



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

**Quarterly Meeting**  
**February 2, 2022**

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## Agenda

- 2022 State Legislation Update
- Approved Amendments to BAAQMD Regulation 2 (Permits)
- Criteria Air Pollutant & Air Toxics Reporting:  
AB 617 & AB 2588 Program Updates
- BAAQMD Rule 11-18: Reduction of Risk from Air Toxics
- CARB Scoping Plan Update
- BAAQMD Proposed Regulation 13: Climate Pollutants CH<sub>4</sub> and N<sub>2</sub>O
- Air District Tier 4 Engines → CARB Tier 5 Engines
- BAAQMD Leadership Meeting
- Open Discussion/Member Updates
- Adjourn



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## 2022 State Legislation Update

- Bills are being introduced by Senate and Assembly members
- Deadline for submission: February 18<sup>th</sup>
- CASA's tracking list to follow – subgroup forming to review



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## Approved Amendments to BAAQMD Regulation 2 (Permits)

- Reduce exposure to carcinogenic TACs – focus is on overburdened communities
- Updates Health Risk Assessment (HRA) guidelines
- Updates list of TACs and trigger levels (Table 2-5-1)
- Approved during December 15th Public Hearing
  - Essential Public Services Definition
  - BAAQMD-BACWA Implementation Workgroup
- BACWA letter sent to clarify comments made during December 15th Public Hearing
- Next step – convene the implementation workgroup with BAAQMD to discuss air toxics issues (agenda and meeting date in progress)



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## Criteria Air Pollutant & Toxic Air Contaminant Reporting: AB 617 & AB 2588

- AB 617 gives CARB authority to “harmonize” air monitoring, reporting, & emission reductions from stationary sources
- AB 2588 compound list updated to >1000 compounds
- Phased compliance, allowing WWTPs to:
  - Report business as usual through 2028 (begin reporting in 2029)
  - Perform a “two-step process” for determining shortlist of compounds
    - Scanning air space of unit processes to determine detectable compounds
    - Determining the sampling and analysis methods to quantify emissions (Mimic 1990 Pooled Emissions Estimation Program, PEEP)
- Discussion: New form from BAAQMD appears to replace previous annual updates

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## Criteria Air Pollutant & Toxic Air Contaminant Reporting: AB 617 & AB 2588

- CASA One-Page Summary ***timeline updated***
- CASA Subgroup meeting Feb 3<sup>rd</sup> to begin defining:
  - Participating agencies
  - Governing structure
  - Timeline/approach to two-step process (including examining source testing requirements)
- Meeting with SCAQMD Feb 11<sup>th</sup> to begin discussing source testing

**CASA CALIFORNIA ASSOCIATION OF SANITATION AGENCIES**  
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**Understanding New Requirements for Air Toxics Reporting**

California air districts are beginning to adopt recent amendments to the California Air Resources Board's (CARB) Air Toxics "New Rules" program (including updates to Criteria and Supplemental Lists) and the Reporting of Criteria Air Pollutants and Toxics in California Regulations (CARB). This has led to an effort to harmonize reporting of air toxics from wastewater treatment plants (WWTPs).

**REGULATORY UPDATE:** As part of harmonizing air toxics reporting, the public's access to the data, and related transparency to agency communities, the updates to CARB's Title 17:

1. Expand the number of compounds to be included for monitoring and reporting from a total of 100 to over 1,000 for monitoring and reporting, including wastewater treatment plants (WWTPs).
2. Establish criteria for air monitoring and an approach for the water sector (i.e., the "two-step" process) to identify a shortlist of those compounds to report.
3. Allow for the inclusion of additional compounds to be reported on a case-by-case basis.

Many of the 1,000+ compounds do not have approved sampling or laboratory methods, and have not been included in the Office of Environmental Health Hazard Assessment's health risk assessment and their emissions cannot be quantified. In fact, any government report that includes and adds information on these emissions, using outdated and generally unrepresentative data for air toxics.

**REGULATORY ACTION IMPACTS & RESPONSE:** CASA supports a phased compliance approach that allows wastewater treatment plants to begin reporting in 2029, with the ability to begin reporting in 2028.

1. Perform a scan of an urban area wastewater treatment plant and processes to determine detectable compounds of the 1,000+ compounds.
2. Submit the results of this scan to the appropriate agency for approval and reporting.
3. Perform a scan of an urban area wastewater treatment plant and processes to determine detectable compounds of the 1,000+ compounds.
4. Submit the results of this scan to the appropriate agency for approval and reporting.

The two-step process will take approximately 18-24 months and should be completed by the wastewater utility by 2029. In the meantime, the wastewater utility is unable to quantify any air toxics compounds until the completion of the two-step process and must rely upon the results of the two-step process as the "best available data and method." In other words, the new air toxics need to be reported until 2029.

This timeline (2028 and 2029) will be the starting point for establishing an approach to air toxics reporting for the water sector. However, about 20 compounds will need to be reported and quantified in accordance with the "best available data and method." A timeline of the new air toxics reporting process is shown below.

For more information or if you have questions, please contact Sarah Soderstrom at [ssoderstrom@casa.org](mailto:ssoderstrom@casa.org) or Beth Bledsoe at [bbledsoe@casa.org](mailto:bbledsoe@casa.org). Contact information for CARB is: Air Quality Criteria Group, 400 Energy Management Building, 1401 Franklin Street, Sacramento, CA 95833.

\*Sampling and testing procedures will be developed in collaboration with and approved by local air districts and CARB and will be subject to the interpretation and interpretation of the agencies.



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## BAAQMD Rule 11-18: Risk Reduction from Air Toxic Emissions at Existing Facilities

- Purpose: Protect public from TACs from existing facilities
- Phased implementation – WWTPs in Phase II:
  - Priority Score >100 to be first (but delayed)
  - Plants to respond to data request (2-4 months)
- If WWTP triggers Rule, it requires:
  - Health Risk Assessments (18-month process)
  - Risk Reduction Plan development (18-month process)
  - Implementation of Risk Reduction Measures (5 years + 5 years to implement)
- Rule 11-18 Implementation Workgroup Update
- Emission factor updates to be achieved via statewide “Two-Step Process”



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## CARB Scoping Plan Update Targeting Carbon Neutrality by 2045 (or 2035?)

- Scoping Plan [Workshops](#) through Spring 2022 on:
  - Short-Lived Climate Pollutants (SLCP reduction under SB 1383 regs)
  - Transportation Sector (ACF regulation)
  - Natural and Working Lands
  - Electricity Sector (SB 100 report)
  - Environmental Justice – Petition to exclude fuels derived from dairy and swine manure from LCFS Program, CARB declined petition
- Full draft expected by Spring 2022, final draft in Fall 2022



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## SB 1383: Organic Waste Methane Emissions Reduction Implementation

- 40% methane reduction by 2030 (relative to 2013 levels)
- Organic waste diversion from landfills (*includes biosolids, digestate, and sludges*)
  - 50% by 2020 (relative to 2014 levels)
  - 75% by 2025 (relative to 2014 levels)
- Implementation
  - State to enforce on jurisdictions Jan 1, 2022 (local entities enter agreements)
  - Local jurisdictions to start enforcement Jan 1, 2024
  - Compliance by Jan 1, 2025



### Workshop Series:

- SB 619 webinars held Nov 18<sup>th</sup> and Jan 13<sup>th</sup>
- Statewide Recycling Markets to be held Feb 2<sup>nd</sup> and 16<sup>th</sup>



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## SB 1383: Organic Waste Methane Emissions Reduction Implementation

- Local governments are facing challenges due to COVID-19
- Governor Newsom signed SB 619 (Laird, Chapter 508, Statutes of 2021) into law to support local governments in implementing SB 1383
- SB 619 authorizes CalRecycle to waive civil penalties if a jurisdiction submits a Notification of Intent to Comply (NOIC) for some or all regulatory requirements and successfully implements a plan to correct their violations
- NOIC must be submitted no later than March 1, 2022
- CalRecycle [webinar](#) on November 18<sup>th</sup> detailed the process to request a NOIC – Part II of the [webinar](#) series was held January 13<sup>th</sup>
- Forms used to complete an NOIC are [here](#)



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## CARB Advanced Clean Fleet (ACF) Regulations

- Mandate: Zero-emission fleets by 2045 (Governor pushing for 2035, considered in Scoping Plan Update scenarios)
- 2020 Mobile Source Strategy heard by CARB Board Oct 28<sup>th</sup>
  - Mix of vehicle technologies that would provide the level of emissions reductions needed to meet our goals
  - May go beyond levels of clean technologies from current regulatory proposals

On-Road	Off-Road	Primarily Federally-Regulated
Advanced Clean Fleets Regulation	Tier 5 Off-Road Engine Standard	In-Use Locomotive Regulation
GHG Standards for MD/HD Vehicles, Phase 3	Amendments to In-Use Diesel-Fueled Fleets Regulation	Future Measures for Aviation Emissions Reductions
On-Road Motorcycles New Emissions Standards	Zero-Emission TRU (Part II)	Future Measures for OGV Emissions Reductions
Clean Miles Standard	Commercial Harbor Craft Amendments	
	Cargo Handling Equipment Amendments	
	Off-Road Zero-Emission Targeted Manufacturer Rule	
	Clean Off-Road Fleet Recognition Program	
	CORE – Construction	
	Spark-Ignition Marine Engine Standards	
		Other
		Consumer Products
		Zero-Emission Standard for Space and Water Heaters

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## CARB Advanced Clean Fleet (ACF) Regulations

- Mandate: Zero-emission fleets by 2045 (2035?)
  - Draft regulatory language Sept 9<sup>th</sup>
  - CARB to release second draft regulation in first half of 2022
  - Target adoption by fall 2022 (similar to Scoping Plan Update)
- Workshops held/Actions since last workshop:
  - CARB Medium and Heavy-Duty Infrastructure Workgroup – Dec 3 (business considerations), Dec 16 (hydrogen), Jan 12 (electricity and the grid) + **1 more scheduled for Mar 10, Feb 11 (costs and funding)**
  - CEC ZEV Infrastructure Plan – discussed concepts, supported hydrogen
- Upcoming Actions
  - Workshop participation/comment letters
  - CARB Board Member/Executive meetings and data collection
  - Join CASA's ACV Subgroup!



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## BAAQMD Proposed Regulation 13: Climate Pollutants

Rule development suspended due to COVID-19 & lack of data

Rule	Next Workshop	Board Presentation	Notes
13-1: Significant Methane Releases	TBD	TBD	Tabled indefinitely to focus on source-specific rules.
13-2: Organic Waste Handling	TBD	TBD	Draft focused on organic material handling: Material Recovery Facilities, Transfer Facilities, Chip & Grind Facilities.
13-3: Composting Operations	TBD	TBD	Draft language in development, not released.
13-4: Sewage Treatment & Anaerobic Digestion	TBD	TBD	BACWA requested involvement to provide input on draft language. Draft rule to consider biogas produced/collected, minimizing other pollutants, flare requirements, record keeping, reporting requirements, etc. BAAQMD is working with BACWA to collect baseline information to inform rule development and reviewing an unsolicited proposal.
13-5: Hydrogen Plants	-	TBD	Focus on hydrogen production at petroleum refineries.

*Summary of Survey Results Underway*

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## Potential Amendments to Diesel Engine Off-Road Standards: Tier 5 Criteria Pollutant & CO<sub>2</sub>

- Reduce emissions of NO<sub>x</sub> (up to 90 percent) and PM (up to 75 percent) compared to today's Tier 4 final emission standards
- More stringent exhaust standards for all power categories, including those that do not currently utilize exhaust aftertreatment (i.e., diesel particulate filters and selective catalytic reduction)
- First-time CO<sub>2</sub> standards may be proposed
- Proposal to the Board expected in 2024, with implementation of Tier 5 standards expected in 2028



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## BAAQMD Leadership Engagement

- Purpose: Deepen relationship to become trusted resources and partners
- Topics to cover in future meetings:
  - Air Toxics and the Wastewater Sector: Statewide two-step process to comply with CARB's CTR/EICG Regulatory Programs (under AB 617 and AB 2588) and coordination with BAAQMD Rule 11-18 implementation
  - GHG (Methane and Nitrous Oxide) Management



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## Open Discussion / Member Updates

- What are you planning to permit?
  - FOG receiving station example
  - Biogas conditioning system example
- BAAQMD source test group and report due dates – completion of testing applies to each source (if several sources are tested, the report for that source must be submitted within 60 days even if source testing continues for additional sources)



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# Thank you!

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