

BACWA AIR Committee Roundtable with Brian Bateman of BAAQMD, January 26, 2011

TO: BACWA AIR Committee

COPIES: Jason Warner, Oro Loma
Sanitary District; Zach Kay, City
of Santa Rosa

FROM: Jim Sandoval

DATE: February 3, 2011

This memorandum highlights the discussion points of the January 26th BACWA AIR Committee meeting with Brian Bateman, Engineering Director of the Bay Area Air Quality Management District (BAAQMD). The purpose of the meeting with Brian was to get an overview of proposed or existing BAAQMD regulations that may impact your facilities. Overall the dialogue with him was good and the greatest value was in sitting down with him for two hours and breaking the ice for continued future dialogue with the BAAQMD.

- **EPA Tailoring Rule:**
 - BAAQMD identified three Bay Area WWTPs that exceed the potential to emit (PTE) threshold for GHG emissions from combustion (100,000 T-CO₂e/yr) that would require them to obtain Title V Permits, even though their actual emissions are below the threshold. These facilities could avoid Title V permitting by getting synthetic minor operating permits (SMOP) to keep their emissions below the threshold. A SMOP is a modification to a facility's BAAQMD operating permit that adds enforceable conditions to limit the facility's PTE to below the major source thresholds.
 - January 12th EPA decision to defer the inclusion of CO₂ from biomass for three years will provide a reprieve to WWTPs from this rule if they are exceeding the PTE threshold for combustion of digester gas, biosolids, or landfill gas.
- **AB-32 Regs:**
 - BAAQMD will only be involved in implementation of measures/regulations that apply to conventional command and control rules for stationary sources (e.g., landfill methane control, refrigerant compounds control, etc.)
 - Cap & Trade will be administered by the CARB, though local AQMDs may implement verification services for [GHG emissions](#) or offset protocols
- **NSPS for Sewage Sludge Incinerators:**
 - Only Palo Alto and CCCSD are impacted. BAAQMD would probably permit & enforce these facilities. Program may take 2-5 years to implement
- **Newly updated BAAQMD CEQA guidelines**
 - the thresholds of significance were revised for criteria pollutants and precursors, risks & hazards, and GHGs for both operational and construction projects
 - all new thresholds took effect in June 2010; the new receptors guidelines were put on hold until May 1, 2011

- biogenic CO2 was excluded
- see <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES.aspx>

- **CARB Tier 0 Portable Diesel Engines:**

- BAAQMD will encourage CARB to post a more definitive compliance date for phase-out of Tier 0 portable diesel engines, to be posted on BAAQMD website. The date is currently vaguely defined as “two years after Tier 4 replacement engines are available.”
- An engine moved to more than one location within a facility is portable. It does not have to leave the facility. Brian will follow-up with SFPUC’s permit engineer, who misinterpreted the definitions of “portable engine” and “location” in the portable engine rule.

- **Fleet Requirements (1 or more in State under common control)**

- Weighted avg. PM limits:

	<175 HP	175 – 750	> 750
Jan. 1, 2013	0.3	0.15	0.25
Jan. 1, 2017	0.18	0.08	0.08
Jan. 1, 2020	0.04	0.02	0.02

- Emergency and low- use are excluded from fleet requirements

- **Status report due Mar. 1, 2011**

- Compliance reports due Mar 1, 2013, 2017, & 2020

- **Proposed BAAQMD Composting Rule**

- Rule development delayed due to other priorities. Robert Cave (BAAQMD) will likely start the rulemaking process in late 2011 or early 2012.
- BAAQMD also awaiting adoption of similar rules in the south (SJVAPCD Rule 4566 and SCAQMD Rule 1133.3).
- We expressed our desire for continued involvement in the rulemaking process and the need to consider cross media impacts and net environmental benefit, including vehicle emissions that may result from added trucking miles, moisture retention properties of biosolids as compost or via land application, and the significant energy consumption of producing inorganic fertilizer if biosolids were not land applied
 - Brian noted that the CEQA process is a good mechanism to capture any concerns with cross media impacts when the rule is developed

- **Reg 9/Rule 8 NOx and CO from Stationary ICE**

- New thresholds for both CO and NOx are challenging for some WWTP cogeneration facilities to meet.
- If compliance is a challenge, there may be an option for BACT analysis via a cost effectiveness trigger. Brian willing to have a follow-up meeting to discuss.
- We expressed the challenge of some WWTPs to balance: maintaining their ability to safely treat WW, enabling the development and expansion of renewable energy projects (e.g., cogen), and maintaining compliance with air quality regs

- **New Anticipated Rules or Fees:**

- Air Toxics Hot Spots Program (AB 2588) will be amended to reconsider thresholds for mandatory risk reduction measures
 - The OEHHA procedures for calculating risk is getting more stringent

- The rulemaking process will begin approximately 4th quarter 2011 and be adopted by 4th quarter 2012
- No new GHG or related fees anticipated at this time; the state has climate change pretty well covered
- Reg 9/Rule 7 Boiler Rule Amendments
 - Anticipated by April 2011, led by Julian Elliot/BAAQMD.
 - Will allow more compliance time for small boilers since many are struggling to comply
 - Error in the rule related to NOx limits for digester gas fuel type brought up by Meei-Lih Ahmad/SFPUC will be corrected
- **Impact of Budget Cuts on Local Permitting and Enforcement:**
 - State cuts will have minimal impact to BAAQMD since budget is comprised primarily of fees and property taxes from the counties
 - Although both of these revenue sources are down, so BAAQMD may have staff cuts through attrition