For more information, see: <https://ww2.arb.ca.gov/our-work/programs/criteria-pollutant-and-toxics-emissions-reporting/criteria-pollutant-and-toxics>

CARB has also posted the list of the first-year communities. New selected communities will be added each year. In the Bay Area, Richmond and West Oakland were selected, and Steering Committee meetings have begun. For meeting information, visit: <http://www.baaqmd.gov/community-health/community-health-protection-program>

PERP AND ATCM RULE AMENDMENTS FOR PORTABLE EQUIPMENT

On November 30, 2018, the recent rule amendments to the CARB Portable Equipment Registration Program (PERP) and Portable Airborne Toxic Control Measure (ATCM) took effect. This ATCM implements a new Tier phase-out schedule and makes the 2013, 2017, and 2020 fleet average standards obsolete. Large fleets with more than 750 horsepower (hp) under common ownership may instead opt-in to a new weighted fleet average compliance path for January 1st of 2020, 2023, and 2027, as long as all engines, including Emergency and Low-Use, are registered under PERP.

Credits are available for small and large fleets that have early Tier 1 or Tier 2 retirements and/or meet specific fleet average standards laid out in the ATCM. Credits can extend compliance requirements.

Low-Use (increased to 200 hours/year) and Emergency-Use engines are exempt from the Tier phase-out or fleet average calculations and require proper recordkeeping and reporting. Applying

for Low-Use or Change of Ownership is required at least 6 months prior to the phase-out deadline.

Air Quality Tip

With the focus now on sources of air toxic emissions throughout California, it is important for every facility to know what their sources of toxic emissions are and how their emissions are calculated. Accuracy matters!

Upcoming Training Offered by Yorke Engineering

- Bay Area Air Quality Regulations, Permitting, and Compliance Seminar: March 20 – March 21, 2019
- California Multi-Media Environmental Regulations: Permitting, Compliance, and Reporting Seminar: April 23 – April 24, 2019
<http://www.yorkeengr.com/AirQualityClasses.htm>

Upcoming Due Dates for 2019*

- CARB On-Road TRUCRS Reporting for Flexibility Options..... 1/31
- CARB Off-Road DOORS Reporting for All Fleet Sizes 3/1
- CARB PERP Equipment Units Annual Report..... 3/1
- CARB PERP Engine Low-Use Annual Report..... 3/1
- CARB Refrigerant Reporting for Medium/Large Systems (≥ 200 lbs.) 3/1
- CARB GHG Reporting for Semiconductor Operations 3/1
- USEPA GHG Report 3/31
- CARB GHG > 25K Metric Tons 4/10
- CARB GHG 10-25K Metric Tons and All Electric Retailers 6/1
- CARB GHG SF₆ Switchgear 6/1
- CARB LSI DOORS Reporting for Medium and Large Fleets..... 6/30
- 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.*

FACILITY RISK REDUCTION PROGRAM

The Bay Area Air Quality Management District (BAAQMD) has started the process of implementing the Regulation 11, Rule 18 (Rule 11-18) Facility Risk Reduction Program. Details of the implementation procedures can be found here: <http://www.baaqmd.gov/community-health/facility-risk-reduction-program>

Rule 11-18 requires existing facilities with health risks above the risk action thresholds to either reduce those health risk thresholds or implement Best Available Retrofit Control Technology (BARCT) for Toxics. The risk action thresholds, outlined in §11-18-218, are broken into Phase 1: risk action level to be implemented before January 1, 2020, and Phase 2: risk action level to be implemented after January 1, 2020.

As part of the implementation, the District is taking the following actions:

- 1) Using the best available toxic emissions inventory data (updated on an annual basis) to calculate annual and hourly emissions;
- 2) Conducting a health risk assessment (HRA) based on existing data and developing prioritization scores;
- 3) Developing a list of Phase 1 and Phase 2 facilities;
- 4) Notifying facilities listed in Phase 1 (current step);
- 5) Reviewing and addressing any changes proposed by facilities and reprioritizing, if necessary (current step);
- 6) Sending final notifications to facilities subject to Rule 11-18;
- 7) Repeating the process for Phase 2 sites (starting in 2019);
- 8) Notifying facilities that will become subject to Rule 11-18; and
- 9) Providing updates to the Implementation Workgroup.

The BAAQMD is currently in the process of notifying Phase 1 facilities. The notification will include the most recent toxic emissions data, information about the facility (stack heights, building dimensions, etc.), source emission rates, and if necessary, a request for information to complete the HRA.

The facility has **60 days** to provide any corrections, updates, or information requested. Based on the information provided by the facility, the District will update the prioritization score and their applicability to Rule 11-18. The BAAQMD will provide an updated notification that opens a 45-day comment period. After the 45-day period, the District will publish final HRA results.

In case of a dispute, the BAAQMD will convene a Technical Dispute Resolution Committee. The committee includes three independent experts in the fields of toxic air contaminant inventories, HRAs, or air pollution control.

The prioritization score for a site is the maximum of either the cancer risk prioritization score or the chronic non-cancer prioritization score and is described in the proposed implementation procedure, available here:

<http://www.baaqmd.gov/~media/files/ab617-community-health/facility-risk-reduction/implementation-procedures-pdf.pdf?la=en>

BEST AVAILABLE RETROFIT CONTROL TECHNOLOGY IMPLEMENTATION

Assembly Bill (AB) 617 (California Health and Safety Code §40920.6, et seq.) requires each air district that has a non-attainment area for one or more air pollutants to adopt an expedited schedule for implementation of BARCT by the earliest feasible date, but no later

than 2023. BARCT will require existing equipment to implement emission reduction technologies.

To address non-attainment pollutants in the Bay Area, on December 19, 2018, the BAAQMD has adopted six high-priority rule development projects for expedited BARCT implementation:

- 1) Reduce reactive organic gas (ROG) emissions from organic liquid storage tanks (by Q1 2020);
- 2) Reduce ROG emissions associated with refinery wastewater treatment systems (by Q3 2020);
- 3) Reduce particulate matter (PM) and sulfur dioxide (SO₂) emissions from Portland cement manufacturing (by Q2 2021);
- 4) Reduce PM and SO₂ emissions from refinery fluid catalytic cracking units and carbon monoxide (CO) gas boilers (by Q4 2020);
- 5) Reduce ROG emissions from fugitive heavy liquid leaks (by Q4 2019); and
- 6) Reduce nitrogen oxide (NO_x) emissions from petroleum coke calcining operations (by Q4 2021).

These rules will apply to industrial sources subject to California's GHG Cap-and-Trade requirements. The BAAQMD narrowed the focus to sources with emissions greater than 10 pounds per day and that have not already achieved BARCT. This reduces the affected facilities from 80 to 19 facilities. BARCT requirements may be expanded in the future.

For more information, see:

<http://www.baaqmd.gov/rules-and-compliance/rule-development/barct-implementation-schedule>

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