



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

Quarterly Meeting
December 13, 2023

1

1

Agenda

- 2023 State Legislation Update
- BAAQMD Source Test Workshop Summary and Follow-up
- New BAAQMD Requests or Issues
- Summary of BACWA-BAAQMD Implementation Workgroup Meeting held Sept 18th
- CARB Statewide Air Toxics Two-Step Process
- CARB Advanced Clean Fleet Regulations Implementation Timeline/Requirements
- Informational Items
 - New BACT and/or TBACT Determinations by Air Districts
 - Water Research Foundation Projects
- Open Discussion/Member Updates
- Adjourn



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2

2

2023 State Legislation Update

- Bill status:
 - AB 1216 (Muratsuchi D) WWTPs: monitoring of air pollutants (may influence local odor study, which is about to be finalized and next steps are to be determined, e.g., rulemaking)
 - AB 1594 (Garcia D) Medium- and heavy-duty ZEV: public agency utilities
 - AB 1550 (Bennett D) Green hydrogen – Not signed this year, to revisit



3

3

BAAQMD Source Test Workshop Summary and Follow-up (see attached ppt from BAAQMD)

- Random approval of submitted source test protocol.
- Permit conditions are “the Bible” for a facility.
- Follow EPA or CARB methods (not BAAQMD methods).
- QA/QC requirements include calibration per test method, documentation of flowmeter calibration, etc
- Calibrate portable analyzers during actual source test.
- Digester gas should be composite sampled during the source test.
- All notifications related to source testing must go to sourcetest@baaqmd.gov.



4

4

New BAAQMD Requests or Issues

- SVCW (Arvind Akela) – POC and NPOC limits
- FSSD (Meg Hurston) – Monitoring of fittings as required at refineries
- PERP engines and emergency use



5

5

BACWA-BAAQMD Implementation Workgroup Summary of September 18th

- Overview of Decisions and Action Items
- Engage with BAAQMD Strategic Planning – coordinate with Greg Nudd
- Update Standard Permit Conditions – BACWA submitted 3; coordinate with Brenda Cabral, to be routed to Source Testing for input.
- Conduct Source Test Workshop – first workshop held November 6
- Coordinate Two-Step Process – ongoing with BAAQMD, other Air Districts, CAPCOA, and CARB.
- PM 2.5 Local Risk Methodology – BAAQMD anticipates update early 2024.
- Nitrous Oxide Emissions – BAAQMD to identify point of contact.
- Report to Board – Pending.



6

6

BACWA-BAAQMD Implementation Workgroup Draft Agenda Topics for January 2024

- Outlook on Engagement
 - Status of Report to BAAQMD Board
 - Summary of Source Test Workshop and Next Steps
 - Circumvention of Established Processes / Individual Actors Driving Policy Decisions
 - SVCW – POC and NPOC limits
 - FSSD – Monitoring of fittings as required at refineries
 - Future BACT Determination Process and Guidebook Updates
 - Update from BAAQMD on Strategic Planning Initiative
 - Management Audit
 - Staffing Update
 - 5-Year Plan
 - White Papers on Future Regulations
 - Status of Edits to Standard Permit Conditions
 - CASA Statewide Air Toxics Pooled Emissions Study Coordination
- Other Opportunities for Collaboration between BACWA and BAAQMD

7

7

CARB Statewide Two-Step Process: Criteria Pollutants & Air Toxics Reporting

- AB 617 and AB 2588 updated to revise and harmonize air monitoring, reporting, & emission reductions from stationary sources across air districts
- AB 2588 Hot Spots compound list now >1,700 (from >500) for POTWs
 - Unknown toxicity levels
 - Unknown emission factors
 - Many are not relevant to WWTPs
- Report business-as-usual through 2028 (reporting begins 2029 for 2028 data) but **POTWs must participate in a two-step process (individually or as a group)**
- Perform “two-step process” to determine relevant shortlist of compounds
 1. Scan air space of unit processes to determine detectable compounds
 2. Perform sampling and analysis to ultimately quantify emissions of detectable compounds (Mimic 1990 Pooled Emissions Estimation Program, PEEP, but broader in scope)

8

8

CARB Statewide Two-Step Process: Criteria Pollutants & Air Toxics Reporting

- Who does this apply to? Permitted facilities with actual flows at:
 - ≥5 MGD, uncovered primaries
 - ≥10 MGD, covered primaries
- 2nd meeting with CARB held in October – next meeting in January:
 - Schedule
 - Confirm document stating two-step process is required for all POTWs as a group or individual
 - Confirm message to air districts stating all POTWs can delay reporting new compounds while participating in two-step process
 - Monthly meetings in 2024
- Meetings w/ air districts – met with “big 5” and CAPCOA, convening with CARB in 2024, confirm Step 1 and field test participants with Project Manager (hired via RFQ)
- **CASA has begun to collect funds for the Statewide Pooled Emissions Study and will formally distribute an email to announce the Study and collect funds from the broader list of POTWs**
- **CASA Solicitation for PM via RFQ, SOQs due December 15th**
- Early actions led by Air Toxics Subgroup – next meeting: **Today – December 13th**

9

CARB Advanced Clean Fleet Regulations Implementation Timeline & Requirements

Applies to gross vehicle weight rating >8,500 lbs (medium- and heavy-duty)

State & Local Government Agency Fleets include cities, counties, special districts, state agencies

- **If NOT considered** a low population county, have >10 vehicles in fleet:
 - January 1, 2024, 50% of vehicle purchases in each calendar year must be ZEVs
 - January 1, 2027, 100% of vehicle purchases in each calendar year must be ZEVs
- **If considered** low population county or ≤10 vehicles in fleet:
 - January 1, 2027, 100% of vehicle purchases in each calendar year must be ZEVs.
- No requirement to end the use of existing compliant vehicles.
- Early ZEV purchases made before deadlines or in excess of requirement count toward future ZEV purchase requirements if ZEV is still active.
- Exemptions/extensions are available but confusing.
- CASA is available to support streamlining the application process.
- Please let us know if you are seeking an exemption or extension!



10

CARB Advanced Clean Fleet Regulations Implementation Timeline & Requirements

High Priority & Federal Fleets Requirements

If you are a WWTP, you can opt your entire medium and heavy-duty fleet into this regulation:

- Timeline to transition entire medium- and heavy-duty fleet (opt in by Jan 1st, 2024, to avoid having to comply with the State & Local Government Agency Fleets Regulations)
- Allows biomethane fueled vehicles supporting SB 1383 facilities to opt into Milestone Group 3
- Does **NOT** provide for expansion of fleet trucks fueled by biomethane in support of SB 1383 beyond Jan 1st, 2024 (we have offered to demonstrate biogas-to-hydrogen technologies, but need a market for biomethane in the meantime, CARB's Resolution directed staff to work with us – the Chair to assign lead staff this year)

Percentage of vehicles that must be ZEVs →	10%	25%	50%	75%	100%
Milestone Group 1: Box trucks, vans, buses w/ two axles, yard tractors, light-duty package delivery vehicles	2025	2028	2031	2033	2035 & beyond
Milestone Group 2: Work trucks, day cab tractors, buses with three axles	2027	2030	2033	2036	2039 & beyond
Milestone Group 3: Sleeper cab tractors and specialty vehicles	2030	2033	2036	2039	2042 & beyond

11

CARB Advanced Clean Fleet Regulations Implementation Timeline & Requirements

• Actions as of today:

- Truck Regulations Implementation Group (TRIG) meetings
 - Subgroups assigned for Outreach, Border Communities, Infrastructure Implementation, and Rule Provisions to meet quarterly –
 - **Rothbart (LACSD) assigned to Infrastructure Implementation Subgroup and Deslauriers (CASA) assigned to Rule Provisions Subgroup, first meetings held December 4th and 8th**
 - TRIG is separate from CASA's collaboration with State agencies to maintain uses of biogas and successful implementation of SB 1383 and SB 1440 – **CARB to assign lead staff, CASA meeting with CARB January 3rd**
 - Integration of AB 1594 into ACF to be facilitated by the TRIG when the rule is re-opened (no timeline given for that)
 - CASA has gathered a smaller Task Force to respond to specific questions/needs and follow-up actions for TRIG

12

CARB Advanced Clean Fleet Regulations Implementation Timeline & Requirements

- Actions as of today (cont'd):
 - CARB resubmitted regs to Office of Administrative Law, approved October 1st
 - Holland & Knight LLC filed a lawsuit on behalf of the CA Trucking Association October 16th
 - Regulation preempted by CAA, 42 U.S.C. § 7401, et seq., and by F4A, 49 U.S.C. § 14501
 - In violation of dormant Commerce Clause (U.S. Const., Art. I, § 8, cl. 3), ACF violates due process clauses of the 5th and 14th Amendments to U.S. Constitution
 - Clean Truck Partnership Workshops – CARB and truck/engine manufacturers to advance development of ZEVs for commercial trucking industry
 - Advanced Clean Trucks Regulations (Nov 13)
 - Credit pooling (Nov 28)
 - Role of Hydrogen (Nov 28)

13

Informational Items

- New BACT and/or TBACT Determinations by Air Districts
 - Sacramento Met AQMD – IC Engine, Emergency Standby, Diesel Fueled (>50 bhp)
 - Bay Area AQMD – IC Engine, Emergency Standby, Diesel Fueled (<1000 bhp)
- Water Research Foundation Projects
 - WRF 5188 – Life Cycle GHG Inventory Tool Development for Water and Wastewater
 - WRF 5251 – Whole Plant N2O Monitoring (selection process underway)



14

14

Open Discussion / Member Updates

- **Next Quarterly Meeting: March 6th**



15

15

Thank You – Happy Holidays!



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16

16