



## **AIR ISSUES & REGULATIONS COMMITTEE**

**A Committee of the Bay Area Clean Water Agencies**

### Spring Committee Meeting

May 15, 2013

10:00 am – 1:00 pm

# Introductions & Opening

# Agenda

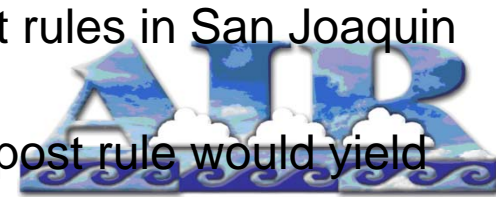
- Introductions and Opening
- Regulatory Updates
  - I. Local Regulatory News
  - II. State Regulatory News
  - III. National Regulatory News
- Technical Resources
- Grant Opportunities
- AIR Business Items
- Closing



# Local Regulatory News

# BAAQMD/BACWA AIR Committee Meeting March 13th

- Reciprocating IC Engine (RICE) NESHAP Rule (Kevin Oei)
- Rule Development (Robert Cave)
  - Backup Generators
    - Will eventually be targeted to reduce emissions risks. Not a high priority right now.
    - BAAQMD is reviewing Bay Area pollution corridors and mapping out where the generators are, who owns them, how many are Tier 0.
  - Composting Rule
    - Rule is unlikely in the near future.
    - Watching the impacts of the existing compost rules in San Joaquin Valley and South Coast AQMDs.
    - Not a high priority; staff not convinced a compost rule would yield significant emissions reductions in the Bay Area.



# BAAQMD/BACWA AIR Committee Meeting March 13th

- Bay Area PM – Attainment versus Non-Attainment (David Burch)
  - Very informative presentation that explains particulate matter (like a “PM 101” class), the health impacts of PM, and why the Bay Area is considered non-attainment for PM at this time
  - Worth reviewing slides if interested
- Regulation 2 Permitting Rule Changes (Sandy Crockett & Greg Stone)



Local Regulatory News

# BAAQMD Regulation 2

# Amendments to BAAQMD Regulation 2

- On December 19, 2012, BAAQMD adopted amendments to Regulation 2, Permits:
  - Effective immediately: Rule 4, Emissions Banking (PM<sub>2.5</sub>)
  - Effective upon approval by EPA:
    - Rule 1, General Requirements
    - Rule 2, New Source Review
    - Rule 6, Major Facility Review
- EPA still reviewing; has not approved yet
- Perhaps by end of 2013





# Amendments to BAAQMD Regulation 2 (cont'd)

- Purpose of amendments: align with EPA requirements so BAAQMD can issue Prevention of Significant Deterioration (PSD) and New Source Review (NSR) permits
- Key Changes
  - New PM<sub>2.5</sub> NSR Requirements
  - GHGs Included as Regulated Pollutant
  - New/Revised PSD Provisions
  - Revised NSR Applicability Test for “Modifications”
  - New “National Ambient Air Quality Standard (NAAQS) Protection” Requirement
  - Expanded Notice and Comment Provisions



# Amendments to BAAQMD Regulation 2 (cont'd)

- Most of the changes will affect major facilities applying for a new or modified permit
- Potential impacts to BACWA POTWs:
  - BAAQMD will list PM<sub>2.5</sub> as a criterion pollutant
    - BACT for any new or modified project with PM<sub>2.5</sub> > 10 lbs./day
    - Only enforceable by BAAQMD until the SIP is updated and then the USEPA can also enforce under Title V.
    - NH<sub>3</sub> is a precursor to PM<sub>2.5</sub> and so NH<sub>3</sub> will be regulated as both a Toxic Air Contaminant and a PM<sub>2.5</sub> precursor
  - PM<sub>2.5</sub> limitations can always be imposed if required as a mitigation under a CEQA finding
  - If biogenic GHG emissions from biogas or landfill gas (LFG) included in the Tailoring Rule in the future, all CO<sub>2e</sub> generated from natural gas, biogas and LFG that is utilized as fuel at your POTW would be factored into the Title V or PSD thresholds



# State Regulatory News

**State Regulatory News**

**Mandatory Reporting**

# Upcoming Dates for California Mandatory Reporting of GHGs

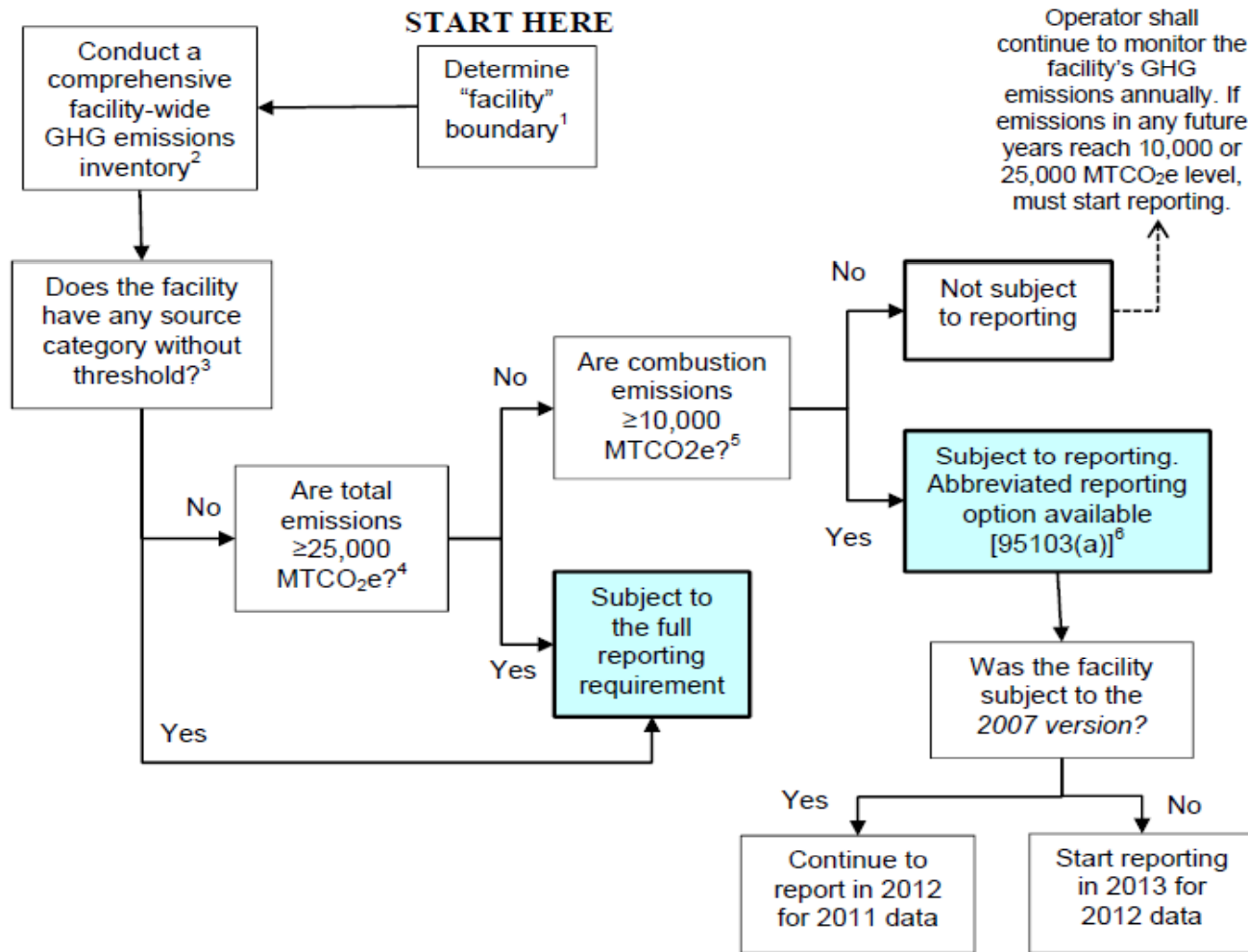
- *June 3<sup>rd</sup>*: Reporting deadline for submitting Electric Power Entity Reports, Gas Insulated Switchgear Reports, and Abbreviated Reports
- *September 3<sup>rd</sup>*: Final verification statements due for all reports, except when:
  - Facility is subject to abbreviated reporting or
  - Facility emits less than 25,000 MT/yr but includes a categorical operation (i.e., landfill) thus requiring full reporting
- <http://www.arb.ca.gov/cc/reporting/ghg-rep/ghg-rep-dates.htm>



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# Determining Rule Applicability for a Facility



# California Mandatory Reporting Rule Amendments Effective January 1, 2013

- §95103(a – j) add process emissions to Abbreviated Reporting:
  - POTWs are not a listed industry sector for this requirement
  - Neither the CARB nor the USEPA requires measurements of NDN N<sub>2</sub>O at this time because there is no method to reliably measure it
- §95103(k) adds testing requirements for meters and other measurement devices to demonstrate accuracy between calibrations
  - Patrick Gaffney/CARB: *Annual accuracy validation of equipment (meters) no longer required; it's now an option*
  - Requirements apply to “covered emissions” (i.e., all emissions included in a compliance obligation under §95852 – 95852.2)
  - Facility falls into the cap-and-trade program with a compliance obligation if anthropogenic GSC emissions > 25,000 MT/yr CO<sub>2</sub>e
- §95112(b) allows electricity generation system operators to aggregate all units that are integrated into the system for reporting purposes



State Regulatory News

# Development of Biomethane Standards



# Development of Biomethane Standards Pursuant to Assembly Bill 1900

- OEHHA is tasked with:
  - Compiling a list of constituents of concern (COCs) found in biogas that could pose a health risk and that are at levels that significantly exceed the concentrations of those COCs in natural gas
  - Determine health protective levels for these COCs
- CARB is tasked with:
  - Developing realistic exposure scenarios and identifying the associated health risk at biogas production facilities and to utility workers and gas end-users
  - Determining the concentrations of these COCs in biogas necessary to protect public health
  - Identifying monitoring, testing, reporting, and recordkeeping requirements necessary to ensure that health protective levels are maintained
- Proposed standards expected by May 15, 2013
- Final standards expected by December 31, 2013
- For more information:

<http://www.arb.ca.gov/energy/biogas/biogas.htm>



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# Monitoring Recommendation

- Monitor for constituents based on sources of biogas
  - 12 for landfill, 6 for POTW's, 5 for dairy
  - In general-annual monitoring for any CoC that is below trigger level, quarterly for any CoC above trigger level\*

\* H<sub>2</sub>S to be monitored continuously if of concern

Constituent	Landfill	POTW	Dairy
Antimony	X		
Arsenic	X		
Copper	X		
p-Dichlorobenzene	X	X	
Ethylbenzene	X	X	X
Hydrogen Sulfide	X	X	X
Lead	X		
Methacrolein	X		
n-Nitroso-di-n-propylamine	X		X
Mercaptans (alkyl thiols)	X	X	X
Toluene	X	X	X
Vinyl Chloride	X	X	

**State Regulatory News**

**Portable Equipment  
Registration Program (PERP)**

# PERP Overview and Deadlines

- Overview:
  - Allows operation of portable engines throughout California without having to obtain individual permits
  - Portable Engine Airborne Toxic Control Measure (ATCM) fleet standards effective January 1, 2013
  - By March 1, 2013, Owners of portable engines must submit:
    - A statement of compliance
    - A summary identifying each portable engine and its associated emission rate
- Upcoming Deadlines:
  - June 30, 2013: Last day to submit initial registration applications for interim Tier 4 engines rated from 50 bhp up to 74 bhp
  - July 1, 2013: All engines must meet the following for initial registration:
    - Engines rated 50 to 74 bhp – Certified Final Tier 4,
    - Engines rated 75 bhp+ – Certified Interim Tier 4, or
    - For all categories – Flex engines certified under flexibility provisions



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# PERP Exemption Criteria

- Equipment exempt if it meets one of the following criteria:
  - Certified to Tier 4 emission standards for newly manufactured non-road engines
  - Equipped with a properly functioning level-3 verified technology
  - Equipped with a combination of verified emission control strategies that have been verified to achieve at least 85 percent reduction in diesel PM emissions
- Compliance Requirements for Exempt Portable Engines:
  - Equipment does not contribute towards the fleet average PM emission rate
  - Facility still obligated to submit a compliance statement certifying that its equipment meet the exemption criteria per §93116.5(f)
  - Low-use and emergency-use equipment still have a recordkeeping component per §93116.4(e)(6)
- For more information:

<http://www.arb.ca.gov/portable/portable.htm>



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# National Regulatory News

# National Regulatory News

## Stationary RICE NESHAP

# Stationary RICE NESHAP

- Reciprocating Internal Combustion Engines (RICE) National Emission Standards for Hazardous Air Pollutants (NESHAP) applies to all engine sizes not used for local reliability
  - RICE NESHAP does not apply to existing emergency engines used or obligated to be available  $\leq 15$  hrs/yr for emergency demand response
- Amendments, effective April 1, 2013, address:
  - Emergency engine operation for demand response and peak shaving
  - Requirements for existing 4-stroke Spark Ignition (SI) RICE at area sources
  - Total hydrocarbon compliance option for 4-stroke rich burn (4SRB) SI RICE
  - Tier 1/Tier 2 certified Compression Ignition (CI) RICE scheduled for replacement
  - Tier 3 certified CI RICE
  - See <http://www.epa.gov/ttn/atw/rice/ricepg.html> for details





# Definitions

- Major vs. Area Source:
  - Major Source: Emits  $\geq 10$  tpy of any single Hazardous Air Pollutant (HAP) or 25 tpy of any combination of HAPs
  - Area Source: Not a major source
- Existing vs. New Engine:
  - $> 500$  hp at major sources:
    - Existing: Before December 19, 2002
    - New: After December 19, 2002
  - $\leq 500$  hp at major sources and all hp at area sources:
    - Existing: Before June 12, 2006
    - New: After June 12, 2006
- Engine compliance requirements are provided on the following slides



# Compliance Requirements

Engine Subcategory	Compliance Requirements
<p>Existing non-emergency:</p> <ul style="list-style-type: none"> <li>• CI <math>\geq</math> 100 HP at major source</li> <li>• CI &gt; 300 HP at area source</li> <li>• SI 100-500 HP at major source</li> </ul>	<ul style="list-style-type: none"> <li>• Initial emission performance test</li> <li>• Subsequent performance testing every 8,760 hours of operation or 3 years for engines &gt; 500 HP (5 years if limited use)</li> <li>• Operating limitations - catalyst pressure drop and inlet temperature for engines &gt; 500 HP</li> <li>• Notifications</li> <li>• Semiannual compliance reports (annual if limited use)</li> </ul> <p>Existing non-emergency CI &gt; 300 HP:</p> <ul style="list-style-type: none"> <li>• Ultra low sulfur diesel (ULSD)</li> <li>• Crankcase emission control requirements</li> </ul>
<p>Existing non-emergency SI 4SLB/4SRB &gt; 500 HP at area source used &gt; 24 hr/yr and not in remote area</p>	<ul style="list-style-type: none"> <li>• Initial and annual catalyst activity checks</li> <li>• High temperature engine shutdown or continuously monitor catalyst inlet temperature</li> <li>• Notifications</li> <li>• Semiannual compliance reports</li> </ul>

# Compliance Requirements (cont'd)

Engine Subcategory	Compliance Requirements
<p>Existing emergency/black start:</p> <ul style="list-style-type: none"> <li>• ≤ 500 HP at major source</li> <li>• All at area source</li> </ul> <p>Existing non-emergency:</p> <ul style="list-style-type: none"> <li>• &lt; 100 HP at major source</li> <li>• CI ≤ 300 HP at area source</li> <li>• SI ≤ 500 HP at area source</li> <li>• SI 2SLB &gt; 500 HP at area source</li> <li>• SI LFG/DG &gt; 500 HP at area source</li> <li>• SI 4SLB/4SRB &gt; 500 HP at area source used ≤ 24 hours/year or in remote area</li> </ul>	<ul style="list-style-type: none"> <li>• Operate/maintain engine &amp; control device per manufacturer's instructions or owner-developed maintenance plan</li> <li>• May use oil analysis program instead of prescribed oil change frequency</li> <li>• Emergency engines must have hour meter and record hours of operation</li> <li>• Keep records of maintenance</li> <li>• Notifications not required</li> <li>• Reporting and ULSD for emergency engines used for emergency demand response or local reliability</li> </ul>

# Compliance Requirements (cont'd)

Engine Subcategory	Compliance Requirements
<p>Existing non-emergency:</p> <ul style="list-style-type: none"> <li>• SI 4SRB &gt; 500 HP at major source</li> </ul> <p>New non-emergency:</p> <ul style="list-style-type: none"> <li>• SI 2SLB &gt; 500 HP at major source</li> <li>• SI 4SLB &gt; 250 HP at major source</li> <li>• SI 4SRB &gt; 500 HP at major source</li> <li>• CI &gt; 500 HP at major source</li> </ul>	<ul style="list-style-type: none"> <li>• Initial emission performance test</li> <li>• Subsequent performance testing semiannually (can reduce frequency to annual)*</li> <li>• Operating limitations - catalyst pressure drop and inlet temperature</li> <li>• Notifications</li> <li>• Semiannual compliance reports</li> </ul>
<p>New emergency/limited use &gt; 500 HP at major source</p>	<ul style="list-style-type: none"> <li>• Initial notification</li> <li>• Reporting and ULSD for emergency engines used for emergency demand response or local reliability</li> </ul>
<p>New non-emergency LFG/DG &gt; 500 HP at major source</p>	<ul style="list-style-type: none"> <li>• Initial notification</li> <li>• Monitor/record fuel usage daily</li> <li>• Annual report of fuel usage</li> </ul>

\*Subsequent testing required for 4SRB engine complying with formaldehyde % reduction standard only if engine is  $\geq 5,000$  HP

# Additional Items

**Additional Items**

**Technical Resources**

# Webinar: USEPA Climate Ready Water Utilities Initiative

- Webinar will highlight:
  - Climate Ready Water Utilities' *Workshop Planner and Adaptation Strategies Guide*
  - How a utility can use these tools when developing adaptation plans
  - Utility experiences with the tools
- **Wednesday, May 22<sup>nd</sup>, 10-11 AM (PDT)**
- Register at: [www.epa.gov/climateredyutilities](http://www.epa.gov/climateredyutilities)
- Questions to: [CRWUhelp@epa.gov](mailto:CRWUhelp@epa.gov)



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# Webinar: On-site Renewables: Lessons Learned from Idea to Implementation

- Experiences from direct investments in on-site renewable energy generation
- Presentations by SC Johnson and Coca-Cola Refreshments, that have invested in on-site projects powered by landfill gas and wind, respectively
- Highlights experiences from initial investigation of on-site systems to the results obtained once the projects were brought online
- ***Wed, May 29, 10:00-11:00 AM (PDT)***
- Register at:
- [http://epa.gov/greenpower/events/29may13\\_webinar.htm](http://epa.gov/greenpower/events/29may13_webinar.htm)



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# The Climate Registry launches the GHG Reporting Database

- Free online tool compares federal, regional and state greenhouse gas (GHG) reporting requirements
- Helps organizations navigate the patchwork of GHG regulations, including
  - Federal GHG Program (GHGRP)
  - California's Mandatory Reporting Regulation
  - state-by-state Regional Greenhouse Gas Initiative (RGGI) requirements.



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- Access at: <http://usghgclearinghouse.org/CLEARINGHOUSE/>

# Seventh Annual California Bioresources Alliance Symposium

- Focus on recent California legislation addressing bioresources
- Also addresses biogas challenges faced by WWTPs, dairies, forestry product residuals handlers, facility siting, urban residuals options, and use of bioresources for mine reclamation
- Designed for anyone involved with organic residuals, including public, private and NGO sectors
- *When: Sept. 18-19, 2013: Wed.-Thurs., 9:00 a.m.-5 p.m.*
- *Where: California EPA Building, 1001 I St, Sacramento, CA*
- For additional details:
  - [http://extension.ucdavis.edu/unit/land\\_use\\_and\\_natural\\_resources/alliance\\_symposium.asp](http://extension.ucdavis.edu/unit/land_use_and_natural_resources/alliance_symposium.asp)
  - [www.epa.gov/region9/organics/symposium](http://www.epa.gov/region9/organics/symposium)



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**Additional Items**

**Grant Opportunities**

# California Financing Coordinating Committee (CFCC) Funding Fairs

- CFCC is hosting free funding fairs to:
  - Educate public and potential customers about different member agencies and the financial and technical resources available
  - Provide opportunities for economic development professionals and local government officials to obtain information about grant, loan, and bond financing options that are *available for critical infrastructure projects*
- Fairs to be conducted between April and October in West Sacramento, Ukiah, Salinas, Visalia, Cathedral City, and Sacramento
- Eligible infrastructure projects include wastewater, water use efficiency, water quality, and water supply
- For more information: [http://www.cfcc.ca.gov/funding\\_fairs.htm](http://www.cfcc.ca.gov/funding_fairs.htm)



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# State Water Board's Clean Water State Revolving Fund (CWSRF) Program

- CWSRF is accepting applications on a continuous basis
- Any city, town, district, or other public body created under State law is eligible for funding
- Offers low interest financing agreements for water quality projects
  - The program disburses between \$200 and \$300 million to eligible projects on an annual basis
- Eligible projects include Wastewater Treatment Facility Construction Projects, local sewers, etc.
- For more information:

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



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# Free Energy Audits

- California Energy Commission's Energy Partnership Program
  - Provides up to \$20,000 of technical assistance (including energy audits) to identify energy projects and their technical and economic viability
  - Available to both water and wastewater utilities
- For more information:
  - <http://www.energy.ca.gov/efficiency/partnership/>
  - Questions to: Shahid Chaudhry at 916-654-4858 or [Shahid.Chaudhry@energy.ca.gov](mailto:Shahid.Chaudhry@energy.ca.gov)



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# CARB's Clean Vehicle Rebate Project (CVRP)

- CVRP offers rebate funding for Hybrid and Zero-Emission Vehicles
- Program is designed to:
  - Accelerate the number of ultra-clean vehicles sold in California
  - Help establish a sustainable market
- Rebates of up to \$2,500 per light-duty vehicle are available for individuals and business owners who purchase or lease new eligible zero-emission or plug-in hybrid electric vehicles
- Funding expected through 2015 on a first-come, first-serve basis
- Funding amounts determined annually by CARB
- For more information:

<http://energycenter.org/index.php/incentive-programs/clean-vehicle-rebate-project>



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# USEPA's National Clean Diesel Funding Assistance Program

- Program to achieve significant reductions in emissions produced by diesel engines and diesel emissions exposure
- \$9 million in funding available to be awarded by the USEPA
- USEPA will fund up to 100% of the cost of verified, eligible engine configurations and technologies, including:
  - Emission Control Technologies such as exhaust controls, cleaner fuels, and engine upgrades
  - Idle reduction technologies
  - Aerodynamic technologies and low rolling resistance tires
  - Engine repowers
  - Vehicle or equipment replacement
- Applications due June 25, 2013
- For more information:

<http://www.epa.gov/otaq/diesel/prgnational.htm>



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**Additional Items**

**AIR Business Items**

# CWCCG & CASA Energy Workgroup

- CASA Energy Workgroup
  - Spurred off CWCCG
  - Mission to facilitate and broaden opportunities at POTWs to maximize renewable energy production
- CWCCG
  - Focus on technical and regulatory aspects of climate change, including resiliency and adaption
- Summary of hot CWCCG & Energy Workgroup topics



# BACWA AIR Budget Update

- Total Budget for FY 2012/2013: \$74,436
  - Spent: \$52,897
  - Spent to date: 71% through May 10<sup>th</sup>



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# BACWA AIR Membership FY 2013/2014

- Solicitation for next phase of the BACWA AIR Committee in FY 2013/2014
- Membership forms were due May 3<sup>rd</sup>
  - Submit as soon as possible to [elyse.engel@ch2m.com](mailto:elyse.engel@ch2m.com)
- Cost will not increase
  - \$600/MGD up to a maximum of \$6,000



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# Closing

Next Meeting: Wednesday, July 17, 2013

*Any ideas for special topics, plant tours or guest speakers?*

# Workshop Ideas for FY 13/14

- Sorting through the evolving world of Renewable Energy Credits and the opportunities and risks for POTWs
- Energy Independence for POTWs
  - Renewable energy development
  - Energy efficiency
  - innovative and sustainable approaches for energy recovery using all wastewater treatment plant assets and inflow streams
- Climate Change Adaptation
- Tapping into grant opportunities for infrastructure development and sustainability



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# *Additional Slides*



# Tailoring Rule Summary

- **Title V applicability**
  - GHG's must be included in all "Title V anyway" permits
  - GHG emissions > 100,000 ton/yr (tpy) CO<sub>2</sub>e and 100 tpy mass basis trigger Title V for GHGs and other regulated pollutants for "non-anyway" sources
- **PSD Applicability for New projects\*:**
  - GHG potential to emit (PTE) > 100,000 tpy CO<sub>2</sub>e or "PSD anyway" sources > 75,000 tpy CO<sub>2</sub>e
- **PSD Applicability for Modified sources\*:**
  - "PSD anyway" source with GHG PTE > 75,000 tpy CO<sub>2</sub>e,
  - Existing PTE > 100,000 tpy and increase and net increase both > 75,000 tpy CO<sub>2</sub>e, or
  - Existing minor source\*\* with GHG PTE > 100,000 tpy CO<sub>2</sub>e
- **Rule of thumb:** facility that has the potential to use a bit more than 1,700,000 MM BTU/year of natural gas would generate > 100,000 short tons CO<sub>2</sub>e. If the USEPA decides to include biogenic GHG emissions from biogas or landfill gas (LFG) in the Tailoring Rule in the future, all CO<sub>2</sub>e generated from natural gas, biogas and LFG that is utilized as fuel at your POTW would be factored into the Title V or PSD thresholds.

*\*Sum of GHGs on a mass basis must also exceed certain triggers – relevant mostly to projects with large fluorinated gas emissions*

*\*\*Loophole in regulations versus guidance may negate this trigger – not recommended to pursue it!*



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# Amendments to BAAQMD Regulation 2 (cont'd)

- Revised NSR Applicability Test for “Modifications”:
  - Current Regulation 2-1-234 only requires a NSR permit if the change increases the source’s Potential to Emit (PTE)
  - USEPA will no longer accept this “Potential-to-Potential” test
  - Amended Regulation 2-1-234 classifies a change at a source as a “modification” if either:
    - It increases the source’s PTE, or
    - It is defined by the USEPA as a “major modification”
  - Per USEPA, the change is a “major modification” if:
    - The facility is a “major” facility,
    - The project will result in a “significant” net increase in emissions, and
    - The project does use “NSR Reform” applicability methodologies, including an “actual-to-future actual” emissions increase test



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# California Mandatory Reporting Rule

## Key Modifications Impacting POTWs

- General Stationary Combustion (GSC) reporting threshold lowered from 25,000 metric tons (MT)/yr of CO<sub>2</sub> to 10,000 MT/yr of CO<sub>2</sub>e
  - Includes both biomass and fossil fuel combustion emissions
  - Facilities with emissions between 10,000 & 25,000 MT/yr may file an abbreviated report and are not required to undergo third-party verification
- Cogeneration category (> 1 MW power and 2,500 MT/yr of emissions) has been eliminated
  - Cogeneration facilities with emissions > 10,000 MT/yr of CO<sub>2</sub>e will report as electricity generation sources
  - Cogeneration facilities with emissions < 10,000 MT/yr of CO<sub>2</sub>e are no longer required to report
- Flaring emissions are now exempt from reporting



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