

Air Quality Update

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AB 617 REPORTING UPDATE

On November 19th, the California Air Resources Board (CARB) adopted significant changes to the “Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants” (“CTR” Regulation) and the Emission Inventory Criteria and Guidelines Report for the Assembly Bill (AB) 2588 Air Toxics “Hot Spots” Program. The changes harmonize these two emissions reporting programs and significantly expand their implementation across the State. In summary, the changes increase applicability of the Annual Criteria and Air Toxic Emissions reporting to over 60,000 facilities in California (CA) and adds consideration of 900 new toxic substances to the inventory program. The reporting for some facilities will include emissions from portable equipment, and for some, abbreviated reporting will be allowed.

CARB is developing a web-based database for statewide annual emissions, which will ultimately make facility emissions data available via a graphical interface. This effort is called for under AB 617 and AB 197. The local air districts are currently working with CARB, collecting and submitting data as required under the regulation.

Applicability for reporting and the new toxic substances will phase in over several years, as follows:

- All facilities currently reporting greenhouse gas (GHG) emissions to CARB will begin full reporting through the local air districts (except for release point data) in 2021 with 2020 emissions data;
- All facilities with elevated prioritization scores under the Air Toxics

“Hot Spots” program, as determined by their local air district, will have 2020 emissions data prepared and submitted by their local air district in 2021; and

- Newly subject facilities will phase in over several years, beginning in 2023 with 2022 data, depending upon which district they are in and which emissions or activities exceed the thresholds.

CARB staff has indicated they intend to make further refinements to the regulations using the 15-day notification process.

Each criteria pollutant and toxic air contaminant (TAC) will be reported by device and/or process. Release point data will include stack heights and locations, temperature, velocity, etc. In addition, data on the footprint of the facility will also be required. For TACs that do not have an emission factor or method of quantification, the amount produced or used will be reported.

For more information on the changes, visit the CARB website at:

<https://ww2.arb.ca.gov/our-work/programs/criteria-and-toxics-reporting/ctr-regulation>

ACT REGULATION: “LARGE ENTITY SURVEY” REQUIRED REPORTING DUE APRIL 1, 2021

The Advanced Clean Truck (ACT) Regulation aims to accelerate the Zero Emission (ZE) vehicles market and requires a one-time “Survey” reporting about CA operations (owned and rented/leased of 1 year or longer) of vehicles of any fuel type with a gross vehicle weight rating (GVWR) greater than 8,500 pounds (Classes 2B and larger) for “Large Entities” that meet any of the following: (1) CA business with over \$50 million in national gross

annual revenue in 2019; (2) CA fleet with 50 or more vehicles; (3) brokers that dispatched 50 or more vehicles in 2019; or (4) any CA or federal government agency in CA with one or more vehicles.

For each CA facility, the vehicles are to be grouped by fuel type, body type, and weight class, indicate the quantity for each group, and answer survey questions to characterize each group. Questions on “Daily Operations” include average daily mileage and if they operate on a predictable usage pattern, return daily to the home base, park for more than 8 hours/day, operate within 50 miles of the facility, tow a trailer more than 100 miles/day, and commonly operate at the weight limit. Questions on “Vehicle Information” include average annual mileage for typical vehicle in each group, how long they are typically kept before replacement, if they are fueled on-site, are backup vehicles, and if any were dispatched from 2017-2020 to support government-issued emergency events.

Data reported must be from 2019 and/or 2020 annual or quarterly records averaged to daily values or provide reasoning if using an alternative/shorter period. Survey data from one vehicle group at one facility can be repeated for the same vehicle group at another facility if operations are similar enough.

Air Quality Tip

We have seen increased activity by air districts and the community surrounding odor complaints. Odor is typically covered under the nuisance clauses, so it is often difficult to prove regulatory compliance. If you have odors emanating from your facility, best to try and reduce them proactively since resolution once complaints start can be difficult.

A DISCUSSION OF BAAQMD REGULATIONS AND PERMITTING REQUIREMENTS FOR ENGINES AND GENERATORS

With the most recent wildfires scouring large regions of CA again in 2020, millions of Californians have been affected by Public Safety Power Shutoff (PSPS) events, which limit the risk of fires sparked by electrical transmission lines by preemptively shutting off power during severe weather events. Such weather events consist of a combination of factors, including strong winds, low humidity, or other weather conditions that increase the risk of wildfires. Events can occur with little warning and may last several days.



As many facilities have realized, when faced with uncertainty regarding an essential commodity such as electricity, it is prudent to have a backup option available. While battery-powered backup systems are available, many industrial-sector facilities utilize diesel-powered backup emergency engines to ensure continuously available power for extended periods. Such systems can range from small generators intended to power residential appliances, to larger equipment capable of powering large factories. If your facility elects to pursue a fossil-fueled backup generation option, it is critical to consider the permitting implications of such systems within the Bay Area Air Quality Management District (BAAQMD).

Within the BAAQMD, it is crucial to apply for an emergency generator permit as soon as possible. It can take several months from the application submittal to the District until permit receipt. To ease or eliminate the permitting requirement, the following options are available:

- Purchase a generator smaller than 50 brake horsepower (bhp). Engines of this size do not require a permit to operate, regardless of fuel type.
- Consider alternatives to diesel fuel. Engines can also be powered by gasoline, natural gas, or propane. These fuels emit fewer toxic air pollutants, which can simplify the permitting process.
- If diesel fuel is used, consider the use of an engine that meets the latest “Tier 4” emissions specifications, which are typically manufactured post-2015.
- If the equipment will be located within 1,000 feet of a school, be aware that additional restrictions, notifications, and fees will apply.

Note that emergency generators must also follow strict recordkeeping requirements per Regulation 9, Rule 8, which limit usage to emergency situations and required maintenance and testing. The BAAQMD considers PSPS events to be an emergency event; be prepared with a detailed engine log to track the rationale for all runtime and maintenance hours.

An application for an emergency backup generator consists of several

Upcoming Due Dates for 2021*

- CARB Off-Road Diesel Compliance for All Fleets, by Fleet Target or BACT1/1
- CARB On-Road HDDVs Must Be Repowered, Retired, or Low-Use1/1
 - If > 26,000 GVWR, EMY 2004 or Older
 - If < 26,000 GVWR, EMY 2006 or Older
- CARB On-Road TRUCRS Reporting for Flexibility Options1/31
- CARB Off-Road DOORS Reporting for All Fleets.....3/1
- CARB PERP Reporting: Units, Low-Use, and Large Fleet Average3/1
- CARB Refrigerant Reporting for Medium/Large Systems (≥ 200 lbs).....3/1
- CARB GHG Reporting for Semiconductor Operations.....3/1
- U.S. EPA GHG Report.....3/31
- CARB GHG > 25K Metric Tons4/10
- CARB GHG 10-25K Metric Tons and All Electric Retailers.....6/1
- CARB GHG SF₆ Switchgear6/1
- CARB LSI DOORS Reporting for Medium and Large Fleets6/30
- 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

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

BAAQMD forms, including Form P-101B, Form ICE, and Form HRA. Additional information, including the fuel consumption, horsepower, and manufacturer-specified emission rates for criteria pollutants, must be supplied. This information is compiled into a complete permit application package and submitted to the BAAQMD.

For more information on engine permitting, visit the BAAQMD’s website at: <https://www.baaqmd.gov/permits/apply-for-a-permit/engine-permits>

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 1,200 customers, including a wide variety of industrial facilities and government organizations throughout California.