



AIR ISSUES & REGULATIONS COMMITTEE

A Committee of the Bay Area Clean Water Agencies

The AIR Committee's History

Over the years, the AIR Committee has updated Bay Area POTWs on important air quality and climate change regulatory information and worked with local and State regulatory agencies to ensure that the viewpoints of both large and small Bay Area POTWs are taken into account. We represent "one voice" to the regulatory agencies, speaking on behalf of the majority of the POTWs in the Bay Area, and public utilities statewide have benefited from our efforts.

Regulatory Advocacy

Together we have proactively assisted in the development of regulatory programs by ensuring that they are based on good science and are physically and financially feasible for our public utilities. We have also shared information, developed comprehensive compliance programs, and formed solid relationships with each other and with our regulatory agencies. These relationships produce universally beneficial results: producing forward thinking input and strengthening our lobbying as regulations impacting Bay Area POTWs are constantly changing. Two of the AIR Committee's primary goals are to promote relationships with regulatory agencies, such as the Bay Area Air Quality Management District (BAAQMD), and to lead BACWA's initiative to monitor and influence climate adaptation policies in the Bay Area and California.

THE AIR COMMITTEE'S ACTIVITIES AND ACCOMPLISHMENTS IN THE PAST 2-3 YEARS INCLUDE:

- Sent the US Environmental Protection Agency (EPA) a letter and follow-up letter regarding the proposed National Emissions Standards for Hazardous Air Pollutants (NESHAP) for reciprocating internal combustion engines (RICE) in September 2009, specifically as it applies to digester gas fueled engines. The letters were based on the helpful feedback of committee members. EPA staff appreciated the feedback and we established an open dialogue with them.
- AIR Committee developed a new webpage on the BACWA website that includes grant tracking information for members. The website is updated regularly to include Committee meetings information, regulatory updates sent to members, newsletters, comment letters, etc.
- In the early fall of 2009, the BAAQMD published proposed new CEQA air quality thresholds of significance for greenhouse gas, criteria pollutants and precursors, risks and hazards, and odor. The AIR Committee and CWCCG researched the new thresholds and the CWCCG submitted a comment letter. The BAAQMD has incorporated comments in the revised guidelines.

- Sent comment letters to California Air Resources Board (CARB) summarizing member concerns regarding the revised California Mandatory Reporting Rule and Cap-and-Trade Rule for greenhouse gas (GHG) emissions in December 2010.
 - The AIR Committee Annual Newsletter that has been published every year and appreciated by all members.
 - Sponsored a successful BACWA workshop on the AB 32 Mandatory Reporting of Greenhouse Gases at San Francisco Public Utilities Commission (SFPUC) in 2010, which included attendance of approximately 50 participants representing 30 POTWs from around the state. The workshop was led by CH2M HILL and included invaluable participation of Renée Lawver of the CARB.
 - Sent Renée Lawver/CARB a letter that summarized member comments regarding the Mandatory Reporting process which was well received and incorporated.
 - An on-site meeting at SFPUC's Oceanside Wastewater Treatment Plant in July 2011 that included a presentation/tour of SFPUC's FOG and bio-energy/fuels renewable programs, which showed how they convert FOG from restaurants & households into biodiesel using a patented technology.
 - Workshops attendance and comment letters to the California Bay Conservation Development Commission (BCDC) in 2011, regarding the Bay Plan Amendment that addresses climate change impacts to the Bay and surrounding communities, and the protection of critical infrastructure, such as POTWs.
 - Workshop attendance on behalf of AIR to track the revisions to BAAQMD New Source Review and Title V Permitting Programs (i.e., amendments to District Regulation 2 - Rules 1, 2, 4 & 6) in 2011.
 - In-person discussions with BAAQMD Director of Compliance & Enforcement, Brian Bateman at the January 2011 and the January 2012 Committee Meetings. The purpose of the meetings with Brian was to get an overview of proposed or existing BAAQMD regulations that may impact y POTW's in the Bay Area.
 - An on-site meeting at the San Jose/Santa Clara Water Pollution Control Plant in May 2012 that included a presentation/tour of the new fuel cell facility installed at the plant by Scott Warfield of UTS Bioenergy.
 - Development of the AIR issues matrix which summarizes all regulatory issues and updates relevant to the AIR members. The matrix is a living document and is updated every month with the current issues.
 - Continuous tracking of regulatory issues affecting large and small POTWs through regular Committee-wide emails, keeping the AIR website updated, and the AIR Issues matrix.
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CURRENT & PENDING REGULATORY ISSUES FOR THE AIR COMMITTEE:

- Revisions to BAAQMD New Source Review and Title V Permitting Programs (i.e., Regulation 2 - Rules 1, 2, 4 & 6) and potential future impacts of the Tailoring Rule, which regulates GHGs under the Clean Air Act
- CARB Mandatory GHG Reporting and Cap-and-Trade Programs, and their alignment with EPA
- Working with BAAQMD on GHG threshold for Title V applicability
- CARB's Statewide Portable Equipment Registration Program: (PERP) New Fleet Emission Requirements
- Final Federal air toxic standards for industrial, commercial, & institutional boilers & process heaters
- EPA's proposed revisions to the National Ambient Air Quality Standards for Particle Pollution and impacts from BAAQMD
- Changes to BAAQMD Rules regulating engines and boilers 9 (i.e, Regulation 9 - Rules 7 and 8) – maintaining emissions compliance for engines and boilers
- Applicability of EPA's new National emission standards for hazardous air pollutants for reciprocating internal combustion engines (RICE)
- CARB's Stationary Refrigeration Management Program Regulation
- Decreased support from BAAQMD during a time of expanding air quality and climate change regulations
- Rising energy costs - growing need for increased efficiency and incentivized energy production. Although, lack of incentives for increased biogas-to-energy production from RECs, Cap & Trade offsets, etc.

Thank you,

Nohemy Revilla
Air Committee Co-Chair

Randy Schmidt
AIR Committee Co- Chair