

Air Quality Update

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CARB'S ADVANCED CLEAN FLEETS REGULATION

The California Air Resources Board (CARB) approved the Advanced Clean Fleets (ACF) regulation on April 28, 2023, which will require the transition to Zero-Emission Vehicles (ZEVs). The regulation is anticipated to become law in 2023, and requirements begin as early as January 1, 2024. The ACF regulation applies to vehicles of all fuel types with gross vehicle weight ratings (GVWRs) over 8,500 pounds.

High-Priority and Federal (HPF)

HPF applies to all federal fleets with at least one applicable vehicle and to private fleets that meet the "high-priority" threshold in one of the following two ways, when considering all companies under common ownership: 1) annual gross revenue of \$50 million or more with at least one vehicle, or 2) own or direct 50 or more vehicles in California, regardless of revenue. The default compliance schedule requires that vehicle acquisitions starting January 1, 2024, must be ZEVs. Beginning January 1, 2025, existing vehicles have a compliance phase-out when they reach their minimum useful life (MUL).

As an alternative to the MUL phase-out, the fleet can choose the Zero-Emission Milestone (ZEM) Option, which allows fuel-based vehicle purchases at any time, so long as the fleet fulfills the ZEMs shown in Table 1. There are three milestone groups (MGs). MG1 includes box trucks, vans, two-axle buses, yard tractors, and light-duty package delivery vehicles. MG2 includes work trucks, day cab tractors, and three-axle buses. MG3 includes sleeper cap tractors and specialty vehicles.

Table 1: Zero-Emission MG and ZEV Purchase Schedules

MG	Percent Fleet Purchased				
	10%	25%	50%	75%	100%
1	2025	2028	2031	2033	2035+
2	2027	2030	2033	2036	2039+
3	2030	2033	2036	2039	2042+

State and Local Government Agency (SLGA)

Under ACF regulation, public fleets have two compliance options. Fleets can follow the SLGA purchase compliance schedule of 50% ZEV purchases from January 1, 2024, through December 31, 2026, and 100% ZEV purchases starting January 1, 2027. Alternatively, public fleets can opt into the ZEM Option defined in the ACF HPF regulation as previously described in this article.

Drayage

Starting January 1, 2024, any newly registered drayage vehicle must be a ZEV. Legacy trucks registered by December 31, 2023, will phase out when they reach the MUL or January 1, 2035, whichever occurs first. Legacy trucks must visit a port or intermodal railyard at least once annually and must report annual odometer readings to track MUL status.

There are exemptions and extensions that vary for each type of fleet. Some exemption categories include backup vehicles (1,000 miles per year), annual 5-day pass, mutual aid assistance, and fuel-based vehicle purchases for ZEV unavailability or when ZEVs do not meet daily operational needs, ZEV infrastructure delay, and ZEV delivery delay.

Manufacturers

Manufacturers must meet a 100% zero-emission sales requirement starting January 1, 2036.

For more information, please visit CARB's website at:

<https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets>

Air Quality Tip

Amendments to the In-Use Off-Road Diesel-Fueled Fleets regulation were finalized on August 18th and have an implementation date of January 1, 2024. For more information, visit:

<https://ww2.arb.ca.gov/our-work/programs/use-road-diesel-fueled-fleets-regulation>

Upcoming Online EH&S Training Offered by Yorke Engineering (3-Hour Sessions)

- Southern California Air Quality Regulations, Permitting, and Compliance Seminar: November 7, 9, 14, 15, 16, 2023
Class Info at: <http://yorkeengr.com/classes>

Upcoming Due Dates for 2023/2024*

- CARB LCFS Q2 Fuel Report 9/30/23
- SCAQMD 1110.2 Quarterly 10/15/23
- RECLAIM Quarterly (Cyc. 1 & 2)...10/30/23
- CARB GHG Cap-and-Trade Annual Compliance Surrender..... 11/1/23
- CARB Clean Truck Check Report...12/31/23
- CARB LCFS Q3 Fuel Report 12/31/23
- CARB Off-Road Diesel Compliance by Fleet Average or BACT (All Fleets)..1/1/24
- CARB Off-Road Diesel Tier 0 Phase-Outs for Large Fleets..... 1/1/24
- SCAQMD 1110.2 Quarterly 1/15/24
- RECLAIM Quarterly (Cycle 2) 1/30/24
- CARB On-Road TRUCRS Reporting for Flexibility Options... 1/31/24
- Title V – 500-SAM 2/28/24
- RECLAIM APEP (Cycle 1)..... 2/29/24
- Title V – 500-ACC..... 3/1/24 (Except RECLAIM Cycle 12/29/24) (Except RECLAIM Cycle 2 8/29/24)
- CARB Off-Road DOORS Reporting for All Fleets 3/1/24
- CARB PERP Reporting: Equip. Units and Low-Use Engines..... 3/1/24
- CARB Refrigerant Reporting for Medium/Large Systems (≥ 200 lbs) .3/1/24
- CARB GHG Semiconductor Report .3/1/24
- 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.

SCAQMD ADOPTED RULE CHANGES

For full details on changes below, go to: <http://www.aqmd.gov/home/regulations/rules/recent-actions>

▪ **Rule 219: Equipment Not Requiring a Written Permit Pursuant to Reg. II**

Rule 219 was amended by the South Coast Air Quality Management District (SCAQMD) on April 7, 2023. Rule 219 identifies equipment, processes, or operations that are exempt from permit requirements, as well as criteria for when equipment may be subject to Rule 222, which contains requirements for equipment registration. Amended Rule 219 mostly reformatted and reorganized the existing rule, but it also clarified some ambiguities in the exemption language, added new exemptions, and narrowed others. Recordkeeping requirements were also added to the amended rule.

One of the more substantial clarifications to the amended rule is to permit exemptions related to replacing identical equipment at federal major sources or non-major sources. Equipment replacements at federal major sources cannot be exempted from permit requirements solely on the basis of being identical.

Equipment replacements at federal major sources must meet the standards for “routine maintenance, repair, and replacement” pursuant to United States Environmental Protection Agency (U.S. EPA) regulations. For federal major sources, the Rule 219 exemption now applies only to routine maintenance, repair, or replacement as defined in federal regulations and based on guidance from the U.S. EPA in determining if an action is a routine maintenance, repair, or replacement.

For non-major sources, Rule 219 now references the definition for “identical equipment” so that it is defined as “any equipment which is of the same make and model, and is to be operated by the

same operator, and have the same equipment address, and have the same operating conditions and processing material.”

New Rule 219 exemptions include:

- Gas-insulated equipment with a voltage of 245 kilovolts or less, used in electrical power generation, transmission, and distribution operations that use a volatile organic compound (VOC)-containing gas as an insulating medium and is manufactured to have a maximum leak rate of less than 1% per year under normal operating conditions;
- Food ovens with a rated maximum heat input capacity of 325,000 British thermal units per hour (Btu/hr) or less that are fired exclusively on natural gas; this exemption does not apply to food ovens used to bake uncooked yeast-containing products;
- The addition of ultraviolet (UV), electron beam (EB), or light-emitting diode (LED) curing technology, or other curing or drying technology, to an existing permitted coating equipment or operation if certain conditions are met; and
- Negative air machines and associated High-Efficiency Particulate Air (HEPA) filtration systems primarily used to remove asbestos-laden air from isolated work areas at residential or commercial abatement projects where the air is passed through the HEPA filtration system.

The narrowing of exemption language may result in potential exemption loss for two devices. The first is for small, manually operated abrasive blast

cabinets and associated dust filters; the exemption now specifies that the equipment must be vented to a dust filter with at least 90% overall control efficiency (capture and collection efficiency). The second is for remote reservoir cleaners; the rule now specifies that the maximum sink opening area must be 7 square feet or less to be exempt.

For equipment that is no longer exempt from permitting, permit applications are required to be submitted within 1 year from the date Rule 219 was amended, unless the SCAQMD issues a written notification to obtain permits before 1 year.

The new recordkeeping requirements in Rule 219 specify that any owner or operator claiming an exemption under any provision of Rule 219 must maintain documentation and/or calculations sufficient to demonstrate that the stated exemption provision, parameter, requirement, or limitation applies. Records are required to be maintained on-site for 3 years and made available to the SCAQMD upon request.

▪ **Rule 222: Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Reg. II**

Rule 222 was also amended on April 7, 2023, mostly due to the reorganization of amended Rule 219. A clarification was made that requires facilities in the Regional Clean Air Incentives Market (RECLAIM) program to obtain a Rule 222 registration within 6 months of exiting RECLAIM for boilers, steam generators, or process heaters with rated heat inputs from 1.0-2.0 million Btu/hr and that produce less than 1 pound per day of nitrogen oxides (NO_x) emissions and do not have a Permit to Operate.

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 1,750 customers, including a wide variety of industrial facilities and government organizations throughout California.