



AIR ISSUES & REGULATIONS COMMITTEE

A Committee of the Bay Area Clean Water Agencies

Spring Committee Meeting

July 20, 2011

10:00 am – 1:00 pm

Introductions & Opening

Agenda

- Standard Regulatory Presentation: 10-11:30 am
 - I. Local Regulatory News
 - II. State Regulatory News
 - III. National Regulatory News
 - IV. Additional Items
 - V. Closing
- Presentation + Tour of SFPUC's FOG/bio-energy fuels & renewables program: 11:30-1pm
by Karri Ving & Natalie Sierra



Local Regulatory News

BAAQMD Regulation 9, Rule 7

Rule Amendments

- Proposed changes accepted by BAAQMD on May 4, 2011
- Currently requires manufacturers to pre-certify all new natural gas-fired devices for sale in Bay Area
- Rule applies to NO_x & CO from boilers, steam generators and process heaters
- Amendments to extend compliance dates and expand compliance options

For more info:

<http://www.baaqmd.gov>



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

BAAQMD Regulation 9, Rule 7

Rule Amendments

- Proposed amendments (extend compliance dates):
 - NO_x and CO emission limits compliance date for new & existing devices rated > 2 – 5 MM BTU/hr: **January 1, 2013** (extended 2 yrs.)
 - NO_x and CO emission limits compliance date for new & existing devices rated > 5 - 10 MM BTU/hr: **January 1, 2013** (extended 1 yr.)
 - Stack temperature limits compliance date for new & existing devices: **January 1, 2013** (extended 2 yrs)
 - Certification deadline for all new devices sold or installed: **January 1, 2012**



Local Regulatory News

**SF Bay Conservation &
Development Commission
(BCDC) Update**

SF BCDC – Bay Plan Amendment

- Proposed amendments to Bay Plan – to restrict development in inundation zones resulting from sea level rise
- Joint counter effort lead by Bay Area Council, Bay Planning Coalition, and Building Industry Association
- CH2M HILL attended BCDC & BPC workshops on behalf of AIR
- Public workshops held on May 19 & June 2, Another public workshop to be conducted on July 21



SF BCDC – Bay Plan Amendment

- Submitted comment letter to BCDC on June 2nd 2011, supporting the language in the Bay Plan Amendment about protecting critical infrastructure
- Continue to support and be involved in the development process of the Bay Plan
- Results of the workshop will be incorporated into 4th preliminary staff recommendation & revised staff report to be released on July 29, for consideration by the Commission on September 1, 2011



Bay Plan Amendment

- Key points and language that we support exempts POTWs:
 - “important public shoreline infrastructure, such as wastewater treatment facilities are at risk of flood damage that could require costly repairs, or result in the interruption or loss of vital services or degraded water quality.”
 - “..protecting infrastructure that is crucial to public health or the region’s economy, such as wastewater treatment facilities.”
 - “..specific types of projects that have regional benefits, including critical infrastructure that is necessary for existing development should be encouraged .”
 - “..protecting and minimizing risks to critical infrastructure by using effective and innovative adaptation approaches.”
 - “..specific types of projects should be encouraged if they do not negatively affect the Bay, which includes repairs of an existing facility.”



AIR ISSUES & REGULATIONS COMMITTEE
A Committee of the Bay Area Clean Water Agencies 10

State Regulatory News

State Regulatory News

Proposed Bill AB 752

Proposed Bill AB 752: Planning for sea level rise

- Bill requires certain granted public land trustees to prepare a plan to address a rise in sea level including mitigating damage to infrastructure and to protect habitat
- Bill would require roughly 75 cities, counties, harbor districts, ports and sanitary districts that administer state-granted coastal public lands (and whose activities generate >\$250K in annual revenues) to have a plan in place by July 1, 2013
- Proposed bill approved by the Assembly, but is yet to be approved by the Senate & signed by the Governor
- Last Action on Bill: In committee: First hearing canceled at request of author
- CH2M HILL will track status of bill



State Regulatory News

Cap and Trade Program Mandatory Reporting

CARB's Workshop

- *Enforcement of CARB's Cap & Trade rule has been deferred from 2012 to 2013*
- *Mandatory Reporting*
- Randy Schmidt watched the webcast of the workshop
- CARB's presentation slides are available upon request



State Regulatory News

CARB's ATCM Regulation

Amendments to the ATCM for Stationary CI Engines

- Purpose of CARB's Airborne Toxic Control Measure (ATCM) - to reduce diesel PM & criteria pollutant emissions from stationary diesel-fueled CI engines
- Applies to any person who owns or operates a stationary CI engine in California with a rated brake horsepower >50
- Purpose of the amendments:
 - to closely align emissions standards with those in the federal NSPS
 - to help clarify provisions in the ATCM
 - to address new information & to remove provisions no longer needed
- Amendments to ATCM became effective May 19th, 2011



Amendments to the ATCM for Stationary CI Engines

Elements of the Amendments that potentially impact POTW operations:

- *Emission Limits for New Emergency Standby Engines* (2007 model year or newer emissions limits for all pollutants)
- *Tier 4 Emissions Limit and Sell-Through Requirements for Prime Engines* (Aligns PM emissions limit with NSPS standard of 0.02 g/bhp-hr, and align with NSPS final rule deadlines for installing prime engines from a previous model year)

For more info:

<http://www.arb.ca.gov/diesel/statporthome.htm>



AIR ISSUES & REGULATIONS COMMITTEE
A Committee of the Bay Area Clean Water Agencies 18

State Regulatory News

Fleet Regulations

Fleet Rule for Public Agencies & Utilities

- All cities, counties, public agencies & utilities providing services that operate diesel vehicles >than 14,000 pounds gross vehicle weight rating (GVWR) subject to CARB Fleet Rule
- Final compliance deadlines for most of remaining diesel vehicles : December 31st, 2011
- Regulation requires fleets to apply BACT to a % of fleet based on implementation schedule:
 - All Group 3 vehicles (2003-2006 model year engines) by December 31, 2010
 - All 2002 and older model year engines by December 31, 2011
 - Any 2007 model year or newer engine certified above 0.01 g/bhp-hr for PM by December 31, 2012

For more info:

www.arb.ca.gov/msprog/publicfleets/publicfleets.htm



AIR ISSUES & REGULATIONS COMMITTEE
A Committee of the Bay Area Clean Water Agencies **20**

Heavy-Duty Diesel In-Use Compliance Regulation

- In 2006, CARB adopted a new in-use compliance test procedure that allows for a more efficient and cost-effective test method to conduct in-use compliance testing of HDDEs
- Emission measurement allowances needed to account for variability associated with field testing
- CARB adopted gaseous measurement allowances in December 2007 following the completion of a gaseous research study
- PM research study completed in 2010 and the ARB, USEPA, and the Engine Manufacturers Association have agreed on a PM measurement allowance value



AIR ISSUES & REGULATIONS COMMITTEE
A Committee of the Bay Area Clean Water Agencies 21

Heavy-Duty Diesel In-Use Compliance Regulation

- CARB conducted public hearing on June 23, 2011, to consider adoption of amendments to California's HDDE test procedures
- Amendments would modify measurement allowance for the regulated PM emissions during heavy-duty diesel in-use compliance testing when using portable emissions measurement systems (PEMS)
- Amendments are identical to the modifications already adopted by EPA in November 2010
- Amendments adopted by CARB

For more info:

<http://www.arb.ca.gov/regact/2011/hdiuc11/hdiuc11.htm>



AIR ISSUES & REGULATIONS COMMITTEE
A Committee of the Bay Area Clean Water Agencies **22**

National Regulatory News

National Regulatory News

Tailoring Rule & Solid Waste Definition

Deferral of Biogenic Emissions – Tailoring Rule

- EPA proposed rule to defer permitting of biomass and biogenic GHG emissions sources under the Title V Tailoring Rule for 3 years
- Proposed rule officially published in the Federal Register on March 21, 2011, and became effective on May 20th 2011



Biogas Captured in EPA's Definition of Solid Waste

- EPA inadvertently included biogas & landfill gas in the final solid waste definition rule and supporting background material
- Rule suggests that these gaseous fuels derived from what EPA now considers a solid waste (i.e., sewage sludge), would themselves be considered solid wastes
- A May 13, 2011, policy letter from EPA to American Forest & Paper Assoc. has clarified that it did not intend to include these gases under its solid waste rules
- NACWA seeking formal clarification of the status of these gaseous fuels, & will seek to address this issue during its forthcoming legal challenge of the final solid waste definition rule
- NACWA recommends placing a copy of the May 13th letter in your files in case the regulatory status of your gas operations be called into question

– Divya emailed this letter to AIR on June 14, 2011



AIR ISSUES & REGULATIONS COMMITTEE

A Committee of the Bay Area Clean Water Agencies

National Regulatory News

**Air Toxic Standards for Industrial,
Commercial, & Institutional Boilers
& Process Heaters**

Final Federal Air Toxic Standards for Industrial, Commercial, & Institutional Boilers & Process Heaters

- February 21, 2011, USEPA finalized rule to reduce toxic air pollutant emissions from new & existing boilers and process heaters at Major & Area Source Facilities
- Major Source emits ≥ 10 TPY of any air toxic (HAP) or ≥ 25 TPY of any combo of air toxics
- Area Source emits < 10 TPY of any air toxic or < 25 TPY of any combo of air toxics
 - Area Source rule DOES NOT apply to boilers that burn gaseous fuels or solid waste, including biogas, per page 249/276 of the rule
- Any Major Source HAP emitters?



Final Federal Air Toxic Standards for Industrial, Commercial, & Institutional Boilers & Process Heaters

- Key Requirements for Major Source Facilities:
 - Work practice standard, instead of numeric emission limits, for new & existing natural gas- & refinery gas-fired units
 - Must perform an annual tune-up for each unit.
 - Units combusting “other gases” can qualify for work practice standards by demonstrating that they burn “clean fuel,” with contaminant levels similar to natural gas
 - Work practice standard instead of numeric emission limits for units with heat input capacity < 10 million MMBtu/hr
 - Required to perform tune-up for each unit once every 2 years



Final Federal Air Toxic Standards for Industrial, Commercial, & Institutional Boilers & Process Heaters

- Key Requirements for Major Source Facilities (continued):
 - Numeric emission limits for all other boilers & process heaters located at major sources
 - Emission limits for:
 - mercury
 - dioxin
 - particulate matter (PM) (as a surrogate for non-mercury metals)
 - hydrogen chloride (HCl) (as a surrogate for acid gases)
 - carbon monoxide (CO) (as a surrogate for non-dioxin organic air toxics)



Final Federal Air Toxic Standards for Industrial, Commercial, & Institutional Boilers & Process Heaters

- Key Requirements for Major Source Facilities (continued):
 - Requires monitoring to assure compliance with emission limits
 - Existing major source facilities required to conduct a one-time energy assessment to identify cost-effective energy conservation measures
- Final rule is posted at:

<http://www.epa.gov/airquality/combustion/actions.html>



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

Final Federal Air Toxic Standards for Industrial, Commercial, & Institutional Boilers & Process Heaters

- After final standards were issued, multiple industry groups petitioned to delay the effective date of standards for major source boiler and commercial and industrial solid waste incinerator
- In May 2011, EPA announced it would stay the effective date of those standards
- Public comment period on this standard was until July 15, 2011
- On June 27, 2011, EPA announced timeline for reconsideration of standards

- standards to be reconsidered: October 2011

- final standards to be issued: April 2012



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

National Regulatory News

Misc. National News
*Mandatory Reporting of CHP Power
Information - EIA*

Mandatory reporting of CHP power information to the US Energy Information Administration

- Form EIA-923 is a mandatory report for all electric power plants and CHP plants that:
 - have a total generator nameplate capacity of 1 MW or greater
 - where the generator(s), or the facility in which the generator(s) resides, is connected to the local or regional electric power grid and has the ability to draw power from the grid or deliver power to the grid
- Data collected on this form include electric power generation, fuel consumption, fossil fuel stocks, delivered fossil fuel cost, combustion byproducts, operational cooling water data, and operational data for NO_x, SO₂, and PM control equipment
- Data used to monitor status and trends of the electric power industry and appear in many U.S. EIA publications



National Regulatory News

Misc. National News

*EPA Proposes Criteria to Waive
Requirements for Capturing Gasoline
Vapors*

EPA Proposes Criteria to Waive Federal Requirements for Capturing Gasoline Vapors When Refueling Vehicles

- Since 1994, gas stations in certain areas required to use gasoline vapor recovery systems
- As required by the Clean Air Act, onboard refueling vapor recovery (ORVR) technologies installed on vehicles in 1998, making gas stations' systems redundant
- Since 2006, all new automobiles and light trucks equipped with ORVR
- Vapor emissions from refueling are harmful
 - contribute to ground-level ozone
 - contain toxic air pollutants



EPA Proposes Criteria to Waive Federal Requirements for Capturing Gasoline Vapors When Refueling Vehicles

- EPA issuing proposal under Clean Air Act to waive requirements for systems used at gas station pumps to capture potentially harmful gasoline vapors
- Part of Obama administration's initiative to review outdated rules and update them
- States that meet new criteria would have option to do away with vapor recovery systems at the pump – starting June 30, 2013
- EPA will accept comment on the proposal for 60 days after publication in the Federal Register

For more info:

<http://www.epa.gov/airquality/ozonepollution/actions.html#AIRPUB>



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

National Regulatory News

**Misc. National News
H₂S as toxic pollutant?**

Hydrogen Sulfide as Toxic Pollutant?

- In March, 2009, 25 local and national organizations and individuals including Sierra Club formally called on EPA to take action on H₂S
- Groups wanted to see H₂S added to the list of 188 chemicals termed Hazardous Air Pollutants (HAPS), regulated by EPA under Title III of the 1990 Clean Air Act Amendments
- Currently, EPA does not require H₂S emissions to be reported under its Toxics Release Inventory
- On June 22, Sierra Club & two other organizations threatened to sue EPA unless it responds to the 2009 petition
- NACWA submitted comments in May 2010 explaining impacts on POTW's if H₂S was listed as a HAP



Additional Items

Any other regulations folks are tracking or concerned about?

**Additional
Items**

Grant Opportunities

Carl Moyer On-Road Voucher Incentive Program

- Provides grant funding for incremental cost of cleaner-than-required engines, equipment, and emission reduction technologies
- Complements California's regulatory program by funding emission reductions that are surplus
- ARB approved revisions to Program guidelines on April 28, 2011
 - Guidelines update the program to respond to stakeholder feedback, the downturn in the economy, more current technical information, and new regulatory requirements for vehicles, equipment, engines, and other pollution sources in California
- These Guidelines affect projects beginning with those funded with fiscal year 2011/12 funds

For more info:

http://www.arb.ca.gov/msprog/moyer/advisories_005/advisories_005.htm



AIR ISSUES & REGULATIONS COMMITTEE
Committee of the Bay Area Clean Water Agencies 42

Additional Items

AIR Business Items

BACWA AIR Budget Update

Total Budget for FY 11/12: \$79,500

- Budget < last year because we lost one member (SFO)



AIR ISSUES & REGULATIONS COMMITTEE
A Committee of the Bay Area Clean Water Agencies **44**

Communications Feedback

- Regular regulatory emails to AIR
- AIR website continued to be updated with current issues
- BACWA Air Annual Newsletter
- BACWA AIR Issues Matrix:
 - Sent out on June 22, 2011
 - Tool to keep members updated on current issues
 - Reminder to look at it
 - Provide feedback/suggestions



AIR Issues Matrix

BACWA AIR ISSUES MATRIX

Item	Description	Issues for POTWs	Current Status and Updates	Links	Lead	Next Steps	Effective Date
Fleet Regulations	<ul style="list-style-type: none"> - Heavy Duty Diesel Regulations - CARB's In-use Off-road Diesel Regulation 	<ul style="list-style-type: none"> - Retrofitting requirements for fleets - Reporting requirements for specific sizes of fleets - PM and NO_x requirements for equipment emissions 	<ul style="list-style-type: none"> - ARB extended compliance deadlines for remaining diesel vehicles to December 31, 2011. - Requires fleets to apply BACT to percentage of fleet based on implementation schedule - ARB made amendments to the in-use off-road diesel regulation in December 2010: <ul style="list-style-type: none"> • four year extensions of deadlines • reduction & simplification of annual requirements • making exhaust retrofits no longer mandatory • raising low use threshold to 200 hours (instead of 100) 	<ul style="list-style-type: none"> http://www.arb.ca.gov/mesa/09/publicaffairs/publicaffairs.html http://www.arb.ca.gov/mesa/09/ordiesel/ordiesel.html 	Divya Bhargava		December 2010
Mandatory Reporting of GHGs	<ul style="list-style-type: none"> - CARB's Mandatory Reporting Regulation for Greenhouse Gases: Revisions made to the program to support a greenhouse gas cap-and-trade program and harmonize with U.S. EPA reporting requirements - EPA GHG Mandatory Reporting: Extension of deadline 	<ul style="list-style-type: none"> - Revisions include the following: <ul style="list-style-type: none"> • Reporting threshold lowered from 25,000 metric tons/year of CO₂ to 10,000 mt/year of carbon dioxide equivalents (CO₂e) • Facilities with emissions between 10,000 and 25,000 mt/year file an abbreviated report and not required to undergo third-party verification • Cogeneration category (> 1 MW power and 2500 mt/year of emissions) eliminated - Program requires reporting from large emission sources across a range of industry sectors (there are only a few wastewater agencies in California that exceed the 25,000 tonyr fossil fuel-based emissions threshold) 	<ul style="list-style-type: none"> - The proposed changes kick in for reporting year 2011 (filed in 2012) 	<ul style="list-style-type: none"> http://www.arb.ca.gov/so2/ghg/ghg.html http://www.epa.gov/ghgreporting 	Divya Bhargava	CARB staff are finalizing the rulemaking during 2011, and the revised regulation is expected to be effective for reporting in 2012	January 1, 2012
Stationary Engine Emissions Regulations	<ul style="list-style-type: none"> - CARB's ACTM for Stationary, CI Engines: Amendments made to the program - Purpose: to reduce diesel particulate matter (PM) and criteria pollutant emissions from stationary new and in-use diesel-fueled CI engines. Except as provided in sections 93115.3 and 93115.9, this ACTM applies to any person who owns or operates a stationary CI engine > 50 bhp in CA. 	<ul style="list-style-type: none"> - Emission Limits for New Emergency Standby Engines: requires any new emergency standby engine to meet the 2007 model year or newer emissions limits in the Off-Road Standards, title 13, California Code of Regulations section 9423, for all pollutants. - Tier 4 Emissions Limit and Self-Through Requirements for Prime Engines: aligns the PM emissions limit for CI engines with the NSPS standard of 0.02 g/bhp-hr. In addition, the amendments align with the NSPS final rule deadlines for installing prime engines from a previous model year. 	<ul style="list-style-type: none"> - EPA issued a final rule that extends the deadline for reporting 2010 data to September 30, 2011 - New deadline for registering with the electronic GHG reporting tool (e-GGRT): August 1, 2011 	<ul style="list-style-type: none"> http://www.arb.ca.gov/so2/actm/actm.html 	Divya Bhargava		May 19, 2011
Portable Engine Emissions Regulations	<ul style="list-style-type: none"> - Tier 0 (non-certified) portable diesel engines phase-out date - Statewide Portable Equipment Registration Program (PERP): Amendments made to program 	<ul style="list-style-type: none"> - Portable engines may be used on-site at POTW: An engine moved to more than one location within a facility is portable. It does not have to leave the facility 	<ul style="list-style-type: none"> - On June 21, 2010, CARB proposed an amendment to the ATCM which allowed some of these Tier 0 portable engines to operate until December 31, 2010 - BAAQMD will encourage CARB to post a more definitive compliance date for phase-out of Tier 0 portable diesel engines. 	<ul style="list-style-type: none"> http://www.arb.ca.gov/so2/portable/0.html 	Divya Bhargava		
Addition of Digester Gas to Definition of EPA's New Incinerated Solid Waste Definition	<ul style="list-style-type: none"> - EPA proposed definition of soil waste: Regulatory Status of Digester Gas, Biosolids Destined for Combustion Units 	<ul style="list-style-type: none"> - Regulatory status of sewage sludge incinerators (SSIs) - Regulatory status of digester gas generated during anaerobic digestion of sewage sludge, and biosolids or biosolids-derived products 	<ul style="list-style-type: none"> - Through a May 13, 2011, policy letter, EPA has clarified that it did not intend to include these gases under its solid waste rules - NACWA will seek more formal clarification of the status of these gaseous fuels. - NACWA recommends that members who generate and burn digester gas in any manner obtain a copy of the May 13, 2011, letter and maintain it in their files should the regulatory status of their gas operations be called into question 	<ul style="list-style-type: none"> http://www.nacwa.org/node/207 http://www.epa.com/contaminants/air/soil-waste-14 	Divya Bhargava	NACWA along with a number of industry groups will be requesting that EPA provide more formal clarification via Federal Register notice on the regulatory status of these gaseous fuels	

BACWA AIR ISSUES MATRIX

Item	Description	Issues for POTWs	Current Status and Updates	Links	Lead	Next Steps	Effective Date
Proposed Climate Change Bay Plan Amendment	<ul style="list-style-type: none"> - San Francisco Bay Conservation Development Commission (BCDC) Bay Plan Amendment to incorporate the findings of climate change adaptation to protect the Bay environment and essential public infrastructure from the potential impacts of sea level rise 	<ul style="list-style-type: none"> - Bay plan amendment talks about protecting critical infrastructure (including wastewater treatment plants) from the impacts to sea level rise 	<ul style="list-style-type: none"> - Public workshops were held on May 19th and June 2nd to provide the Commission with the opportunity to directly engage with the representatives from business and environmental communities to better understand their perspectives on the outstanding policy issues, and to allow the public to provide additional input on the draft findings and policies. - BACWA AIR attended the BCDC meeting on May 19th, and submitted a comment letter supporting the language in the Bay Plan Amendment about protecting critical infrastructure. - The comment letter was included included for the Commissioners during the meeting on June 2nd. 	http://www.bcdc.ca.gov/proposed-bay-plan/bp-amend-1-08.shtml	Divya Bhargava	Revised BCDC staff report is expected to be released on July 29, for consideration by the Commission	September 1, 2011
Misc. Equipment Emission Regulations - Boilers, Turbines, etc.	<ul style="list-style-type: none"> - BAAQMD Regulation 9, Rule 7: Compliance Extensions: NOx and CO from Boilers, Steam Generators & Process Heaters: Changes proposed to regulation - EPA's new emissions standards for large and small boilers and incinerators that burn solid waste and sewage sludge that were issued in February 2011 	<ul style="list-style-type: none"> - Various equipment is used on-site for WWTF operations and is also subject to air quality regulation: amendments to compliance dates and options - New Area Source standards do not apply to boilers that burn only gaseous fuels (including biogas) or solid waste. - New Major Source standards do impact boilers that burn gaseous fuels 	<ul style="list-style-type: none"> - Proposed amendments to Regulation 9, Rule 7 adopted on May 4, 2011 - EPA is seeking additional public feedback and gathering more information on the final standards (until July 15, 2011), and will issue a stay postponing the effective date of the standards for major source boilers and commercial and industrial solid waste incinerators to allow the agency to continue to seek additional public comment before updated rule is proposed 	http://www.baaqmd.gov/?sc_itemid=038A3015-435E-440D-9C7C-6C7F4D5A4E55 http://www.epa.gov/airquality/comboair/	Divya Bhargava	- EPA gathering public feedback: comments due date	May 4, 2011 July 15, 2011
Funding Opportunities	<ul style="list-style-type: none"> - General funding opportunity tracking for BACWA AIR Members - Includes funding directly for Wastewater projects as well as Water, Alternative Energy, and Energy Efficiency projects that may also be applicable to projects at POTWs 	<ul style="list-style-type: none"> - Securing funding for much needed projects at member agency sites 	<p>There are no known opportunities at this time</p>	http://baowa.org/committees/air-issues/regulations/grant-opportunities	Divya Bhargava		

Closing

Next Meeting: Wednesday – October 19, 2011

Cap and Trade - Summary

- No wastewater agencies in California will be subject to the cap
- Biomass emissions, including those from combustion of digester and landfill gas, are excluded
 - Language also excludes methane and nitrous oxide emissions from wastewater treatment processes
- Threshold for inclusion in the cap is 25,000 metric tons/yr of *fossil fuel* based emissions (i.e. natural gas combustion)



California Mandatory Reporting Key Revisions

Key changes:

- Reporting threshold lowered from 25,000 metric tons/year of CO₂ to 10,000 metric tons/year of carbon dioxide equivalents (CO₂e)
 - Includes both biomass and fossil fuel combustion emissions.
 - Facilities with emissions between 10,000 and 25,000 metric tons/year file an abbreviated report and not required to undergo third-party verification
- Cogeneration category (> 1 MW power and 2500 metric tons/yr of emissions) has been eliminated



California Mandatory Reporting Cogen Verification

- Conversation with Mr. Chris Holme, the GHG Mandatory Reporting Rule (MRR) verification specialist at the CA ARB
- Are cogen facilities that file abbreviated reports (i.e., <10 MW nameplate generation & <25,000 tons CO₂/yr; like MRWPCA) required to re-verify year after "adverse" verification finding?
 - NO, cogen facilities in this category are only required to do triennial verification
- ARB may issue a letter recommending re-verification in 2011
- If your facility's 2011 General Stationary Combustion GHG emissions < 10,000 tons (per the updated rule effective in 2012), then do not have to prove it by entering fuel data into the ARB's MRR webtool

If you have any specific questions, contact

Mr. Holme at 916-323-4865



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

CARB In-Use, Off-Road Diesel Regulation

In 2007, CARB adopted regulation to reduce diesel PM & No_x emissions from existing off-road diesel vehicles in CA

In December 2010, changes made to regulation:

- Deadlines extended: Four year extension for all fleets:
 - January 1, 2014, for large fleets (over 5,000 hp)
 - January 1, 2017, for medium fleets (2,501-5,000 hp)
 - January 1, 2019, for small fleets (2,500 hp or less)
- Reduction & simplification in the annual requirements for fleets and fleet average structure
- Making exhaust retrofits no longer mandatory
- Raising low use threshold to 200 hours per year (previously 100 hours)



Tailoring Rule – Air District Implementation

- For those facilities that already operate under Title V, GHGs will need to be included in the permit application
- Because there are no applicable requirements, there should not be any new conditions in the Title V permit related to GHGs (except perhaps mandatory reporting)
- If a Title V facility were to apply for a permit for a new source, BACT for GHGs would be applied and associated conditions would be captured in the Title V permit
 - EPA will be issuing guidance on how permitting agencies can conclude that combustion of biomass fuel is BACT

