



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

Quarterly Meeting
September 18, 2024

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Agenda

- Introductions
- CARB Advanced Clean Fleet Regulations Amendment Updates
- BACWA-BAAQMD Implementation Workgroup Meeting Topics
- BAAQMD Anaerobic Digestion White Paper
- BACT and/or TBACT Updates
- Rule 11-18 Amendments
- CARB Statewide Air Toxics Pooled Emissions Study
- Napa Sanitation District Linear Generator (Mainspring)
- Informational Items
- Open Discussion/Member Updates
- Adjourn
- Site Visit



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ACCII & ACF Regulations

Advanced Clean Cars II

- Applies to light-duty passenger car, pickup truck and SUV emissions starting with 2026 model year through 2035
- Requires new vehicles sold in CA be zero-emission by 2035 (manufacturer focus)
- Amends low-emission vehicle regulations to include more stringent standards for passenger trucks

Advanced Clean Fleets

- Applies to medium- and heavy-duty vehicles with gross vehicle weight rating >8,500 lbs
- Requirements for both manufacturers and fleet owners
- Fleet owners are required to replace conventional vehicles with zero-emission vehicles or ZEV (timelines vary based on fleet owner and vehicle type)
- ZEVs (e.g., battery electric and hydrogen fuel cell)



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CARB's ACF Regulations/Resolution

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

1. State & Local Government Agency Fleets

(cities, counties, special districts, State agencies)

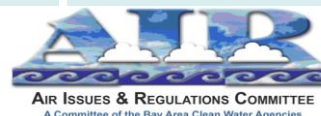
2. High Priority & Federal Fleet Requirements

(POTWs can opt in until 2030 – if opt in, can't opt out)

3. Drayage Truck Requirements

4. 2036 100 Percent Medium- and Heavy-Duty Zero-Emission Vehicle Sales Requirements

Contain requirements/schedules for POTWs!



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How do CARB's ACF Regulations apply to POTWs?

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

- **If NOT considered** a low population county, having >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, ≤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
 - Exemptions/extensions are available, but access is conditional



How do CARB's ACF Regulations apply to POTWs?



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 (see table below)
- Exemptions/extensions are available, but access is conditional

Percentage of fleet 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 +
Milestone Group 2: Work trucks, day cab tractors, buses with three axles	2027	2030	2033	2036	2039 +
Milestone Group 3: Sleeper cab tractors and specialty vehicles	2030	2033	2036	2039	2042 +

SLGA Flexibility Provisions (Section 2013)

*BEV – battery-electric vehicle

Focus of AB 1594 amendments by CARB



Provision	Conditions
(1) Backup Vehicle Exemption	Vehicle, excluding yard tractors, operated <1,000 miles per year excluding any mileage travelled while performing emergency operations.
(2) Daily Usage Exemption	Vehicle being replaced must be 13+ years old (16+ years or 700,000+ miles under Section 2015) and fleet must consist of ≥10% of ZEVs/NZEVs, replacements per criteria specified in section 2013.1(b) and if no BEV can demonstrate daily usage needs of existing vehicles of same configuration.
(3) ZEV Infrastructure Delay Extension	Extension available to vehicles 13+ years old (16+ years or 700,000+ miles under Section 2015), extends compliance up to 5 years for planning/construction delays.
(4) ZEV Purchase Exemptions	Exemption available to vehicles 13+ years old (16+ years or 700,000+ miles under Section 2015), check ZEV purchase exemption checklist . Can purchase ICE vehicle if ZEV not available in configuration needed.
(5) Mutual Aid Assistance	Reserves up to 25 percent of ICE vehicles in a fleet for use in mutual aid events. Number of new ICE vehicles allowed to be purchased must not exceed 25% of total number of vehicles in fleet in calendar year exemption is approved, less the number of ICE vehicles already in fleet purchased pursuant to granted exemption. Fleet must be comprised of ZEVs: at least 25% until January 1, 2032; 50% until January 1, 2035; and 75% thereafter.
(6) Intermittent Snow Removal Vehicle	Receive exemption from ZEV purchase requirements (section 2013(d)) until January 1, 2030, to purchase ICE vehicles operating as snowplows.
(7) Non-Repairable Vehicle	Temporarily replace vehicle due to accident or onetime event beyond fleet owner's control (fire or catastrophic failure damaging the engine <u>and</u> vehicle are not repairable). May request/obtain exemption from ZEV purchase requirements in section 2013(d). May purchase used ICE vehicle of same configuration with engine of same or newer model year as non-repairable vehicle no >180 calendar days from date vehicle became non-repairable.
Vehicle Delivery Delay Extension	Allows High Priority & Federal Fleet vehicles (Section 2015.1(c)(4)) to remain compliant if a ZEV order is delayed. Not relevant to the ZEV purchase schedule under the SLGA Regs, Section 2013.

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Does AB 1594 take the place of or change any provisions in ACF?



- Signed October 8, 2023
- Applies to public agencies – community water systems, water districts, wastewater treatment providers.
- Authorizes public agencies to “...*purchase traditional replacements for medium- and heavy-duty vehicles at the end of their useful life...when needed to maintain reliable service and respond to major foreseeable events...without regard to the model year of the vehicle being replaced.*”
- ACF regulations re-opened March 25th to incorporate requirements of AB 1594
- CARB is limiting amendments to two exemptions: Daily Usage and ZEV Purchase Exemptions
- CASA submitted comments May 20th and September 3rd and met with CARB staff June 26th
- CASA has been coordinating with CMUA, ACWA, SCPPA, NTPA to have united front
- **Workshop scheduled for October 3rd to discuss draft rulemaking language (to be released prior to workshop) – ACV Subgroup to hold prep meeting September 19th!**
- Amendment process intended to be complete by early 2025

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CARB's ACF Regulations/Resolution



- Other Actions/Upcoming Events:
 - Truck Regulations Implementation Group (TRIG) continues to meet to receive input
 - Subgroups: Outreach, Border Communities, Infrastructure Implementation, Rule Provisions
 - Rule Provisions Subgroup: September 4th (review of checklists)
 - Infrastructure Subgroup: September 5th
 - Zero-Emission Vehicle Tour Events
 - September 20th, Port of Oakland – Ride and Drive Trucker Appreciation Event
 - CARB Board ACF Resolution – CASA met with CARB Chair, CARB's Deputy EO on Climate Change & Research, and held preliminary meeting with Governor's Office of Business & Economic Development (GO-Biz), CASA to meet with GO-Biz Senior Advisor

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CARB's Advanced Clean Vehicle Regulations: Forklifts

- Objective: Reduce emissions of oxides of nitrogen (NOx), fine particulate matter (PM), other criteria pollutants, toxic air contaminants, and greenhouse gases (GHG) from Large Spark-Ignition (LSI) Forklifts, especially in areas that exceed ozone standards
 - Beginning 2026: Manufacturers cannot produce/sell Class IV and V LSI forklifts for use in CA
 - Beginning 2028: Larger fleets (26 units or more) begin phasing out use of spark-ignited forklift
 - Beginning 2029: Smaller fleets (<26 units) begin phasing out use of spark-ignited forklifts
 - Phase-out schedule by model year, no forklift required to be phased out before it is 10 years old
- Approved by CARB June 27th
- Final package submitted to Office of Administrative Law August 2nd
- OAL approved the final rulemaking September 16th
- Regulation becomes effective January 1, 2025



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BACWA-BAAQMD Implementation Workgroup Updates from June 3rd Meeting

- Outlook on Engagement
 - Update from BAAQMD on Status of Report to BAAQMD Board
 - Update from BAAQMD on Status of Edits to Standard Permit Conditions
 - BAAQMD Source Test to Provide Update on Comparison of EPA and BAAQMD Methods
 - Update from BAAQMD on Future BACT Determination Process and Guidebook Updates
 - Update from BAAQMD on Status of Rule 11-18 Amendments
 - Update from BACWA on the CASA Statewide Air Toxics Pooled Emissions Study Coordination
 - BAAQMD Point of Contact
 - Update from BAAQMD on Strategic Planning Initiative
- Other Opportunities for Collaboration between BACWA and BAAQMD
- Decision/Action Item Summary



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BACWA-BAAQMD Implementation Workgroup Upcoming September 23

- Outlook on Engagement
 - Update from BAAQMD on Strategic Plan and Regulatory Priorities
 - Update from BACWA on Status of Edits to Standard Permit Conditions
 - BAAQMD Source Test to Provide Update on Comparison of EPA and BAAQMD Methods
 - Update from BAAQMD on Future BACT Determination Process and Guidebook Updates
 - Update from BAAQMD on Status of Rule 11-18 Amendments
 - Update from BACWA on the CASA Statewide Air Toxics Pooled Emissions Study Coordination
- Other Opportunities for Collaboration between BACWA and BAAQMD
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BAAQMD Anaerobic Digestion White Paper Upcoming September 30

- Proposed Regulation 13: Climate Pollutants
- BAAQMD Interest in Anaerobic Digestion
 - SB 1383
 - How are POTWs dealing with the regulation? Challenges? Opportunities?
 - Current Biogas Capture
 - Descriptions of operations.
 - Discussion of economic viability. Specifically interested in waste/energy co-benefits with air pollution reduction
 - Any current/planned hydrogen projects?
 - Benefits/Challenges
 - Current BAAQMD Involvement
 - Feedback on current processes (source testing/permitting/monitoring)



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BACT & TBACT Updates

Tier 4 Engines > 50 hp

- Already BACT in other CA Air Districts
- BAAQMD plans to update BACT via posting and public workshop
- Schedule delayed – BAAQMD indicates workshop will be in late 2024



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Proposed Amendments to Rule 11-18: Risk Reduction from Air Toxics Emissions at Existing Facilities

- Originally adopted in 2017 to address significant risk from existing facilities
- Annual update of facilities list based on prioritization score (check your facility's PS)
- Concept Paper & Proposed Amendments (December 2023)
- BAAQMD response to BACWA Comment Letter (2/29/2024)
 - Simultaneous review of Preliminary HRA by facility and public
 - POTWs status in Phase II to allow for participation in Pooled Emission Study
 - Early risk reduction to the extent feasible
 - HRAs performed by consultant v. BAAQMD staff
- BAAQMD issued updated Implementation Procedures (April 2024)
- Anticipate draft language late 2024
- Anticipate additional updates to IP based on proposed amended rule



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CARB Statewide Air Toxics Pooled Emissions Study: Criteria Pollutants & Air Toxics Reporting

- AB 617 and AB 2588 were updated to “harmonize” air monitoring, reporting, & emission reductions from stationary sources in CA for a long list of compounds
- **POTWs must participate in a two-step process (individually or as a group) to determine a shortlist of compounds to be monitored and reported**
 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)
- Report business-as-usual through 2027 while performing two-step process (reporting begins in 2029 for 2028 data)



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CARB Statewide Air Toxics Pooled Emissions Study: Criteria Pollutants & Air Toxics Reporting

- BACWA distributed a request from CASA to participate in the Statewide Air Toxics Pooled Emissions Study, which comes with benefits to the wastewater sector:
 - Representative POTW Source Testing Cost Savings
 - Administrative Cost Savings
 - Streamlined Project Management and Execution
 - Coordinated Statewide Action
 - Single Reference for Emission Factors for Future Use

- Who should participate or who does this apply to?
 - ≥5 MGD average annual daily flow, uncovered primaries
 - ≥10 MGD average annual daily flow, covered primaries



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CARB Statewide Air Toxics Pooled Emissions Study : Participation and Contribution Request

FY 2024: Pay July 1, 2024*	FY 2025: Pay July 1, 2024	FY 2026: Pay July 1, 2025	FY 2027: Pay July 1, 2026
\$200 per MGD	\$1,000 per MGD	TBD, budget ~\$1,250 per MGD	TBD, budget ~\$1,250 per MGD
*BACWA is fronting costs for its members for FY 2024 to allow time for budgeting.			

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Updates & Next Steps

- CASA Steering Committee hired a Project Manager
- CASA distributed a summary of the Statewide Pooled Emissions Study and a requested participation, BACWA shared it with members
- Ongoing updates will be provided and opportunities for you to provide input via CASA's Air Toxics Subgroup – next meeting: October 9th (to be rescheduled due to conflict with WEFTEC)



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Napa Sanitation District Linear Generator



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Informational Items

- Climate Pollutants WRF Updates
 - WRF 5310 – Head-to-Head GHG Measurement Comparisons: Plantwide and Process-Specific Quantification Methods Evaluation (Proposals are due November 14th) – Posted September 9th
- 2024 State Legislative Updates
- Flyover Monitoring Awareness
- Draft Standard Permit Conditions
- Danish Water Technology Alliance Workshops (Nutrient Removal & Air Quality Objectives)
 - September 23 (Santa Rosa)
 - September 24 (San Jose)



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Open Discussion / Member Updates

- Food Waste Permitting
- Source Testing of Cogen Engines
- Other topics?



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Open Discussion / Member Updates

- BACWA/BAAQMD Implementation Workgroup Meeting September 23rd
- BACWA/BAAQMD Anaerobic Digestion Meeting September 30th
- WEFTEC October 5th – 9th
- **Next Quarterly Meeting: December 11th (online)**



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Thank You – Happy Fall!



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