



**AIR ISSUES & REGULATIONS COMMITTEE**  
A Committee of the Bay Area Clean Water Agencies

**Spring Committee Meeting**  
March 17, 2010  
9:30 am – 11:00am

## Introductions & Opening

## Recent News

### H<sub>2</sub>S Potential Re-Listing as Toxic Chemical

- The U.S. EPA is considering adding H<sub>2</sub>S back into Section 313 Emergency Planning and Community Right-to-Know Act (EPCRA) regulations.
  - WWTP would have to report
  - could be added back onto CAA list of toxics
  - could lead to controls being required
- Opportunity to comment until April 27, 2010

**More information:** [http://www.epa.gov/  
TRI/lawsandregs/hydrogensulfide/](http://www.epa.gov/TRI/lawsandregs/hydrogensulfide/)



## ARB Staying Enforcement of Off-Road Equipment Rule

- February 11, 2010- Effective immediately ARB announced no enforcement action will be taken for noncompliance with the March 1, 2010 emission performance provisions, which include:
  - Requirements for vehicle retrofit and replacement
  - Limitations on adding higher emitting Tier 0 and Tier 1 vehicles
  - Requirements for new fleets to meet fleet average targets
- Other items will still be enforced, including idling limits and labeling requirements

**More information:**

<http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>



## CARB Potential Amendments to Stationary Compression Ignition Engine ATCM

- Airborne Toxic Control Measure (ACTM) proposed amendments for emergency engines
  - PM, NO<sub>x</sub>, NMHC, & CO and other requirements
- March 1st presentation can be downloaded at the following link:
  - <http://www.arb.ca.gov/diesel/presentations/030110/workshop030110.pdf>
- Additionally public workshops will be held in late May or early June



## CARB Adopts Sulfur Hexafluoride (SF<sub>6</sub>) rules - high-voltage electrical applications

- SF<sub>6</sub> is used in the electrical industry as a gaseous dielectric medium for high-voltage (35 kV and above) circuit breakers, switchgear, and other electrical equipment, often replacing oil filled circuit breakers (OCBs) that can contain harmful PCBs.
- SF<sub>6</sub> gas under pressure is used as an insulator in gas insulated switchgear (GIS)
- Regulation targets high-voltage switches using sulfur hexafluoride
- SF<sub>6</sub> is approximately 23,900 times as potent as carbon dioxide



## AB 32 Implementation Fee Regulation

- The AB 32 Implementation Fee Will cover the agency's administrative costs associated with implementation of the statute.
  - 15.5 cents/ton of GHGs (FY 2010-2011)
- POTWs will not be directly affected by this fee. Co-generation facilities are excluded from this fee. For impacted facilities, CARB will only bill those with a fee that exceeds \$50 (roughly 330 tons of CO<sub>2</sub>-e)



## Climate Change Updates

## State Developments

### Mandatory GHG Reporting

- Reports due on April 1, 2010!
- Report Verification due October 1, 2010
  - list of accredited verifiers online
  - FAQ's and instructional videos online
- Workshop on Revisions to the ARB GHG Reporting Regulation – March 23, 2010

**More information:**

<http://www.arb.ca.gov/cc/reporting/ghg-rep/ghg-rep.htm>



### Approximate CO<sub>2</sub> Emissions by Fuel Type

Fuel Amounts Resulting in 25,000, 10,000, or 2,500 MT CO<sub>2</sub> by Fuel Type

Fuel Type	Fuel Units	Kg CO <sub>2</sub> / Unit	Amount of fuel to produce 25,000 MT CO <sub>2</sub>	Amount of fuel to produce 10,000 MT CO <sub>2</sub>	Amount of fuel to produce 2,500 MT CO <sub>2</sub>
Natural Gas (unspecified) <sup>1</sup>	scf	0.0544	459,000,000	184,000,000	45,900,000
	MMBtu	53.02	471,500	188,600	47,150
Digester Gas <sup>2,3</sup>	scf	0.0438	571,000,000	228,000,000	57,100,000
	MMBtu	52.07	480,000	192,000	48,000
Landfill Gas <sup>1,3</sup>	scf	0.025	916,000,000	366,500,000	91,600,000
	MMBtu	52.03	480,500	192,000	48,050
Diesel/Distillate Fuel (#1, 2, & 4) <sup>1</sup>	Gallons	10.14	2,465,000	986,000	246,500
Motor Gasoline <sup>3</sup>	Gallons	8.80	2,841,000	1,136,000	284,100
Sludge (dry) <sup>1,4</sup>	MMBtu	116	215,500	86,200	21,550

<sup>1</sup> (California Code of Regulations)

<sup>2</sup> (USEPA, 2009)

<sup>3</sup> Does not include pass-through CO<sub>2</sub> emissions.

<sup>4</sup> Dewatered digested Biosolids = 5,300 Btu/lb.<sub>dry solids</sub>; Chemical Precipitated Biosolids = 7,500 Btu/lb.<sub>dry solids</sub>; Dewatered Raw Biosolids = 10,300 Btu/lb.<sub>dry solids</sub>;

[http://www.biosolids.org/ems\\_main.asp?sectionid=48&pageid=189&pagename=Manual%20of%20Good%25](http://www.biosolids.org/ems_main.asp?sectionid=48&pageid=189&pagename=Manual%20of%20Good%25) Chapter 15, Table 15.2 (National Biosolids Partnership, et al, January 2005)

## Key Proposed Reporting Regulation Modifications for 2011

- Lowering the reporting threshold to 10,000 metric tons CO<sub>2</sub>e, rather than the current 25,000 metric tons CO<sub>2</sub>
- Alignment with USEPA mandatory reporting requirements
- Alignment with California Cap & Trade Program
- Annual verification of emissions > 25,000 MT CO<sub>2</sub>e (cap & trade threshold)
  - Third-party verification not required for facilities below the cap threshold



## Local Developments

## BAAQMD CEQA Thresholds Update

- BAAQMD is still in the process of updating the CEQA Guidelines – latest draft eliminated biogenic emissions!
- In January 2010, the Air District's Board of Directors decided to consider adoption of the CEQA thresholds of significance in June 2010.
- BACWA AIR will be tracking upcoming workshops and training sessions

### **More information:**

<http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES.aspx>



## National Developments

## Title V Greenhouse Gas Tailoring Rule

- Initially of interest due to:
  - potential to require Title V Major Source permits for more facilities
  - lead to BACT standards for GHG
  - require PSD permits for some facilities
- Current direction of Rulemaking:
  - no GHG inclusions for 2010
  - Anticipated phase-in of GHG regulation for large sources in 2011
  - With inclusion of GHG, threshold will most likely be 75,000 MT/year or higher for large sources
  - EPA does not intend to subject small sources to Title V permitting for GHG emissions any sooner than 2016

**More Information:**

<http://www.epa.gov/NSR/fs20090930action.html>



## EPA May Be Required to Regulate Climate Change through Clean Water Act

- EPA settled lawsuit recently by agreeing to use Clean Water Act to address ocean acidification issues
- This could potentially impact future discharge requirements
- regulate TMDLs of pollutants linked to acidification

**More Information:**

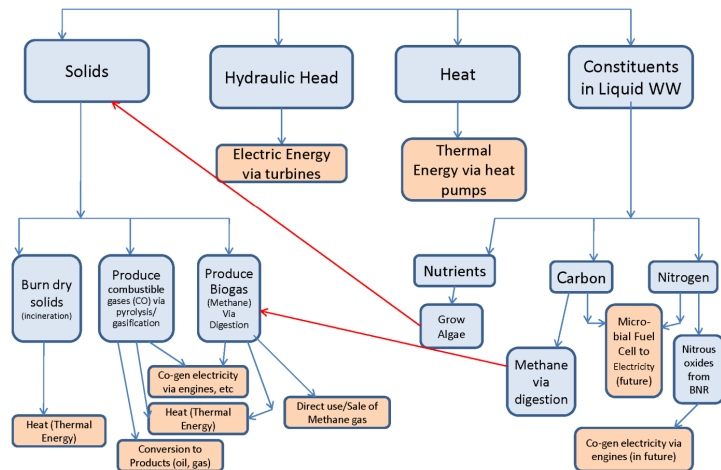
<http://www.nytimes.com/gwire/2010/03/12/12greenwire-some-see-clean-water-act-settlement-opening-new-4393.html>



## Opportunities & Resources in Renewable Energy!

### Energy Opportunities from Domestic Wastewater

Source: NACWA



## Recent Developments in the California Renewable Energy Sector

- Combined Heat and Power System Certification Guidelines
- TRECs Opportunities
- CA Renewable Fuel Standard finalized
- Low Carbon Fuel Standard – Biofuel producer opportunities



## Website Walkthrough

## Recent Grant News



## Clean Water State Revolving Fund

- The California Clean Water State Revolving Fund (CWSRF) provides low interest loans for large and small water/wastewater projects - \$552 million awarded last year
- Workshops are being held in Sacramento, Oakland, and Santa Rosa in April
  - Public comments are being sought regarding development of the 2010-2011 Intended Use Plan and Project Priority List

### More Information:

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/index.shtml)



## Water Recycling Funding Program (WRFPP)

- The WRFPP supports planning and construction of projects that use treated municipal wastewater (water recycling) to augment fresh water supplies in California
- Grant would cover
  - 50% of planning studies' costs up to \$75,000
  - 25% of construction costs or \$5 million (whichever is less)
- Eligibility:
  - public agencies only

**More information:**

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/water\\_recycling/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/water_recycling/construction.shtml)



## IRS Funds: Clean Renewable Energy Bonds (CREBS)

- **Applicability:** Provides interest free bonds to local governments for renewable energy developments and provides tax benefits to investors
- **Status**
  - No current solicitation
  - Jobs Bill (H.R. 2847) proposes another round of CREBs, along with qualified energy conservation bonds (QECBs)
    - <http://www.govtrack.us/congress/bill.xpd?bill=h111-2847>

**More information:**

<http://www.irs.gov/pub/irs-drop/n-09-33.pdf>



## Small Community Wastewater Grant (SCWG) Program

- The SCWG Program, most recently funded by Proposition 40 and Proposition 50, provides grant assistance for publicly-owned wastewater treatment and collection facilities.
- Eligibility:
  - for small communities (i.e., with a population of 20,000 persons, or less)AND
  - financial hardship (i.e., annual median household income [MHI] is 80 percent of the Statewide MHI, or less)

**More information:**

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/small\\_community\\_wastewater\\_grant/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/small_community_wastewater_grant/index.shtml)



## Air Quality Improvement Plan (AQIP) FY 2010-2011 Funding Plan

- The AQIP is an incentive program that currently funds voucher and rebate programs for cleaner vehicle and equipment emissions.
- The next year's AQIP Funding Plan is in development. Get involved now!
- Stakeholder workshop on April 8 in Sacramento

**More information:**

<http://www.arb.ca.gov/msprog/aqip/aqip.htm>



## Year in Review

### **FY 2009/2010 Highlights**

- Attended CA Air Resources Board workshop on implementation of the AB 32 Scoping Plan
- Helped spearhead and host the February 2009 Climate Change Summit
- Published AIR Committee Spring & Winter Newsletters
- Members filled out CEC surveys regarding Assembly Bill 1613 that encourages cogeneration, especially at the POTW
- Sponsored workshops on the AB 32 Mandatory Reporting of Greenhouse Gases
- Submitted Comment letters to the EPA and CARB regarding AIR issues – some items supported!
- Members assisted in the development of CWCCG
- New website features developed for AIR
- Grants tracking

## Planning for Next Year

### Suggestions for FY 10/11?

- Key Focus Areas
- Meetings/Presentation Structure
- Committee-hosted Workshops
- Advocacy/Comment Letters

Any Other Suggestions?





## Closing

## Supplementary Slides

### ARB Staying Enforcement of Off-Road Equipment Rule

**March 1, 2010**  
**Large Fleets Only:**  
**Over 5000 HP**

NOx and PM requirements become effective in 2010. After 2009, large fleets must report each year from 2010 to 2020, detailing how requirements have been met.

**March 1, 2013**  
**Medium Fleets:**  
**2,501 to 5,000 HP**

NOx and PM requirements become effective in 2013. After initial reporting in 2009, medium fleets must report each year from 2012 to 2021, detailing how requirements have been met.

**March 1, 2015**  
**Small Fleets:**  
**2,500 HP and Under**

Only PM requirements become effective in 2015 for small fleets. After initial reporting in 2009, fleets must report each year from 2014 to 2026, detailing how requirements have been met.