

BACWA AIR Issues Matrix

Item	Description	Issues for POTWs	Current Status and Updates	Links	Lead	Next Steps	Effective Date
Current Issues							
Bay Area Air Quality Management District (BAAQMD) Regulations	<i>BAAQMD Regulation 2, Rules 1, 2, 4, and 6:</i> Revisions to the New Source Review (NSR) and Title V Permitting regulations to make consistent with recent U.S. Environmental Protection Agency (USEPA) requirements. Regulation 2 must be consistent with USEPA requirements in order for BAAQMD to issue Prevention of Significant Deterioration (PSD) and NSR permits.	Key modifications to the regulations include: - Lists particulate matter with an aerodynamic diameter equal to or less than 2.5 microns (PM2.5) as a criterion pollutant, requiring Best Available Control Technology (BACT) for any new or modified project with PM2.5 emissions greater than 10 pounds per day. - Lists ammonia (NH3) as a precursor to PM2.5, requiring NH3 to be regulated as both a Toxic Air Contaminant and a PM2.5 precursor. - Classifies a "modification" (for comparison to the threshold of 10 pounds per day) based on the worst-case difference between a) the current potential-to-emit (PTE) to the future PTE or b) the current actual emissions to the future PTE.	- BAAQMD adopted the amendments on December 19, 2012. - USEPA expected to approve the amendments by the end of 2013. The regulations cannot become effective until approved by the USEPA.	http://www.baaqmd.gov/Divisions/Engineering/Proposed-Reg-2-Changes.aspx	Jim Sandoval	USEPA to approve the amendments.	December 19, 2012
Portable Engine Emissions Regulations	<i>California Air Resources Board's (CARB) Portable Equipment Registration Program (PERP):</i> Allows owners of registered, portable engines to operate their equipment throughout California without having to obtain individual permits. Registered equipment is required to comply with the Portable Airborne Toxic Control Measure (ATCM) regulation.	- Portable diesel engines registered with PERP or operating under local permits must comply with a weighted fleet average particulate matter (PM) emission rate. The PM emission rate took effect January 2013 and becomes more stringent in 2017 and 2020. - Portable engines (engines moved to more than one location) may be used on-site at Publicly Owned Treatment Works (POTWs). - Portable equipment is exempt from recordkeeping / reporting requirements if it meets the criteria in Title 17, California Code of Regulations (CCR), Section 93116.4(a). - Exempt equipment is still required to be included in the compliance statement although it does not contribute towards the fleet average PM emission rate.	- CARB adopted amendments to the PERP that took effect February 19, 2011. - Weighted PM fleet emission rates effective January 1, 2013: 1. Engine size 50 to less than 175 horsepower (hp): 0.3 grams per brake horsepower-hour (g/bhp-hr) 2. Engine size 175 to 750 hp: 0.15 g/bhp-hr 3. Engine size greater than 750 hp: 0.25 g/bhp-hr - Weighted PM fleet emission rates effective January 1, 2017: 1. Engine size 50 to less than 175 hp: 0.18 g/bhp-hr 2. Engine size 175 to 750 hp: 0.08 g/bhp-hr 3. Engine size greater than 750 hp: 0.08 g/bhp-hr	http://www.arb.ca.gov/portable/portable.htm	Elyse Engel	Nex compliance reporting date: March 1, 2017	March 1, 2017
Mandatory Reporting of GHGs / Cap & Trade	<i>CARB's Mandatory Reporting Regulation for Greenhouse Gases (GHG):</i> Revisions made to the program to support a GHG cap-and-trade program and harmonize with USEPA reporting requirements.	Revisions include the following: - Reporting threshold lowered from 25,000 metric tons per year of carbon dioxide (CO2) to 10,000 metric tons per year of carbon dioxide equivalents (CO2e). - Facilities with emissions between 10,000 and 25,000 metric tons per year must file an abbreviated report and are not required to undergo third-party verification. - Removed the cogeneration category (greater than 1 megawatt power generation and 2,500 metric tons per year CO2).	- California's Office of Administrative Law (OAL) approved the regulation on December 14, 2011. - June 1, 2013 is the deadline for first-time reporters emitting between 10,000 and 25,000 metric tons per year of CO2e. - Wastewater Treatment Plants (WWTPs) are not required to report process emissions; process emissions only need to be reported when there is an approved method, which does not yet exist for reliably measuring NDN nitrous oxide (N2O).	http://www.arb.ca.gov/cc/reporting/ghg-rep/ghg-rep.htm	Elyse Engel	- June 3, 2013: Reporting deadline for submitting Electric Power Entity, Gas Insulated Switchgear, and Abbreviated Reports. - September 3, 2013: 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.	January 1, 2012
	<i>CARB's Cap and Trade Program:</i> Program requires capping of GHG emissions and reporting of emissions.	- Under the cap-and-trade program, the first cap reduction will begin in 2015 with a 30 percent reduction achieved by January 1, 2020. - CARB uses the Compliance Instrument Tracking System Service (CITSS) to manage and track accounts and compliance instruments (allowances and offsets) issued through the cap-and-trade program. - Allowance auctions are held quarterly.	- Regulation adopted on October 20, 2011. - California's OAL approved the cap-and-trade program on December 14, 2011. - CARB released the CITSS platform on July 9, 2012. - CARB likely to propose amendments on various topics (including combined heat and power, offset protocols, product-based benchmarks, and waste-to-energy) later this year.	http://www.arb.ca.gov/regact/2010/capandtrade10/capandtrade10.htm	Randy Schmidt	CWCCG will continue to monitor updates and advocate for POTWs.	January 1, 2012
	<i>USEPA GHG Mandatory Reporting Rule:</i> Program requires emissions 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 metric tons per year fossil fuel-based emissions threshold of this regulation.	- 2011 GHG data released in February 2013 and is accessible to the public. - USEPA has proposed revisions to the regulation that increase the methane (CH4) global warming potential (GWP) to 25 and decrease the N2O GWP to 298. Revisions are currently available for public comment.	http://www.epa.gov/climatechange/emissions/	Elyse Engel		September 30, 2011
Status of National Ambient Air Quality Standard (NAAQS) for Ground-level Ozone	<i>USEPA's Proposed Revisions to National Standards for Ground-Level Ozone:</i> Proposed to strengthen the NAAQS for ground-level ozone, which is a primary component of smog.	- Standards may affect current or proposed CARB and BAAQMD regulations of ozone precursors (oxides of nitrogen [NOx], carbon monoxide [CO], and volatile organic compounds [VOCs]). - The rule proposes an 8-hour ozone standard of 70 parts per billion (ppb), which is approximately 7 percent lower than the 2008 standard of 75 ppb.	- On September 2, 2011, the President requested that the USEPA withdraw the draft Ozone NAAQS until further notice. - USEPA circulated a memorandum on September 2, 2011 indicating that they would soon begin an expedited rulemaking on the implementation of the standards. - USEPA expects to complete a 5-year review of the updated science contributing to the ozone standards in 2013.	http://www.epa.gov/glo/actions.html#jan10s	Jim Sandoval		N/A
Status of NAAQS for PM	<i>USEPA's Proposed Clean Air Standards for Particle Pollution:</i> Proposed regulations strengthen the NAAQS for PM _{2.5} .	Proposed revisions: - Strengthen the annual health standard for PM2.5 by lowering the annual standard to 12 micrograms per cubic meter (µg/m ³) from 15 µg/m ³ . - Set a separate PM2.5 standard to improve visibility, primarily in urban areas. USEPA is proposing two options for this 24-hour standard, at 30 deciviews or 28 deciviews.	- USEPA regulation sets a new NAAQS for PM _{2.5} , but not emission limits for individual sources. - As a result of this regulation, BAAQMD is revising its NSR and PSD regulations to regulate PM2.5 as a criterion pollutant. - Final regulation was published in the Federal Register on January 15, 2013. - USEPA is currently reviewing a January 4, 2013 decision from the DC Circuit which held that the USEPA should have issued its new rule according to the Clean Air Act requirements for PM Nonattainment Areas.	http://www.epa.gov/air/particlepollution/actions.html	Jim Sandoval		N/A

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Misc. Equipment Emission Regulations - Boilers, Turbines, Refrigerants, etc.	USEPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) for Reciprocating Internal Combustion Engines (RICE): Provides compliance requirements for a variety of engine categories.	<ul style="list-style-type: none"> - NESHAPs apply to all engine sizes not used for local reliability. - NESHAPs do not apply to existing emergency engines used or obligated to be available up to 15 hours per year for emergency demand response. - Biodiesel-fired engines must adhere to the compression ignition engine requirements. - Engines fired with a digester gas / natural gas fuel blend must adhere to the digester gas-fired engine requirements if digester gas makes up more than 10 percent of the fuel blend and the spark ignition engine requirements if digester gas makes up less than 10 percent of the fuel blend. 	<ul style="list-style-type: none"> - USEPA issued final regulations on January 14, 2013. - Existing engines at major sources must comply by: <ol style="list-style-type: none"> 1. May 3, 2013 for CI RICE of 500 hp or less and non-emergency CI RICE greater than 500 hp. 2. October 19, 2013 for SI RICE of 500 hp or less. - Existing engines at area sources must comply by: <ol style="list-style-type: none"> 1. May 3, 2013 for CI RICE greater than 300 hp. 2. October 19, 2013 for SI RICE greater than 500 hp that operate more than 24 hours per year. 	http://www.epa.gov/ttn/atw/rice/ricepg.html	Jim Sandoval		April 1, 2013
	USEPA's New Emissions Standards for Large and Small Boilers and Incinerators that Burn Solid Waste and Sewage Sludge: Standards to achieve extensive public health protections by reducing toxic air pollution, while addressing concerns raised by industry and labor groups.	<ul style="list-style-type: none"> - 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. - Regulations apply to the incineration of biosolids, as they are included in the definition of solid waste. 	<ul style="list-style-type: none"> - USEPA issued final changes to the Clean Air Act standards for major and area source boilers and commercial/industrial solid waste incinerators (CISWI) on December 20, 2012. - Final Emission Standards for Area Source Industrial, Commercial, and Institutional Boilers were published in the Federal Register on February 1, 2013. - Final Emission Standards for Major Source Industrial, Commercial, and Institutional Oilers and Process Heaters were published in the Federal Register on January 31, 2013. - Final Emission Standards for CISWI were published in the Federal Register on February 7, 2013. 	http://www.epa.gov/airquality/combustion/actions.html#eb11	Jim Sandoval		February 2013
	CARB's Stationary Refrigerant Management Program Regulation: Regulation intended to reduce GHG emissions from facilities with non-residential refrigeration systems.	<ul style="list-style-type: none"> - Regulation requires facility registration, leak detection and monitoring, leak repair, retrofit or retirement, and recordkeeping for any facility owner or operator with a stationary, non-residential refrigeration system containing more than 50 pounds of a high-GWP refrigerant. - Regulation applies only to systems used wholly or in part for refrigeration and process cooling. It does not apply to systems used exclusively for comfort cooling (i.e., air conditioning). 	<ul style="list-style-type: none"> - Medium Facilities (system contains 200 - 1,999 pounds of refrigerants): Must file an annual report by March 1, 2014; this will be the first reporting period for medium facilities. - Large Facilities (system contains 2,000 pounds or more of refrigerants): Must file an annual report by March 1 of each year. - The Refrigerant Registration and Reporting System (R3) tool may be used to enter registration, leak inspection, leak repair, and maintenance information during the year. 	http://www.arb.ca.gov/cc/refrack/refrack.htm	Jim Sandoval		January 1, 2011
Biomethane Standards	Office of Environmental Health Hazard Assessment's (OEHHA) Biomethane Standards: OEHHA, together with CARB, is required to develop biomethane standards pursuant to Assembly Bill (AB) 1900. These standards are likely to only affect suppliers or pipeline injectors of biogas.	<ul style="list-style-type: none"> - OEHHA is tasked with: <ul style="list-style-type: none"> - Compiling a list of constituents of concern (COCs) in biogas that could pose a health risk and are at levels that significantly exceed the COC concentrations in natural gas. - Determine health protective levels for these COCs. - CARB is tasked with: <ul style="list-style-type: none"> - Developing realistic exposure scenarios and identifying the associated health risk 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. 	<ul style="list-style-type: none"> - Report summarizing OEHHA and CARB's recommendations was released May 15, 2013. - Final standards are expected by December 31, 2013. 	http://www.arb.ca.gov/energy/bioqas/bioqas.htm	Jim Sandoval		December 2013
Funding Opportunities	State Water Board's Clean Water State Revolving Fund (CWSRF) Program: Program to provide funding for eligible infrastructure projects.	<ul style="list-style-type: none"> - The CWSRF Program offers low interest financing agreements for water quality projects. - Annually, the CWSRF Program disburses between \$200 and \$300 million to eligible projects. 	<ul style="list-style-type: none"> - Applications for the CWSRF Program are being accepted on a continuous basis. - Eligible projects include Wastewater Treatment Facility Construction Projects, local sewers, etc. 	http://www.swrcb.ca.gov/water_issues/programs/grants_loans/srf/index.shtml	Elyse Engel	Submit applications if interested.	Ongoing application accepted
	California Energy Commission's (CEC) Energy Efficiency Funding: Provides loan funding for energy efficiency and energy generation projects through the Energy Conservation Assistance Act (ECAA).	The CEC has announced the availability of approximately \$3.6 million funds for low-interest loans for energy efficiency and energy generation projects.	<ul style="list-style-type: none"> - The CEC will accept loan applications on a first-come, first-serve basis. - Projects with proven energy and/or capacity savings are eligible, provided they meet the eligibility requirements. 	http://www.energy.ca.gov/efficiency/financing/index.html	Elyse Engel	Submit applications if interested.	Ongoing application accepted
	California Financing Coordinating Committee (CFCC) Funding Fairs: Free funding fairs at 6 locations to educate public and potential customers about different member agencies and the financial and technical resources available.	CFCC Funding Fairs 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.	<ul style="list-style-type: none"> - Fairs to be conducted between April and October 2013 in West Sacramento, Ukiah, Salinas, Visalia, Cathedral City, and Sacramento. - Eligible infrastructure projects include wastewater, water use efficiency, water quality, and water supply. 	http://www.cfcc.ca.gov/funding_fairs.htm	Elyse Engel	Attend fairs if interested.	April - October 2013
	CEC's Energy Partnership Program: Program to perform energy audits to identify energy-efficiency improvements for existing facilities.	Provides up to \$20,000 of technical assistance to: <ul style="list-style-type: none"> - Identify energy-related projects for implementation. - Identify state loans to get projects funded for installation. 	<ul style="list-style-type: none"> - Applications are continuously accepted on a first-come, first-serve basis. - Funding is available to both water and wastewater utilities. 	http://www.energy.ca.gov/efficiency/partnership/	Elyse Engel	Submit applications if interested.	Ongoing application accepted
	CARB's Clean Vehicle Rebate Project (CVRP): Program designed to accelerate the number of ultra-clean vehicles sold in California and help establish a sustainable market.	CVRP offers rebates of up to \$2,500 per light-duty vehicle for individuals and business owners who purchase or lease new eligible zero-emission or plug-in hybrid electric vehicles.	<ul style="list-style-type: none"> - Funding is expected through 2015 on a first-come, first-serve basis. - Fiscal Year (FY) 2012 - 2013 funding has been completely allocated. FY 2013 - 2014 funding will be announced this summer. 	http://energycenter.org/index.php/incentive-programs/clean-vehicle-rebate-project	Elyse Engel	Submit applications if interested.	Ongoing application accepted

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	<p>USEPA's National Clean Diesel Funding Assistance Program: Program to achieve significant reductions in emissions produced by diesel engines and diesel emissions exposure.</p>	<p>The USEPA has announced \$9 million in available funding, which will be used to fund up to 100% of the cost of verified, eligible engine configurations and technologies, including:</p> <ul style="list-style-type: none"> - 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 	<p>- USEPA is accepting applications now until June 25, 2013.</p>	<p>http://www.epa.gov/otaq/diesel/prgnational.htm</p>	<p>Elyse Engel</p>	<p>Submit applications by June 25, 2013.</p>	<p>June 25, 2013</p>

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Past Issues						
Proposed Climate Change Bay Plan Amendment	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.	- Bay Plan Amendment talks about protecting critical infrastructure (including wastewater treatments plants) from the impacts to sea level rise.	- Workshops were held in 2011 to provide the BCDC with the opportunity to directly engage with representatives from business and environmental communities to better understand their perspectives on outstanding policy issues and to allow the public to provide additional input on the draft findings and policies. - BACWA AIR attended some of the BCDC meetings and submitted a comment letter supporting the language in the Bay Plan Amendment about protecting critical infrastructure. - BCDC approved Bay Plan Amendments on October 6, 2011. - The California Office of Administrative Law (OAL) approved the Bay Plan Amendment on December 22, 2011. The policies are now in effect.	http://www.bcdc.ca.gov/proposed_bay_plan/bp_amend-1-08.shtml	Jim Sandoval	December 22, 2011
Local Regulations	<i>BAAQMD Regulation 3, Fees:</i> CARB amended this regulation by increasing the fee revenue to allow the BAAQMD to meet the budgetary needs for each fiscal year.	- Proposed amendments became effective on July 1, 2012. - Regulation establishes increased fees to be charged for Hearing Board filings, renewal of permits, costs of environmental documentation, air toxics inventories, equipment registrations, etc.	Increase in fees: - Permit fees for new and modified sources: \$416 (from \$389) - Filing fee to bank emissions: \$416 (from \$389) - Annual fee for Regulation 2 Rule 9: \$1,051 (from \$982), not to exceed \$10,515 (from \$9,827) - Hearing Board fees increased for all categories - Excess emissions fees \$2.87 per pound (from \$2.63) for air contaminants; \$14.26 per pound (from \$13.08) for toxic air contaminants - Major Facility Review fee: \$497 (from \$456) - Diesel engines: Registration fees \$141 (from \$129) and renewal fees \$94 (from \$86) - Boiler, steam generator, or process heaters: Registration fees \$496 (from \$455) and renewal fees \$65 (new)	http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Rules%20and%20Regs/reg%2003/RG0300_060612.ashx?la=en	Jim Sandoval	July 1, 2012
Fleet Regulations	<i>Heavy-Duty Diesel Regulations:</i> initially considered in 2008 and requires fleets that operate in California to reduce diesel truck and bus emissions by retrofitting or replacing existing engines.	Rule establishes: - Retrofitting requirements for fleets. - Reporting requirements for specific sizes of fleets. - Particulate matter (PM) and oxides of nitrogen (NO _x) requirements for equipment emissions.	- Amendments were considered in December 2010 to provide more time for fleets to comply. - Amended regulation requires installation of PM retrofits beginning January 1, 2012 and replacement of older trucks starting January 1, 2015. - By January 1, 2023, nearly all vehicles would need to have 2010 model year engines or equivalent.	http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm	Jim Sandoval	January 1, 2012
Portable Engine Emissions Regulations	<i>Portable Diesel-Fueled Engines Air Toxic Control Measure (ATCM):</i> for engines rated 50 brake horsepower (bhp) or greater.	- Portable engines may be used on-site at Publicly-owned Treatment Works (POTWs): An engine moved to more than one location within a facility is portable; it does not have to leave the facility to be considered portable.	- ATCM became effective February 19, 2011. - Requirements for fuels and diesel PM standards.	http://www.arb.ca.gov/diesel/peatcm/peatcm.htm	Jim Sandoval	February 19, 2011
Stationary Engine Emissions Regulations	<i>CARB's ATCM for Stationary, Compression Ignition (CI) Engines:</i> Amendments made to the program. Purpose of the program is to reduce diesel 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 ATCM applies to any person who owns or operates a stationary CI engine with a power rating greater than 50 bhp in California.	- 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 [CCR], Section 2423) for all pollutants. - Tier 4 Emissions Limit and Sell-Through Requirements for Prime Engines: aligns the PM emissions limit for CI engines with the New Source Performance Standard (NSPS) of 0.02 grams per brake horsepower-hour (g/bhp-hr). In addition, the amendments align with the NSPS deadlines for installing prime engines from a previous model year.	- Amendments made to Title 17, CCR, Sections 93115 through 93115.15 for Stationary, CI Engines on May 19, 2011.	http://www.arb.ca.gov/diesel/statport.htm	Jim Sandoval	May 19, 2011
Fleet Regulations	<i>In-use Off-road Diesel Regulation:</i> Adopted in 2007 to reduce diesel PM and NO _x emissions from in-use (existing) off-road heavy-duty diesel vehicles in California.	- Regulations apply to diesel-powered off-road vehicles in California with engines with a maximum power rating of 25 horsepower and two-engine vehicles. - Regulation does not apply to stationary equipment or portable equipment, such as generators.	CARB made amendments to the in-use off-road diesel regulation in December 2010 which: - Extended compliance deadlines by four years - Reduced and simplified the annual requirements - Removed exhaust retrofits as mandatory - Raised the low-use threshold to 200 hours (instead of 100) On February 11, 2010, CARB issued a delay of the regulation's NO _x and PM requirements pending further notice. Reporting, labeling, idling and disclosure requirements are still in effect. Amendments were approved and became effective on December 14, 2011.	http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm	Jim Sandoval	December 14, 2011

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Misc. Equipment Emission Regulations - Boilers, Turbines, Refrigerants, etc.	BAAQMD Regulation 9, Rule 7, Compliance Extensions: proposes changes to regulation regarding NO _x and carbon monoxide (CO) emitted from Boilers, Steam Generators, and Process Heaters.	- Various equipment is used on-site for wastewater treatment facility (WWTF) operations and is also subject to air quality regulation (refer to the amended compliance dates and options).	- Proposed amendments to Regulation 9, Rule 7 were adopted on May 4, 2011.	http://www.baaqmd.gov/?sc_itemid=D39A3015-453E-4A0D-9C76-6F7F4DA5AED5	Jim Sandoval	May 4, 2011