

Air Quality Update

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February 1, 2022 – BAAQMD CTR REGULATION UPDATE

On August 12, 2021, the California Air Resources Board (CARB) adopted additional changes to the “Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants” (“CTR” Regulation), which were approved by the Office of Administrative Law on October 28, 2021, and went into effect on January 1, 2022. These changes modified some of the requirements for additional applicability for facilities that will be required to start reporting as early as 2023 for 2022 emissions. Some of the additional changes include:

- Raising the criteria air pollutant [except carbon monoxide (CO)] threshold for many air districts from 4 to 10 tons per year;
- Providing more time for an extension to submit more information for a non-applicability determination;
- Extending the deadline to start reporting new toxic substances to 2027; and
- Creating a new, later deadline for reporting for wastewater treatment, scrap recycling, composting, and other organic waste handling facilities to occur starting in 2029.

Applicability for new facilities’ initial reporting will begin as early as 2023 for facilities within the six at-risk air districts defined by the regulation and 2025 for other air districts. Annual reporting will be required to begin in either 2027 or 2029 based on the air district location of the facility.

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

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

GAS-INSULATED SWITCHGEAR REGULATION UPDATE

On August 13, 2021, CARB adopted revisions to the “Regulation for Reducing Greenhouse Gas Emissions from Gas-Insulated Equipment,” which is currently under consideration with the Office of Administrative Law. The first major revision was to incorporate requirements for electrical equipment containing any greenhouse gas (GHG) and any gas-insulated equipment. Major changes include:

- Creating a timeline to phase-out purchase of all insulating equipment containing sulfur hexafluoride (SF₆) by 2033;
- Providing incentives to remove SF₆ equipment before 2025;
- Establishing alternative limits based on total emissions instead of just a percentage leakage rate to improve ability for small capacity owners to meet compliance;
- Revising the calculation methodology based on total GHG emissions instead of just SF₆ emissions and to improve report accuracy;
- Providing a few exemptions to the phase-out deadline;
- Adding a process to correct nameplate capacity of current equipment; and
- Requiring an additional 5% reduction in the annual limit starting in 2035.

Applicability for these changes begins this year for 2021 emissions once the revisions are finalized. Additional information can be found here:

<https://ww2.arb.ca.gov/our-work/programs/elec-tandd>

Air Quality Tip

As the COVID-19 pandemic winds down, be prepared for increased air district inspection activity. Employee absences at work can lead to gaps in recordkeeping, so make sure you have your records up to date in the event of an unannounced inspection.

Upcoming Online EH&S Training Offered by Yorke Engineering – Each Session Is Presented Over 4 Half-Days

- Northern California Air Quality Regulations, Permitting, and Compliance Seminar:
May 3, 5, 10, 12, 2022
 - California Waste and Water Environmental Regulations: Permitting, Compliance, and Reporting Seminar:
April 12, 14, 19, 21, 2022
 - California Industrial Hygiene and OSHA Safety Regulations Seminar:
March 22, 23, 29, 30, 2022
- Class Info at: <http://yorkeengr.com/classes>

Upcoming Due Dates for 2022*

- CARB Off-Road DOORS Reporting for All Fleets 3/1
- CARB PERP Reporting: Usage for Equipment Units or Hours Low-Use Engines..... 3/1
- CARB Refrigerant Reporting for Medium/Large Systems (≥ 200 lbs) 3/1
- CARB GHG Semiconductor Report 3/1
- U.S. EPA GHG Report 3/31
- CARB LCFS Q4 Fuel Report 3/31
- CARB GHG > 25K Metric Tons 4/10
- CARB LCFS Annual Fuel Report..... 4/30
- CARB GHG 10-25K Metric Tons and All Electric Retailers 6/1
- CARB Gas-Insulated Equipment GHG Report..... 6/1
- CARB LSI DOORS Reporting for Medium and Large Fleets..... 6/30
- CARB LCFS Q1 Fuel Report 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

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

BAAQMD PROPOSED RULE CHANGES TO PERMITTING IN OVERBURDENED COMMUNITIES

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

■ Regulation 2, Rule 1: Permits – General Requirements

The Bay Area Air Quality Management District (BAAQMD) is currently in the final stages of adopting amendments to specific rules within Regulation 2, Rule 1 that pertain to new and modified sources of air pollution, chiefly in communities that are overburdened by poor air quality as shown through increased incidence rates of cancer. “Overburdened Communities” will be defined as census tracts that are at or above the 70th Overall Percentile rating in California Communities Environmental Health Screening Tool (CalEnviroScreen) version 4.0 modeling and in areas within 1,000 feet of such tracts.

Such elevated cancer risk is often concentrated near stationary sources, high-traffic roadways, and areas such as marine ports or airports. This elevated cancer risk is primarily due to diesel particulate matter.



Currently, public notice is required for projects that result in an increase of a

toxic air contaminant (TAC) or hazardous air pollutant (HAP) located within 1,000 feet of a K-12 school. The District is considering adopting enhanced public notice to include projects within a specified distance from an Overburdened Community if a health risk assessment (HRA) is required to comply with Regulation 2, Rule 5.

The BAAQMD is also officially extending the timelines for permit application actions. These include:

- Completeness Review increased from 21 days currently to 30 days for routine applications and to 60 days for complex applications;
- Application Review Period (currently 49 days) increased to 90 days for routine applications and to 180 days for complex applications; and
- Public Comment Period increased from 30 to 60 days.

These proposed amendments are scheduled to go into effect on July 1, 2022.

■ Regulation 2, Rule 5: Permits – New Source Review of Toxic Air Contaminants

In tandem with the proposed Regulation 2, Rule 1 amendments, the District is on the same schedule to adopt amendments within Regulation 2, Rule 5 that pertain to new and modified sources of TACs, scheduled to go into effect on July 1, 2022.

The BAAQMD is considering modifying the project risk limit to a more stringent threshold in Overburdened Communities. The latest proposed threshold

is 6 in one million, rather than the current 10 in one million threshold. The top sources expected to be affected by this change include stationary diesel-powered engines, gas stations, and soil vapor extraction systems.

The lookback period for including previously permitted emissions in a project’s HRA will be increased from 3 to 5 years. The proposed revisions will also update HRA procedures for gasoline dispensing facilities to be consistent with other TAC sources. Table 2-5-1, the Toxic Air Contaminant Trigger Levels table, will have lower acute risk trigger levels to reflect a hazard index updated to 0.20 (from the current 1.0) for consistency with Regulation 11, Rule 18 levels.

The most significant impacts from these regulatory changes are expected to be sources that employ internal combustion engines at non-industrial facilities (e.g., nursing homes, residential housing complexes, and telecommunications centers), soil vapor extraction systems (e.g., commercial and remediation businesses), and metal casting/foundry facilities. Additional measures being considered to improve local air quality include amended California Environmental Quality Act (CEQA) guidelines and thresholds, a public database of emissions by facility, and linking of incentive programs specifically to overburdened areas.

The latest versions of the currently enforced Regulation 2, Rule 1 and Rule 5 can be found at the following URL:

<https://www.baaqmd.gov/rules-and-compliance/current-rules>

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 1,400 customers, including a wide variety of industrial facilities and government organizations throughout California.