



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

CEQA Scoping Meeting on Draft Amendments for Building Appliance Rules 9-4 and 9-6

**Virtual Meeting
June 9, 2022**

Note: The Air District will be recording this public workshop



How to Use Video Conferencing

Black menu bar at top or bottom of screen:



Audio

Please mute yourself when not speaking

Video

Participants

- See others
- Rename yourself (Name and Group/Agency Affiliation if applicable)
- Raise hand (remember to lower)

Chat Feature

To provide questions and or comments when chat is enabled

Reaction

Raise hand, give thumbs up or applaud

Technical Assistance



▶ If you need technical assistance, please call or text
415-604-1405 OR chat **Support**

Virtual Participation Principles



- ▷ **One** person speaks at a time.
- ▷ Be **respectful** of one another's opinions.
- ▷ Please **mute** yourself when you're not speaking.
- ▷ **Share video if you like** so we can stay visually connected.
- ▷ Technology happens – please be **flexible and patient**.
- ▷ Remember this is just one meeting in a longer **process**.



Let's get to know you



What perspective best represents you tonight?

Materials: <https://tinyurl.com/rules9496>

Comments By: June 21, 2022



Workshop Agenda



1



Opening Remarks

2



Presentations & Participant Engagement

3



Comments and Questions

4



Closing and Next Steps

Welcome and Opening Remarks



Victor Douglas
Manager, Rule Development
Bay Area Air Quality Management District

Presentation Topics



1 Background on this Effort

2 Draft Changes to Rule 9-4 (Space Heating)

3 Draft Changes to Rule 9-6 (Water Heating)

4 Contents of CEQA Initial Study

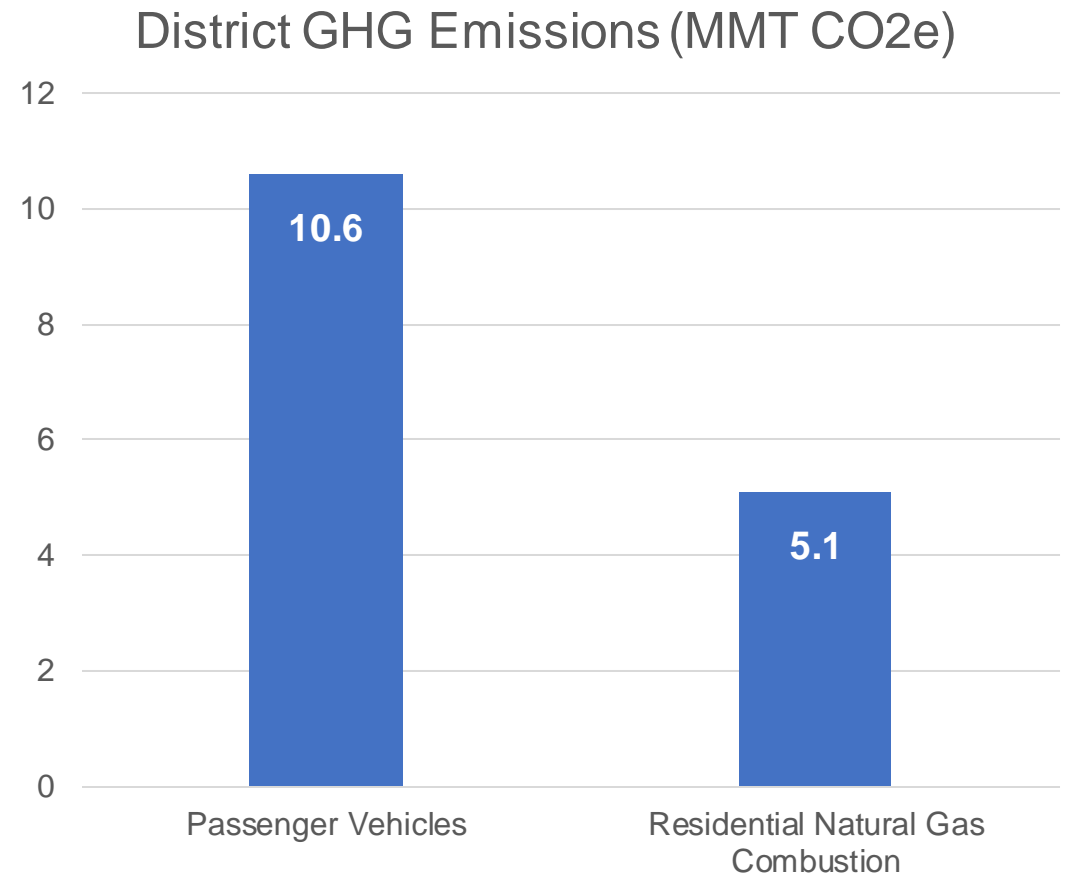
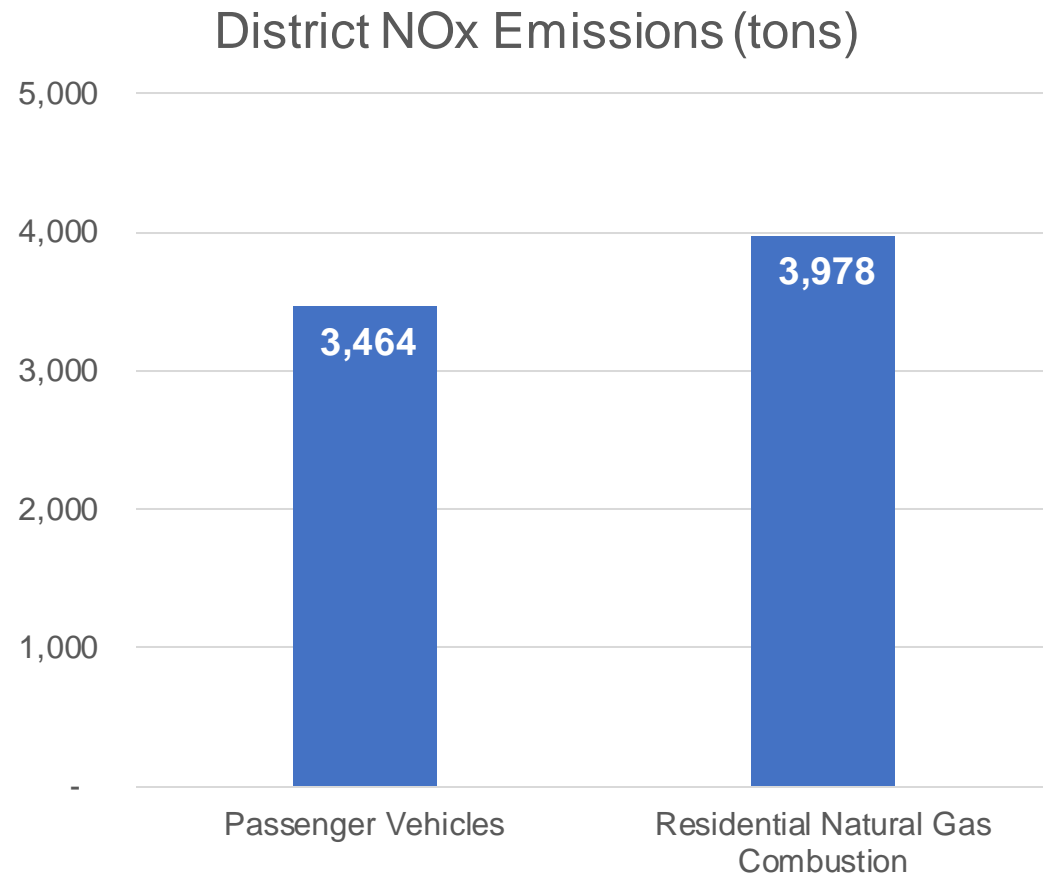
5 Considerations for EIR

Background: Rules for Amendment



- To address Oxides of Nitrogen (NO_x) emissions associated with buildings, amend:
 - Regulation 9, Rule 4 (Rule 9-4): Nitrogen Oxides from Fan Type Residential Central Furnaces
 - Regulation 9, Rule 6 (Rule 9-6): Nitrogen Oxides from Natural Gas-Fired Boilers and Water Heaters
- Separate, future effort for Regulation 9, Rule 7 (Rule 9-7): NO_x from Boilers, Steam Generators, and Process Heaters
 - Different emissions sources
 - Different stakeholders

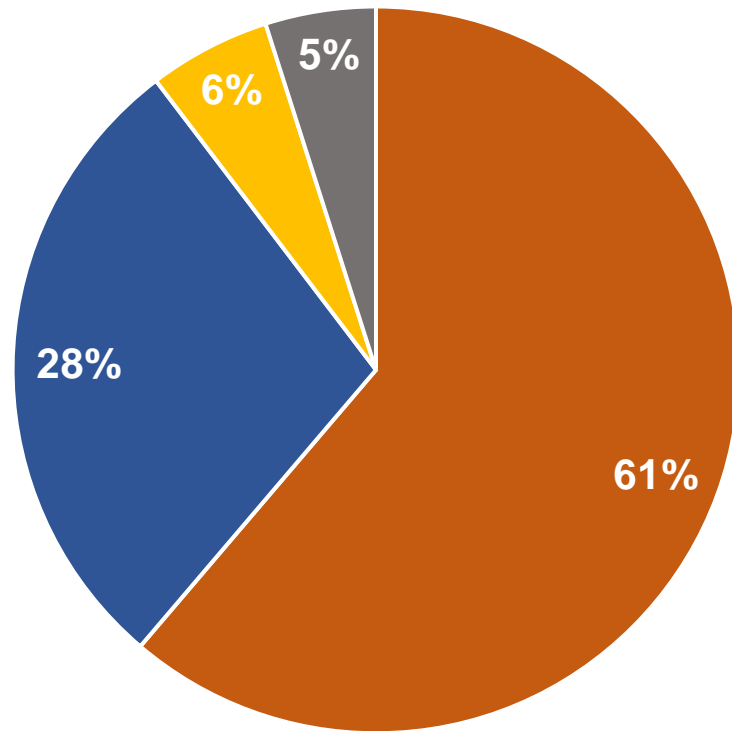
Background: Emissions



Background: Emissions

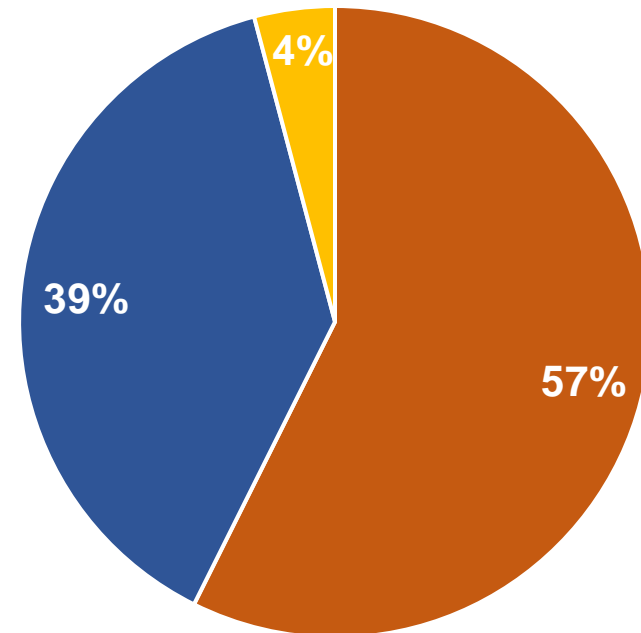


District Residential Natural Gas Combustion NOx Emissions



■ Space Heating ■ Water Heating ■ Cooking ■ Other

District Residential Natural Gas Combustion GHG Emissions



■ Space Heating ■ Water Heating ■ Cooking

Overview of Current Rules



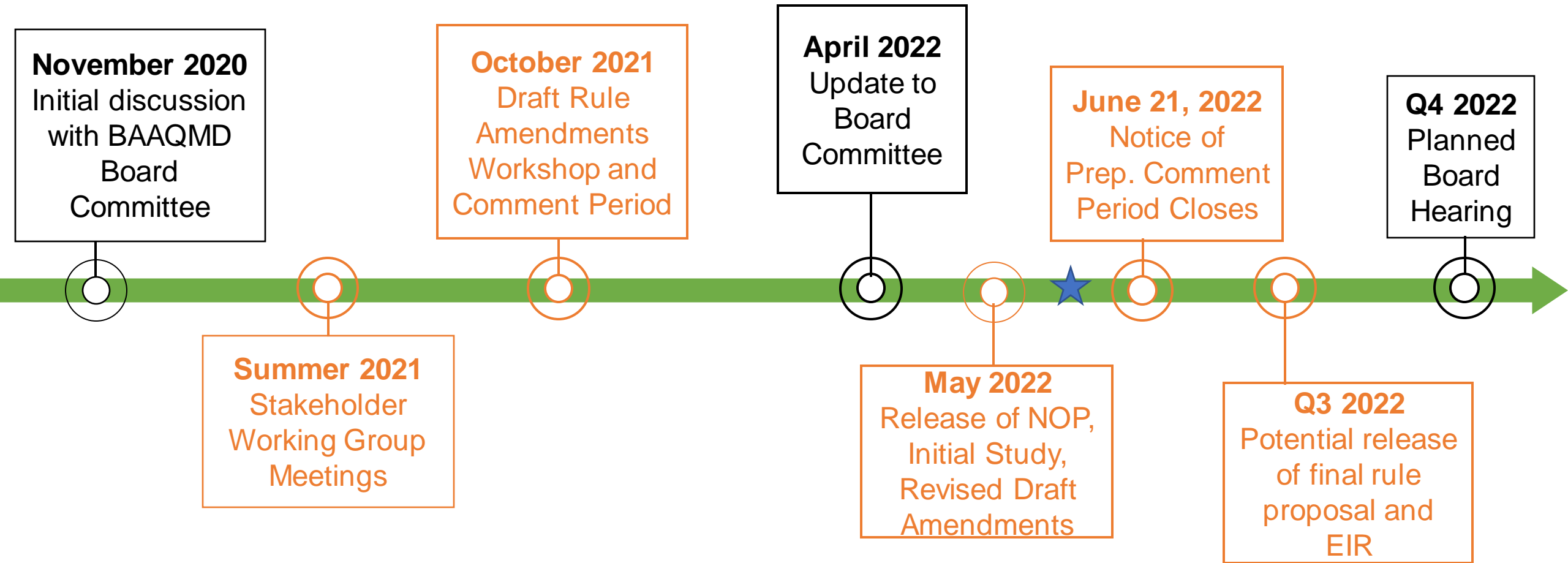
Regulation 9, Rule 4: Natural Gas Fired Furnaces (Rule 9-4)

- Residential central fan type furnaces
- NOx emissions standard of 40 ng/J

Regulation 9, Rule 6: Natural Gas Fired Boilers and Water Heaters (Rule 9-6)

- Natural gas-fired boilers and water heaters under 2 million BTU/hr
- NOx emissions standard from 10-14 ng/J dependent on size and usage
- Higher emissions standard for mobile homes (40 ng/J)
- **Both rules structured by point of sale – equipment cannot be installed that is manufactured after the compliance date**

Timeline



Rule 9-4 Updates



DESCRIPTION

- ① Remove specification of fan type residential central furnaces and note rule applicability to all natural gas-fired furnaces used in commercial and residential buildings
Section 2-1-201

DEFINITIONS

- ② Addition of definitions for BTU, Heat Input, Natural Gas, Nitrogen Oxides, Natural Gas-Fired Furnace, Natural Gas-Fired Fan Type Central Furnace
Section 2-1-202 - 208

Rule 9-4 Updates



STANDARDS

- ③ Reframe 40 ng/J standard for residential fan type central furnaces
Section 9-4-301.1
- ④ Introduce 14 ng/J standard for residential fan type central furnaces applicable on July 1, 2023
Section 9-4-301.2
- ⑤ Introduce zero NO_x standard for all residential and commercial natural gas fired furnaces applicable on January 1, 2029. This includes non-central furnaces but does not apply to mobile homes
Section 9-4-301.3



ADMINISTRATIVE REQUIREMENTS

- ⑥ Clarifications to certification requirements and calculation methods;
Inclusion of Manual of Procedures and EPA test methods
Sections 9-4-401 and 9-4-600
- ⑦ Addition of acceptance of South Coast Rule 1111 certification for
units under 9-4-301.2 as a valid compliance statement
Section 9-4-402
- ⑧ Introduction of Interim Report for District Staff to report on
accessibility factors two years prior to implementation of zero
NOx standard to ensure equitable outcomes
Section 9-4-405

Rule 9-6 Updates



STANDARDS

- ① Introduction of zero NOx standard for boilers with a heat input capacity less than 75,000 BTU/hr, applicable on January 1, 2027
Section 9-6-301.5
- ② Introduction of zero NOx standard for boilers with a heat input capacity of between 75,000 BTU/hr and 2 million BTU/hr, applicable on January 1, 2031
Section 9-6-303.5



CERTIFICATION

- ③ Clarification of certification section including distinguishing geographical boundaries of the District vs. Air Pollution Control Officers actions and use of South Coast determinations for demonstration of compliance
Section 9-6-402

ADMINISTRATIVE REQUIREMENTS

- ④ Introduction of Interim Report for District Staff to report on accessibility factors two years prior to implementation of zero NOx standard to ensure equitable outcomes
Section 9-6-404

Interim Report



- Introduction of requirement for both rules for interim report to come back to the Board of Directors no later than two years prior to the compliance date
 - Technology options currently (and projected to be) available
 - Market availability of such technology
 - Projected costs of purchase and installation
 - Incentive programs available to reduce costs
- Process will include stakeholder implementation working group with intended first meeting in early 2023



Clarifying Questions

Regarding specifics of rule updates and applicability

Materials: <https://tinyurl.com/rules9496>

Comments By: June 21, 2022



CEQA Process



Notice of Preparation and Initial Study

- Inform public of intended contents of EIR
- Allow for comments to be considered in EIR development

Draft Environmental Impact Report

- Additional opportunity for public review and comment

Final Environmental Impact Report

- To be adopted by Board of Directors with rule amendments

CEQA Impact Areas



Air Quality



Potentially Significant Impact:

- Conflict with or obstruct implementation of the applicable air quality plan
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard
- Expose sensitive receptors to substantial pollutant concentrations

EIR Considerations:

- Conducting additional modeling for potential fuel-switching emissions impacts
- Emissions reductions are also expected, EIR will fully examine all data

Greenhouse Gas Emissions



Potentially Significant Impact:

- Generate greenhouse emissions, directly or indirectly, that may have a significant impact on the environment
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases

EIR Considerations:

- Currently conducting additional modeling for potential fuel-switching emissions impacts
- Emissions reductions are also expected, EIR will fully examine all data

Utilities/Service Systems



Potentially Significant Impact:

- Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, **electric power**, **natural gas**, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects

EIR Considerations:

- Zero NOx appliances may require increased amounts of electricity to operate
 - Need for additional electricity production and/or additional electrical grid capacity if Project demands exceed existing and planned supply will be evaluated in the EIR

Next Steps



OPPORTUNITIES FOR FEEDBACK

- Comments due by **June 21, 2022**
- Draft Environmental Impact Report to be prepared and released for public comment in Fall 2022
- DEIR release to be accompanied by additional emissions, cost and other data
- Amendments intended to be brought for board adoption in Q4 2022

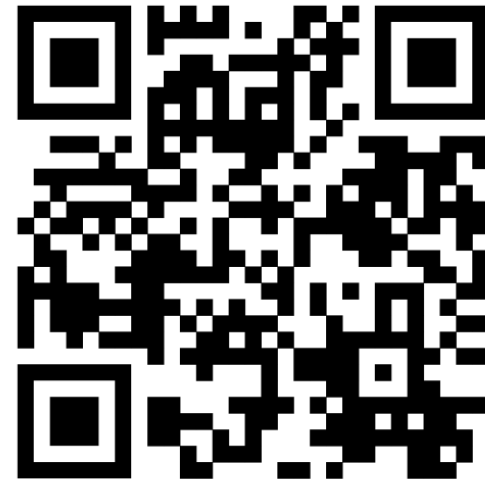
Workshop Evaluation



WORKSHOP EVALUATION




Help us improve our workshops and rule development process by completing this short survey in the link below.

<https://tinyurl.com/ruleseval>



Public Comment Session



-  Please mute yourself when you're not speaking
-  Please raise your hand if you wish to speak and wait for the facilitator to let you know when you can unmute yourself & speak
-  The Zoom Chat is also available for comments & questions

Materials: <https://tinyurl.com/rules9496>

Comments By: June 21, 2022





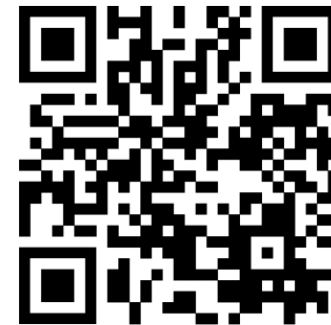
PUBLIC COMMENT

-Do you have questions or clarifications on the CEQA Process?

-Additional considerations for impacts to be included in Environmental Impact Report?

Materials: <https://tinyurl.com/rules9496>

Comments By: June 21, 2022



Closing



Materials available at:

<https://www.baaqmd.gov/rules-and-compliance/rule-development/building-appliances>

Written Comments
Deadline:

June 21, 2022

- Comments received will be posted to website
- Contact staff to discuss or for follow-up questions

Submit Comments To:

Jennifer Elwell
Senior Air Quality Engineer
Rule Development
jelwell@baaqmd.gov

THANK YOU FOR YOUR ENGAGEMENT