

California Air Quality in 2020: What You Need to Know

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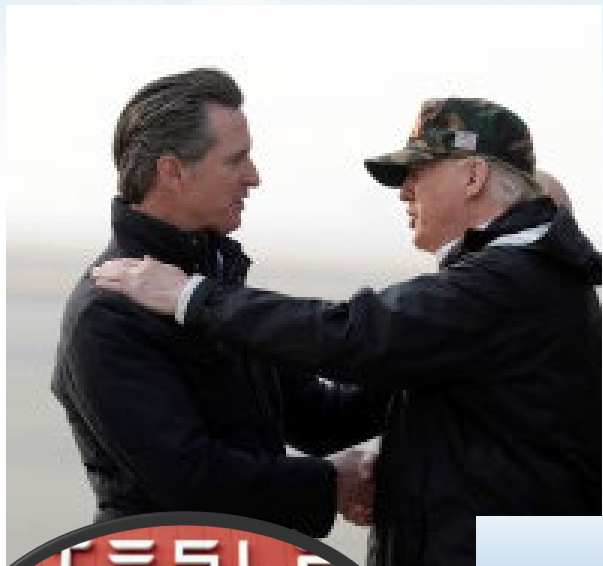
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2020 Presidential Election Year

California Accelerating Clean Air Progress



**AB 617
Goals**



Topics – 2020 Air Quality Update

- Federal Regulations and Policies
- California State Regulations
- Local Air District Regulations
- Summary

About BlueScape

- Consulting on air quality regulations in California since 1997
- Power generation, LNG facilities, utilities, refineries, landfills, oil & gas processing, chemical plants, aerospace, manufacturing
- Air Quality Services:
 - Impact Analysis: air emissions, air quality impact analysis, health risk assessment
 - CEQA air quality review for land use and industrial projects
 - Design air permits to maximize operational flexibility and reduce compliance burden; equipment controls
 - Solve tough air regulation compliance problems



Federal Regulations & Policies Update 2020



Federal/EPA Regulations & Policies

- Affordable Clean Energy (ACE) Rule (6/19/19)
- Attainment of Criteria Pollutant Standards
 - Precursor Demonstrations for PM_{2.5} in SIPs (5/20/19)
 - Policy Review of Particulate Matter (9/11/19)
 - 2015 Ozone Standard Implementation Plan Status
- Federal New Source Review Permitting
 - Proposed Project Emissions Accounting Rule (8/9/19)
 - EPA Proposal to Streamline Permitting and Appeals (11/21/19)
 - Guidance on Exclusions from Ambient Air (12/19/19)
 - Proposal for Corrections to NSR Regulations (12/20/19)
- NSPS and NESHAPs
- TSCA Amendments (eff 8/5/19)
- Risk Management Plan Reconsideration Rule (12/19/19)
- Toxics Release Inventory (TRI) – PFAS proposed (12/4/19)

NEPA Regulation Changes

- Proposed Rulemaking
 - Council on Environmental Quality: 85 FR 1684, 1/10/20
 - Avg. final EIS 645 pages and 7.3 years to complete (FAA, FTA, FHWA, FRA, NHTSA, DOT)
 - Trump EO 13807 (8/15/17) suggested 2 years for NEPA process
 - Advance rulemaking notice 83 FR 28591, 6/20/18
- Summary
 - Modernize, simplify, accelerate NEPA process
 - Definitions "environmental effects, major federal action, and reasonable alternatives"
 - Reduce burdens and delays: earlier public participation, efficient reviews, adhere to schedules, agency coordination, contractors, technology
- Changes to the NEPA Process
 - Greater agency discretion on impacts and actions
 - Schedule deadlines and page limits
 - Limit opportunities to raise later objections if not in public comment
 - Limited analysis of full climate change impact



California Regulatory Update 2020



POLL – What will most impact your operations or projects in 2020?

- California Environmental Quality Act air impact analysis
- AB 617 Community Air Protection Program Requirements
- Air District Equipment Standards for NOx, VOC, PM
- State or Air District Air Toxics Regulations
- State Greenhouse Gas Regulations

California State Air Quality Regulations

- 2019-2020 Legislative Update
- Air Resources Board Regulations
 - Greenhouse Gas Regulations
 - AB 617 Community Air Protection Program
- CEQA Air Quality Impact Review
- Other – Prop 65 and CalOSHA

New Laws Passed in 2019¹

- About 3,000 bills and resolutions in 2019 Session
 - CARB tracked 403 bills in 2019; 43 chaptered

LAWS	DESCRIPTION
AB 65	Climate Adaptation: Local General Plans
AB 285	California Transportation Plan
AB 293	GHG Offset Protocol Task/Force
AB 423	San Diego APCD Board and Actions
AB 661	Sac Metro AQMD Wildfire Emergency Plan
AJR 10	Support/Preserve Existing Fuel Economy Standards
SB 44	CARB 5-Year Update to Mobile Source Strategy
SB 210	Heavy-Duty I&M Plan, Registration

¹CARB Air Quality and Climate 2019 Annual Summary (11/19)

New Bills Legislative Session 2019-2020

- 2020 Legislative Deadlines:
 - Feb 21 Introduce new bills; May 29 Pass out of house of origin; Aug 31 Legislature Pass; Sep 30 Governor Sign or Veto

BILLS	DATE	DESCRIPTION
AB 1839	1/7/20	California Green New Deal Council
SB 802 / AB 2182	1/7/20 2/11/20	Backup Generators, Health Facilities, Water and Wastewater Facilities
SB 858	1/14/20	Thermal Power Plant Exemption, Emergency Backup Units, Data Centers 50 MW or more
ACR 143	1/23/20	Climate Crisis
AB 1992	2/6/20	California Transportation Plan, Climate Change (searched thru 2/10)
AB 2162	2/11/20	Indoor Air Quality Standards – HVAC Systems
SB 974	2/11/20	CEQA Exemption for Small Community Water System
See www.legiscan.com ; thru 2/11/20 2:30 PM		

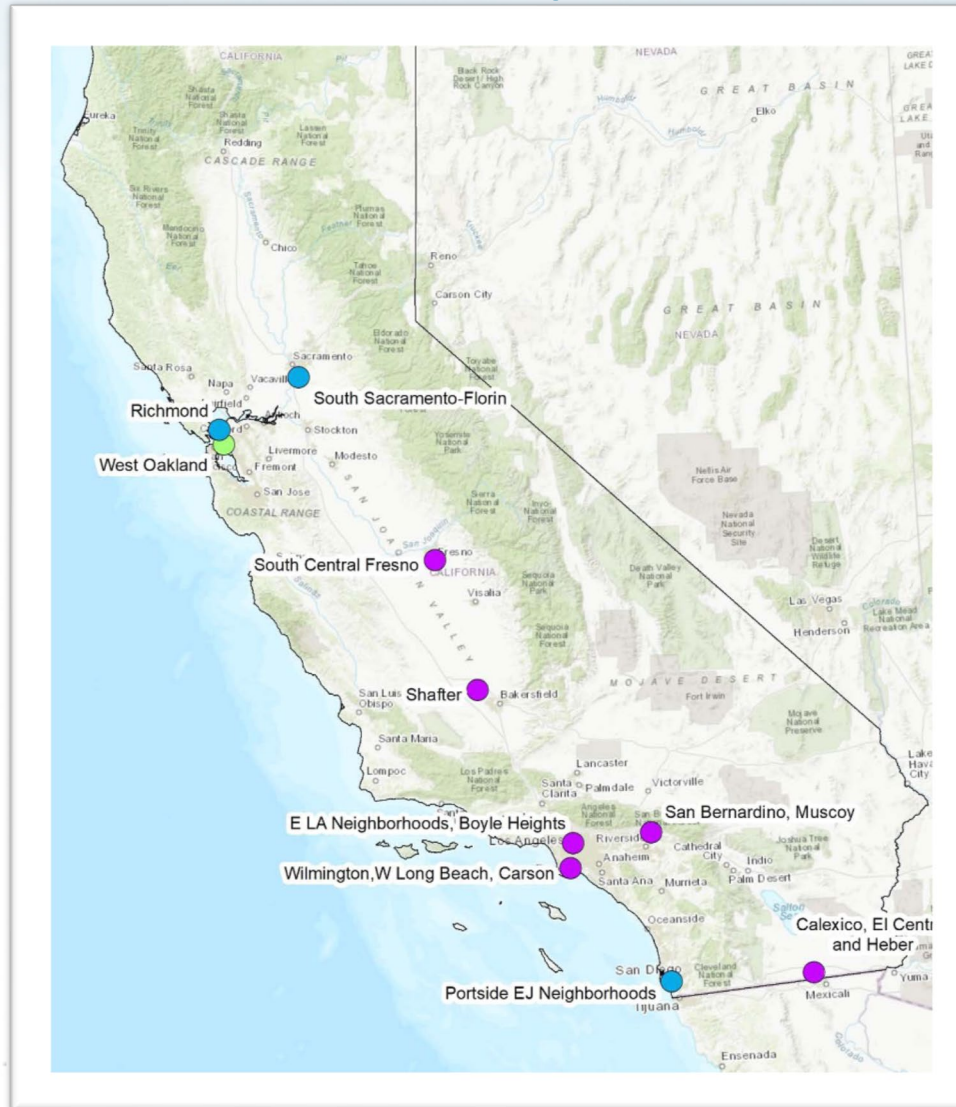
California Air Resources Board

- 2019 CARB News
 - SoCalGas Aliso Canyon \$119 million settlements funds dairy methane reductions
 - Emissions Reduction Framework w/ 4 automakers; not attend the LA Auto Show
 - GHG Emissions reduced in 2017 7MM MT below AB 32 2020 target
 - Low Carbon Fuel Standards; violations, added verification
 - Focus on Zero Emission trucks and buses
 - Funding for clean cars, buses, freight emissions reductions, innovative
 - AB 617 Programs; added E Coachella Valley, SE LA, SW Stockton
- Ahead in 2020
 - Trucks and Buses, registration requirement
 - Implement AB 617; Statewide CTR emission inventory, mobile source reduction measures
 - Accelerate advancing clean transportation; sustainable transportation & communities
 - Execute on SB 32 Climate Change Scoping Plan
 - Support State Implementation Plans for 2015 Ozone Attainment
 - Term limits for Board members enacted, Nichols leaving in Dec 2020

California Greenhouse Gas Regulations

- SB 32 Climate Change Scoping
 - AB 32: 2020 target to 1990 GHG levels (421MM MT/yr)
 - SB 32: 2030 Target to 40% below 1990 (260MM MT/yr)
 - 11/17 Scoping Plan – Update
- AB 32 Mandatory Reporting Program
 - Amendments effective 4/1/19 for 2019 data
 - 4/10/20 reporting for all facilities, except abbreviated reporting
 - 6/1/20 for electric power entities and abbreviated reporting
 - 8/10/20 Verification Deadline
- Cap-and-Trade Regulation Amended (4/1/19)

AB 617 Community Air Protection Program (CAPP) Update



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AB 617 CAPP Update (con't)

- 2018-2019 Implementation
 - Air District 1st round (2018)
 - Expedited BARCT ww2.arb.ca.gov/our-work/programs/technology-clearinghouse/expedited-barct
 - 1st round monitoring programs, CERPs (emission reduction programs)
 - 2nd round (2019) communities – 12/12/19
- 2020 Implementation
 - Criteria Pollutant and Toxics Emissions (CTR)
 - Effective 1/1/20; Reporting by May 1, 2020
 - 3 lists: AB 32 GHG Reporting, >250 TPY non-attainment, elevated toxics prioritization score
 - Expanded emissions reporting (as required); permitted sources in AB 617 communities
 - 2nd round monitoring, CERPs

Anatomy of a CERP

Wilmington, Carson, West Long Beach

- Community Steering Committee, Industry Stakeholders, South Coast AQMD
- See CERP Sep 2019, Chapter 5 www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/wilmington/cerp/final-cerp-wcwlb.pdf?sfvrsn=8
- Reduce Emissions:
 - NOx up to 3,207 TPY; VOC up to 64 TPY
 - Diesel PM (DPM) up to 20 TPY
- Emission Sources:
 - Refineries and Oil Production – flares, tanks, boilers, heaters, FCCUs, sulfur recovery, well fugitives
 - Ports, Truck Traffic, Railyards – focus on Mobile Source NOx and Diesel PM
- Reduction Targets by 2024 to 2030

CEQA Air Quality Review

- CEQA Significance Thresholds
 - Guidelines Update, 12/28/18
 - Significance Thresholds – criteria pollutants, air toxics and GHG
 - Greater lead agency discretion, but greater technical analysis and substantiation of impacts
 - Lead Agency Threshold Guidance status
- Analysis of Transportation Impacts mandatory by July 1, 2020
- Friant Ranch Update – Health Impact Analysis (HIA)
 - South Coast AQMD and San Joaquin Valley APCD Amicus Briefs
 - LA County Planning Air Quality and Health Effects (Oct 2019)
 - Draft Sacramento Metro APCD (1/31/20)
www.airquality.org/LandUseTransportation/Documents/SMAQMD_FriantRanch_Draft_FinalPublic.pdf
 - EIRs with detailed HIA Photochemical Modeling
- Recent Project Cases in 2020
 - Center for Biological Diversity v. Co of Kern; 4,643 acre housing development (1/20/20)
 - Newberry Comm Services District v. Co San Bernardino; 3,500 acre solar project (1/9/20)

CEQA Impact Analysis Technical Tools

- PM2.5, Ozone (NO_x & VOC), PM10 (fugitive dust), Diesel PM and TACs (HRA), GHG
- CalEEMod v2016.3.2 emissions model (user's guide 11/1/17)
- EMFAC 2014/2017 & OFFROAD2017 emissions models
 - CARB SAFE adjustment to EMFAC2017
- AERMOD dispersion model v19091
 - New RLINE beta option
 - Low wind non-default options
- OEHHA HRA Guidelines
 - Consolidated list HRA health values 9/19/19
 - HARP2 EIM; 2/12/20; ADMRT updated 5/1/19; RAST 2/13/19
- Friant Ranch HIA – CMAQ and CAMx models

Other California Rules

- Proposition 65 Amendments
 - Rental Cars - exposure warnings required
 - Coffee - No Significant Risk finding
- CalOSHA Emergency Regulation for Wildfires
 - Through 1/28/20 with 2 possible 90-day extension
www.dir.ca.gov/title8/5141_1.html
 - Worker exposure to PM2.5 in “wildfire areas”
 - Uses a 24-hour avg Air Quality Index (AQI) 151 or greater:
 - Communication system and training
 - Engineering or administrative controls, or
 - Provide respirators such as M95 masks for voluntary use
 - Exemptions; enclosed buildings and cars, limited exposure, monitoring
 - Updates to CalOSHA thresholds for PM2.5?

Air District Regulatory Update



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South Coast AQMD – 2019 Rules

- Fenceline Monitoring for Metal Toxic Contaminants – New Rule 1480 (12/19/19)
 - Emissions of Arsenic, Cadmium and Lead for Non-Chromium Metal Amended Rule 1407 (10/4/19)
 - RECLAIM NOx Landing Rules and BARCT
 - Stationary Gas Turbines – Amended Rule 1134 (4/5/19)
 - Gaseous and Liquid-Fueled Engines - Amended Rule 1110.2 (11/1/19)
 - Control of Emissions from Non-Refinery Flares – Amended Rule 1118.1 (1/4/19)
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South Coast AQMD – 2020 Rules

- Proposed New and Amended Rules:
 - Coating of Metal Parts and Products – PAR 1107 (1/7/20)
 - Asbestos from Demolition/Renovation - PAR 1403 (8/16/19)
 - New or Redevelopment Projects; Warehouse Indirect Rule - PR 2301, PR 2305
 - AQMP Emission Reductions at Ports and Airports – PR 4001, 4010, 4020, MOUs
- 2020 Rule & Control Measure Forecast: Jan 10 Governing Board
 - NOx Rules - any of RECLAIM Landing, AQMP, AB 617 BARCT, CERPs
 - PAR 1117 - Glass Melting Furnaces
 - PR 1150.3 – Combustion Equipment at Landfills
 - PR 1179.1 – Combustion Equipment at Publicly Owned Treatment Works
 - PR 1147, 1, PR 1147.2, PR 1147.3 – Large Misc Combustion, Metal Melting and Heat Treating, Aggregate Facilities
 - PAR 1100 – Implementation for NOx Facilities
 - PR 1109.1 – Boilers and Process Heaters in Refineries
 - Toxics Rules, CERPs
 - PR 1450 – Methylene Chloride Emissions
 - PAR 1469.1 – Spraying Operations for Coatings with Chromium
 - PR 1407.1 - Chromium Alloy Melting Operations (10/2/18)
 - PR 1435 – Metal Heat Treating Furnaces
 - PAR 1426 – Metal Finishing Operations
- BACT SRC Committee Meeting – Feb 25th, 2020

South Coast AQMD – 2020 RECLAIM Update

- EPA Review of RECLAIM Sunset/Transition Issues:
 - New BARCT Standards; ammonia, co-pollutants
 - New Source Review and Anti-Backsliding Concerns
- Latest RECLAIM Working Group Meeting – 1/14/20
- Landing Rules in 2020 - PR 1109.1; PAR 1147, 1147.1, 1147.2; PAR 1117, PAR 218 & 218.1
- Previous Landing Rules in 2019 – R1146, R1118.1, 1134/1135, 1110.2, R1146, R1146.1, R1146.2
- Proposed Rule 1100: Implementation Schedule (Jan 2020)
- Next Working Group meeting 2/20/20

San Joaquin Valley APCD

- Record improvement in ozone; PM2.5 Plan
 - New and amended rules
 - Amended Rules 2520 (Title V), 2301, and 2201 (8/15/19)
 - Refinery Fenceline Monitoring - Rule 4460 and 3200 (12/19/19)
 - Rules in 2020:
 - Flares and ultra low-NOx burners – Rule 4311
 - Architectural Coatings, Rule 4601
 - Boilers, generators, process heaters > 5 MMBtu/hr and NOx – Rules 4306 and 4320
 - Internal Combustion Engines and NOx – Rule 4702
 - AB 617 Yr 2 - SW Stockton (12/31/19)
 - Health Impacts from wildfires and open burning – press release
 - 2020 Legislative Priorities
-

Other Air Districts

- Bay Area AQMD
 - Policy for Emergency Generators; Emissions include emergency hours
 - Solid Waste Disposal emissions; Concept 8-34 (6/6/19)
 - Refinery Emissions Tracking and H2S Systems; Final 12-15 (12/4/19) and Draft 13-5 (1/14/20)
 - Organic Handling Material; Proposed 13-2 (1/20/20)
- San Diego APCD
 - Proposed Rule 1210 for Air Toxics (1/31/20)
 - Potential Classification to Severe for Ozone (NO_x and VOC major at > 25 TPY instead of 50 TPY)
 - Boilers, heaters, water heaters - proposed change to Rule 69.2.1 and new Rule 69.2.2 (8/16/19)

2020 Air Quality in California - Summary

- California accelerating progress on Clean Air ... while
- Battling with EPA on auto emission standards, climate change, etc., etc.
- AB 617 implementation begins to impact many more facilities and industries; CTR, BARCT, toxic emission reductions
- California ARB and Air District focus:
 - Cleaner trucks and buses
 - Climate change, energy, clean technologies
 - NOx emissions reduction
 - Air toxics and diesel PM emissions reduction
 - Greater monitoring near refineries and other industries
- Follow developing SB 32 developments into 2020
- CEQA Guidelines and Thresholds
- South Coast AQMD and other Air Districts – busy year ahead in 2020
- Call me with questions on developing air quality regulations!

CONTACT / QUESTIONS



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