



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

Quarterly Meeting
November 19, 2025

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Agenda

- Introductions
- BACWA-Bay Area Air District (Air District) Implementation Workgroup
- Staffing Changes at the Air District
- Engineering Program Manager Pilot Program
- Air District Rule Development
- Air District Source Testing Practice Update
- Update on Pilot Inspection Program
- CARB Statewide Air Toxics Pooled Emissions Study
- CARB Advanced Clean Fleet Regulations Implementation Update
- 2025/2026 State Legislative Update
- Open Discussion/Member Updates
- Adjourn (Next Meeting: February 25, 2026)



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BACWA-Air District Implementation Workgroup Updates from October 20th Meeting

- Outlook on Engagement
 - Update from Air District on Engineering Program Manager Position
 - Update from Air District on Strategic Plan and Resulting Rulemaking Priorities
 - Update from Air District on BACT Manager
 - Air District Source Testing for Compliance Purposes
 - Discussion of BACWA Comments on Rule 11-18 Amendments
 - Update from Air District on Targeted Inspection Program
 - Update from BACWA on the CASA Statewide Air Toxics Pooled Emissions Study Coordination
 - Update from Air District on Anaerobic Digester White Paper
 - Update from BACWA on Status of Edits to Standard Permit Conditions
- Other Opportunities for Collaboration between BACWA and Air District



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BACWA-Air District Implementation Workgroup Upcoming on January 26th

- Possible Topics
 - Update from Air District on Engineering Program Manager Pilot
 - Air District Source Testing
 - Update from Air District on Strategic Plan and Resulting Rulemaking Priorities
 - Update from Air District on Status of Rule 11-18 Amendments
 - BACWA Feedback/Air District Update on Anaerobic Digester White Paper
 - Update from BACWA on the CASA Statewide Air Toxics Pooled Emissions Study Coordination
- Suggestions for other topics?



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Staffing Changes at the Air District

- Meredith Bauer – Principal Deputy Executive Officer (**new position**)
- Kelly Crawford – Deputy Executive Officer of Engineering & Compliance
- Greg Nudd – Deputy Director of Policy (**new position**)
- Andrea Polidori – Deputy Executive Officer of Science (**new position**)
- 14 new fulltime staff (10 in Engineering)
- 15 long term contract employees
- BACT Manager (inward facing position) – recruiting closed



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Engineering Program Manager Pilot Program

- Three Year Pilot Program
- Two positions approved
 - Janet Whittick plus another manager
- Each position might handle 5-10 facilities



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Engineering Program Manager Pilot Program

Engineering Program Manager: Pilot

Engineering Program Managers would:

- Work with applicants with complex permit applications prior to submittal.
- Keep projects on a schedule.
- Coordinate timely exchange of information.
- Resolve roadblocks and elevate for management decision as needed.

Funding and Pilot Phase

- The pilot program will run for three years, during which facilities will fund the assigned positions.
- After the pilot phase, the program may transition to a voluntary fee-based model in FY 2030.



Key Benefits for Facilities

- Faster Permit Processing – Reduces delays and improves approval timelines.
- Pre-Application Guidance – Helps applicants prepare more complete applications.
- Dedicated Expertise – Engineering Program Managers provide specialized support.
- Greater Transparency – Facilities receive clear expectations and regular updates.
- Support for Emerging Technologies – Assistance to participating facilities in permitting new technologies such as renewable energy, carbon capture, and other innovative projects.

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BACWA Feedback So Far

- Initial feedback (most recent shared on 11/13)
 - Logistics of Joining the Program
 - Payment period for program?
 - Requesting monthly progress report of hours spent to explain use of fees.
 - Beta Testing Phase
 - EPM managing new applications, in-process applications, or both?
 - How do we evaluate success of the Beta Testing Phase?
 - Program Implementation
 - EPM to manage Title V applications or just ATCs? How about changes in permit conditions?
 - Where does the EPM fall in the Air District org chart?
 - Recommendation for Tracking Program Success
 - Feedback from EPM should inform updates to the permit timeline dashboard and permitting handbook.
- Other Comments/Thoughts/Questions?



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Engineering Program Manager Pilot Next Steps

Air District Staff solicits interest from facilities that typically have complex permit applications (including BACWA agencies)

Air District Staff develops selection criteria (expressed interest in working with public agencies)

Air District hires additional staff

Air District implements Pilot Program (3 years)

BACWA is looking for additional feedback from member agencies

BACWA meeting with Air District December 3

BACWA Board Meeting on December 12

Air District Staff develops MOU

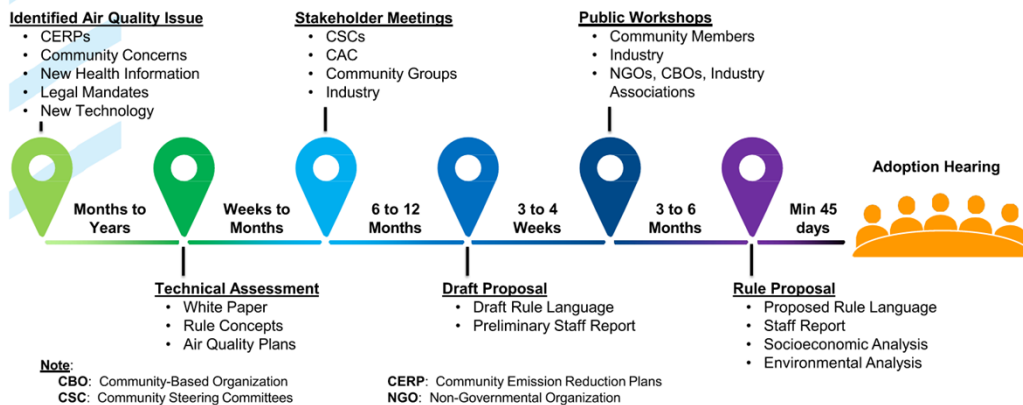


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Air District Rule Development

Rule Development and Public Engagement



Bay Area Air District

MAY 16 – 17, 2025 • COMMUNITY ADVISORY COUNCIL SPECIAL MEETING/RETREAT

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Air District Rule Development

- Permit Streamlining regulations (Regulation 2) to be prioritized as directed by Air District Board
- “Permit Task Force” to be established and merged with Air Board’s Ad-Hoc Permit Streamlining Committee (BACWA asked to participate)
- Anaerobic Digestion White Paper – draft for public comment Q1 2026; public engagement Q2 2026
- Rule 11-18 Amendments – proposed rule package Q1 2026; no workshops
- Regulation 13 – To be scheduled



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Air District Rules 9-4 and 9-6

- Regulation 9 Rule 4 - Nitrogen Oxides from Natural Gas-Fired Furnaces
- Regulation 9 Rule 6 - Nitrogen Oxides from Natural Gas-Fired Water Heaters
 - Will apply only to new appliances and do not mandate retrofitting of existing appliances.
 - 2027: small water heaters (less than 75,000 BTU/hr) sold or installed must be zero NOx.
 - 2029: only zero NOx furnaces can be sold or installed in the Bay Area.
 - 2031: large commercial water heaters (up to 2 MMBtu/hr) sold or installed must be zero NOx



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Air District Source Testing Practice Update

- Required Source Testing and Reporting
 - BACWA requested better communication
 - “Revisions” to source test reports not allowed; Air District will accept “addendum” (EPA will not accept revised reports)
 - Air District wants to fix the process going forward
- Air District has begun to conduct Source Test workshop with Source testing companies (July, October, more frequently, if needed)



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Targeted Inspection Pilot Program

- Part of Air District Strategic Plan
- Focused on AB 617 Communities - To address Community Concerns
- Also Updating Inspection Frequencies - Title V Facilities & Facilities with Elevated Health Risk



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Air District – Pilot Inspection Timeline/Next Steps

Next Steps



Bay Area Air District

MAY 16 – 17, 2025 • COMMUNITY ADVISORY COUNCIL SPECIAL MEETING/RETREAT

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

- 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 2028 while performing two-step process (reporting begins in 2029 for 2028 data)
- **CA wastewater sector has opted to perform statewide pooled source testing – those not participating and not performing their own source testing are not in compliance**



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CARB Statewide Air Toxics Pooled Emissions Study: Latest PES Activities

- Two-step process is being achieved in two Phases
 - 1) Develop plan to perform two-step process (**current activity**)
 - 2) Scan & quantify emissions (according to approved plan for performing two-step process)
- Steering Committee presented approach to Air Districts for feedback
 - SCAQMD, San Diego APCD, San Joaquin Valley APCD, and Bay Area Air District support approach
 - Met with CAPCOA, which formed a CTR Uniformity Group to support review/approval of plan
 - Met with CARB's team to discuss their feedback on our approach
- Presented draft Plan to CAPCOA Uniformity Group yesterday (November 18th)!
- Requested draft Plan feedback by December 19th
- Steering Committee and Yorke team to update and submit final draft Plan to CARB in early 2026.



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Status of CARB Advanced Clean Vehicle Regulations

Adapted from graphic by Cummins with added detail



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|---|--|---|
| Engine Manufacturers Must sell engines that meet requirements | CARB Omnibus Low NO_x: Sets emissions standards for new engines to meet, starting in 2024 for CA and opt-in states President signed Res. 89 disapproving of EPA's waiver CARB postponed Nov 20th hearing amendments | EPA Heavy Duty Low NO_x: Sets emissions standards for new engines to meet, starting in 2027 nationally EPA proposed rescinding 2009 GHG Endangerment Finding July 29, final decision by end of 2025 |
| Vehicle Manufacturers/Dealers Must sell an increasing % of ZEVs | CARB Advanced Clean Trucks: Must produce (and sell) a certain % of ZEVs each year beginning 2024 President signed Res. 87 disapproving of EPA's waiver FTC says OEMs agree 2023 Clean Truck Partnership (CTP) is unenforceable with signed Resolutions CARB heard proposed amendments July 24th CARB sued OEMs for violating 2023 CTP agreement | EPA Phase 3 Heavy Duty GHG Standards: Must meet CO ₂ average for all vehicles sold, starting in 2027 EPA proposed rescinding 2009 GHG Endangerment Finding July 29, final decision by end of 2025 |
| Fleet Owners/End Users Must follow ACF ZEV purchase OR % requirements | CARB Advanced Clean Fleets: Must purchase ZEVs starting in 2024 OR meet ZEV milestone thresholds starting in 2025 CARB withdrew waiver request, regulations related to private/drillage fleets repealed Sept 25th CARB working on 15-day changes to be presented to Board in early 2026 | CARB Clean Truck Check – Heavy Duty Inspection/ Maintenance: Requires periodic emissions compliance tests Proposed Partial SIP Disapproval (cannot get credit for emission reductions) |

Gov Newsom filed lawsuit against President, issued EO N-27-25 to develop Advanced Clean Cars III Regulation

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CARB's AB 1594 amendments to ACF regulation



- Signed October 8, 2023, applies to public agencies including 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.**"
- March 2024: CARB re-opened ACF regulations to incorporate AB 1594 requirements
- Spring/Summer 2024: CASA submitted comments and met w/ CARB staff
- Oct 2024: CASA commented on draft regulatory language from CARB
- Feb 2025: CASA reviewed/commented on revised rulemaking language from CARB
- July 2025: CARB released formal 45-day Regulatory Package for review
- Sept 2025: CARB released Resolution 25-9 days prior to Sept 25 Public Hearing, including:
 - Extending the 50% ZEV replacement requirement to 2030 (vs 2027)
 - Providing earlier access to the Mutual Aid exemption
 - Streamlining the process for exemptions
 - Increased vetting of viable vehicle manufacturers
 - NO changes for RNG-fueled, low NOx vehicles (which would provide market for biogas and fleet resilience)
- 45-day changes approved with condition of working on 15-day changes with local governments that address RNG/SB 1383 and more flexibility

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CARB Board heard CASA's ask; however, EO Cliff continues to push back



- **CARB Board made a bold move recommending they form a subgroup to work with EO Cliff** on 15-day changes to support local government flexibility
- Board signaled they feel EO Cliff is not equipped to address local government needs
- Board Members Guerra, Hopkins, Ortiz-Legg, Balmes, Pacheco-Warner expressed concern on impact to local governments, SB 1383, and status of Resolution 23-13
- **Steps underway** to incorporate flexibility and address RNG in the ACF (and ACT):
 - CASA delivered document to Board Members clarifying statements made by EO Cliff during Sept 25th hearing that were inaccurate and misleading on RNG/clean combustion
 - Board Members are forming their own local government Subgroups to work with EO Cliff
 - CARB staff requested biogas (RNG) production/use data, CASA met with staff Nov 17th to discuss the data and potential 15-day language changes that were not enough
 - CASA requested meetings with new Chair (Lauren Sanchez) and Board Members to alert them
 - Expecting a preview of the 15-day changes in December, formal release in early 2026

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2025 State Legislative Process Wrapped Up – 2026 Outlook



- Most Air, Climate, & Energy Workgroup-related bills are 2-year bills that we will see again in 2026:
 - Air Quality – SB 318 (BARCT/BACT, CARB authority for Title V permits), Indirect Source Rule
 - Hydrogen – AB 35 (clean hydrogen definition)
 - Natural & Working Lands – SB 285 (natural approaches)
 - Organics Diversion/Biomethane – AB 70 (pyrolysis, pipeline injection) **SIGNED**
 - Scoping Plan Update
 - Clean Vehicles – AB 496 (appeals committee, vehicle exemption for emergency uses)
 - Other (adaptation related – sea level rise)
- **State Legislative Committee 2026 Strategic Planning – Dec 5th**



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Open Discussion / Member Updates

- Portable Equipment Registration Program (PERP) Tier 3 Portable Diesel Engine Phase Out Deadline - December 31, 2026
 - Owned by small fleets and built prior to 2009 rated 50 brake horsepower (bhp) to 750 bhp; and
 - Owned by large fleets and built on or after 2009 rated 50 bhp to 750 bhp



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Open Discussion / Member Updates

- CASA Winter Conference – January 13- 16 (Indian Wells)
- Washington DC Policy Forum – February 23-24 (Washington, DC)
- **Next AIR Committee Quarterly Meeting: February 25**
- CWEA Annual Conference – April 7-10 (Sacramento)
- CASA Annual Conference – August 4-7 (Napa)



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Thank You – Happy Holidays!



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