



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

**Quarterly Meeting**  
**March 1, 2023**

# Agenda

- 2023 State Legislation and Budget Update
- BACWA-BAAQMD Implementation Workgroup – February 9<sup>th</sup> Meeting
- CARB Statewide Two-Step Process
- BAAQMD to Evaluate Localized Impacts of PM<sub>2.5</sub>
- CARB Scoping Plan Update Targeting Carbon Neutrality by 2045
- Open Discussion/Member Updates
- Adjourn



## 2023 State Legislation Update

- Bills introduced by February 17<sup>th</sup> (>2,000 introduced)
- Spot bills to be refined by March 31<sup>st</sup>
- CASA reviewing the bills and coordinating with regional organizations



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## BACWA-BAAQMD Implementation Workgroup – Feb 9<sup>th</sup> Meeting

- Permitting Process, Timelines, and Standard Permit Conditions
- Statewide Two-Step Process
- Source Testing Concerns
  - BACWA to work with Jerry (BAAQMD) on standard formatting for source test results to improve reporting quality and efficiency
  - When asking for extensions on source testing, ask enforcement staff and source testing staff (engineering staff working to identify enforcement lead)
- Review PM2.5 Local Risk Method document
- BAAQMD to revisit Regulation 13 (climate pollutants) later this year and discuss scope
- Engage in strategic planning with new Executive Officer and/or go to Finance and Budget Committee to request more staff be assigned to permitting



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## CARB Two-Step Process: Updates to Criteria Pollutants & Air Toxics Reporting

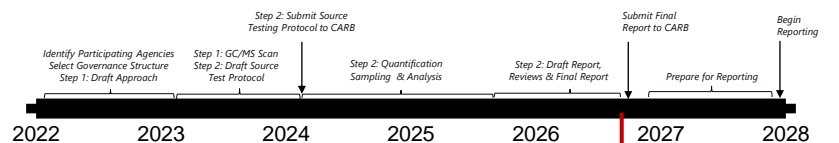
- AB 617 to “harmonize” air monitoring, reporting, & emission reductions from stationary sources across the state
- AB 2588 Hot Spots compound list >1,700 (from >500)
  - Unknown toxicity levels
  - Unknown emission factors
  - Many are not relevant to WWTPs
- Report business-as-usual through 2028 (reporting begins 2029 for 2028 data)
- Perform “two-step process” for determining shortlist of compounds and emission factors (to be used by local air districts)
- Met with BAAQMD Dec 7<sup>th</sup> to coordinate



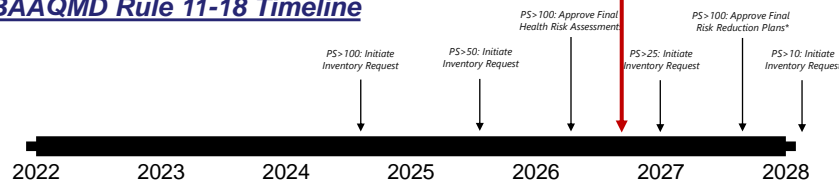
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## Discussed timing of BAAQMD Rule 11-18 implementation & CARB Two-Step Process

### CARB AB 617 Two-Step Process Timeline



### BAAQMD Rule 11-18 Timeline



\*If applicable.

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## Summary and Next Steps

- Actions led by CASA Air Toxics Subgroup, meeting monthly
- CASA to serve as fiscal agent in coordination with regional associations
- CASA outreach to Air Districts, CAPCOA, and CARB is underway – need to develop an approvable approach for Steps 1 and 2
- Draft list of compounds and looking into performing preliminary scanning at individual facilities in Bay Area, Central Valley, and South Coast
- Draft list of participating agencies, shows 100+ facilities:
  - >10 MGD, covered primaries (working to identify which are covered)
  - >5 MGD, uncovered primaries
- Cost per participating agency estimated to be ~\$2,000/permitted ADWF
- Coordinating kick-off meeting w/ CARB
- Determine governing structure



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## BAAQMD to Evaluate Localized Impacts of PM2.5

- Air toxics framework to be established – more localized focus vs regional “local risk methodology” to address impacts on vulnerable populations
- Proposes to use a methodology similar to that used for Toxic Air Contaminants (concentration, breathing rate, receptor location)
- Developed in consultation with USEPA, CARB, and OEHHA
- Looks at annual averages (not maximum hour)
- To be included in permit evaluations early 2023



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## CARB Scoping Plan Update Targeting Carbon Neutrality by 2045

- Scoping Plan outlines programs to be implemented
  - Natural and Working Lands (AB 284 / SB 27)
  - Building Decarbonization
  - Electricity Decarbonization (SB 100)
  - Transportation Sector (EO N-79-20)
  - Short-Lived Climate Pollutants (SB 1383 regulations)
  - Environmental Justice (manage GHG and local air pollutants)
- Approved December 15<sup>th</sup>



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## CARB's Proposed Advanced Clean Fleet Regulations

- **Proposed changes to ACF regulations released February 6<sup>th</sup>**
  - Improved exemptions for public fleets
  - Can opt into high priority fleets regulations, allowing for an extended timeline to transition medium- and heavy-duty fleet vehicles; HOWEVER, does NOT provide flexibility for SB 1383 implementation called upon by Chair Randolph October 27<sup>th</sup>
  - Only allows trucks that are fueled by CNG as of January 1, 2024, to continue being fueled with CNG, which does NOT allow for the additional biogas produced from SB 1383 implementation to be used
  - Does not provide time for sector to demonstrate biogas use in zero-emission technologies
- **ASK:** Continue to allow biogas use as CNG transportation fuel while working to demonstrate use in ZEV technologies (for vehicle and other stationary combustion uses)



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## CARB's Proposed Advanced Clean Fleet Regulations

- **Next steps**

- CASA submitted redlines of latest draft to CARB staff
- Met with Chair Randolph, may need to meet w/ other Board Members
- Meeting with CalEPA (March 6<sup>th</sup>)
  
- CARB staff to release formal 15-day changes language in Spring (late March/early April)
- Public Hearing in late April to adopt regulation



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## Potential Changes to CARB's Low Carbon Fuel Standard

- To reduce petroleum dependency and achieve air quality benefits by:
  - Decreasing carbon intensity of CA's transportation fuel pool
  - Providing an increasing range of low-carbon, renewable alternatives
- July workshop discussed potential changes, including pathways to process biogas to hydrogen vs CNG
- CASA submitted comments August 8<sup>th</sup>
- Workshops held November 9<sup>th</sup> and February 22<sup>nd</sup> continued to support changes to pathways from biogas to hydrogen
- Comments are due March 15<sup>th</sup>



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## SB 1440 Procurement Requirements for Biomethane Pipeline Injection

- CPUC approved requiring Investor-Owned Utilities (IOUs) to procure biomethane via pipeline injection (*still must comply with Cal/OSHA standards*)
- Biogas from POTWs who co-digest with diverted organic waste is supposed to be given priority
- Electric generation from biomethane is limited to generation capacity at time entered into procurement agreement



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## Open Discussion / Member Updates

- Why does UV need an air permit?
- PRV venting restrictions in new digester PTO
- BACWA formatted form for annual updates not being used by BAAQMD

- **Next Meeting:** May 31<sup>st</sup>



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# Thank you!

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