



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

WORKSHOP NOTICE

October 2, 2018

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **PUBLIC WORKSHOPS – DRAFT REGULATION 13, RULE 1: SIGNIFICANT METHANE RELEASES; UPDATES ON DEVELOPMENT OF DRAFT REGULATION 13: CLIMATE POLLUTANTS; DRAFT REGULATION 13, RULE 2: ORGANIC MATERIAL HANDLING; DRAFT REGULATION 13, RULE 3: COMPOSTING OPERATIONS; DRAFT REGULATION 13, RULE 4, WASTE WATER TREATMENT OPERATIONS; AND DRAFT AMENDMENTS TO REGULATION 8, RULE 34, SOLID WASTE DISPOSAL SITES.**

The staff of the Bay Area Air Quality Management District (Air District or BAAQMD) has begun developing a suite of rules that are intended to reduce the emissions of methane, a major climate pollutant, and reduce emissions of volatile organic compounds (VOCs) and odorous compounds from organic material handling operations, such as landfills and composting operations. To introduce these rule development efforts, the Air District will conduct four public workshops to present, discuss, and receive comments on new, draft Regulation 13, Rule 1: Significant Methane Releases (Rule 13-1). In addition, staff will begin early engagement on the development of several rules addressing air emissions from operations in the organic recovery and solid waste sectors. The details of the upcoming workshops are shown below:

Thursday, November 1, 2018
2:00 p.m. – 4:00 p.m.

Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Monday, November 5, 2018
6:00 p.m. – 8:00 p.m.

Martinez City Council Chambers
525 Henrietta Street
Martinez, CA 94553

Wednesday, November 7, 2018
6:00 p.m. – 8:00 p.m.

Shannon Community Center
11600 Shannon Avenue
Dublin, CA 94568

Thursday, November 8, 2018
6:00 p.m. – 8:00 p.m.

Berryessa Branch Public Library
3355 Noble Avenue
San Jose, CA 95132

BACKGROUND

In September 2016, Governor Brown signed Senate Bill 32, which mandated a Greenhouse (GHG) emissions reduction target of 40 percent below 1990 emission levels by 2030. Senate Bill 605 requires the California Air Resources Board (ARB) to develop a plan to reduce emissions short-lived climate pollutants (SLCPs), and Senate Bill 1383 requires ARB to approve and implement a plan by January 2018 to achieve these reductions. SB 1383 also sets a target for reduction of methane emissions of 40 percent below 2013 levels by 2030. Pursuant to SB 605 and SB 1383, ARB subsequently developed the SLCP Reduction Strategy, adopted in March 2017. As part of this strategy, the California Department of Resources Recycling and Recovery (CalRecycle) in consultation with ARB is developing regulations to reduce the level of statewide disposal of organic waste by 50 percent of 2014 levels by 2020 and 75 percent of 2014 levels by 2025. CalRecycle will consider adoption of these regulations by the end of 2018 to take effect on or after January 1, 2022.

Directing pollution control efforts towards short-lived climate pollutants (SLCPs), such as methane, is a high-impact strategy to combat climate change. The latest scientific research has underscored the need to reduce emissions of SLCPs in order to avoid the worst impacts on the climate (IPCC, 2014). Methane is a potent short-lived GHG. Its global warming potential is 86 times stronger than that of carbon dioxide (CO₂), when compared on a 20-year time horizon. Additionally, methane has a much shorter atmospheric half-life (average lifespan) of 12 years (vs. 20 – 200 years for CO₂) (IPCC, 2014). Due to these factors, actions to reduce methane emissions can provide significant and immediate climate benefits. When paired with steady reductions in CO₂ emissions, it may be possible to achieve long-term climate stability. Furthermore, curbing methane emissions would reduce emissions of associated co-pollutants, which can include key climate, criteria, and toxic pollutants, resulting in added climate benefits and improvements to public health. Given the importance and potential co-benefits of controlling methane, the Air District has included a comprehensive Basin-wide Methane Strategy (Measure SS16) as part of its 2017 Clean Air Plan.

The Air District has adopted the goal of reducing Bay Area GHG emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. Methane represents the second largest emissions of GHG in the region. In 2015, sources located within the Air District emitted an estimated 10 million metric tons of CO₂ equivalent (MMT CO₂e), about 10 percent of the Bay Area's GHG inventory. Draft rule 13-1 would be the first Air District rule to focus on climate protection by regulating methane emissions.

Draft Regulation 13: Climate Pollutants (Regulation 13) would serve as a general rule to address all climate pollutant emissions by establishing general definitions and requirements for regulating emissions of GHGs and related pollutants. Staff is in the very early stages of investigating emissions of climate pollutants that have high Global Warming Potential (GWP) values for the purpose of evaluating emission reduction standards. At the workshops, staff will provide a brief overview of draft new Regulation 13 and its rulemaking process status.

Draft Rule 13-2: Organic Material Handling (Rule 13-2) and draft Rule 13-3: Composting Operations (Rule 13-3) aim to minimize and control emissions of volatile organic compounds, methane and odor causing compounds from facilities that handle and process organic material. The Air District anticipates an increase in the amount of facilities that handle organic material in the Bay Area due to recent legislation setting mandates for the diversion of organic materials from landfills. At the workshop, staff will provide an overview of draft Rules 13-2 and 13-3 and the status of their rulemaking process.

The statewide organics diversion mandates and Air District adopted GHG emission reduction goals will likely impact regulation of air emissions from operations throughout the organic recovery process stream. As part of the Air District's 2017 Clean Air Plan, waste management control measure WA1 proposes to amend Regulation 8, Rule 34: Solid Waste Disposal Sites (Rule 8-34) to increase the stringency of its emission limits, including fugitive leak standards, and improve consistency with federal regulations. Water control measure WR1 initiates a process to better understand and quantify GHG emissions from waste water treatment operations and will explore rulemaking to reduce these emissions. At the workshop, staff will describe the goals of future rule development on proposed amendments to Rule 8-34, along with those for draft Regulation 13, Rule 4: Waste Water Treatment Operations.

DRAFT PROPOSALS

The adoption of Regulation 13, Rule 1: Significant Methane Emissions would be the first step in implementing the Basin-wide Methane Strategy. The purpose of Rule 13-1 is to minimize emissions from large-scale methane releases by requiring potential sources to repair significant releases quickly and effectively. Rule 13-1 would apply to all facilities in the Bay Area.

Rule 13-1 Emphasis:

- Applies to all Bay Area sources, including point and area sources, of methane releases;
- Requires that methane releases over 10,000 ppm from all sources be mitigated to less than 500 ppm within 14 days, unless owner or operator can demonstrate minimal mass emissions (less than 10 pounds/day); and,
- Sets monitoring and recordkeeping requirements that must be maintained for five years.

INFORMATION AND COMMENTS

Public workshops are an important step in the Air District's public engagement process. In addition to draft Rule 13-1, Air District staff will release a workshop report to provide background and additional information on the draft rule. Staff will also make available concept papers for draft Regulation 13, and one for draft Rules 13-2, and 13-3. Air District staff is interested in comments and questions about draft rule language, associated workshop report, and rule concept papers. Staff is also available to meet with interested parties regarding the draft proposal and regulatory concepts.

Following the workshops and close of the public comment period for draft Rule 13-1, the Air District will assess the need for changes to the draft rule; staff may consider further workshops or may proceed to a public hearing before the Air District's Board of Directors.

The Workshop Report and draft Rule 13-1 are posted on the Air District's website at www.baaqmd.gov/rules-and-compliance/rule-development/rules-under-development/regulation-13-rule-1. Interested parties are invited to submit comments on the draft Rule or the Workshop Report. For questions or comments on the rule development, please contact Will Saltz at (415) 749-4698 or wsaltz@baaqmd.gov. The deadline for comments on the draft rule is Tuesday November 13, 2018.

The concept paper for draft Regulation 13 is posted on the Air District's website at www.baaqmd.gov/rules-and-compliance/rule-development/rules-under-development/regulation-13. For questions or comments on the rule development, please contact Jacob Finkle at (415) 749-8435 or jfinkle@baaqmd.gov.

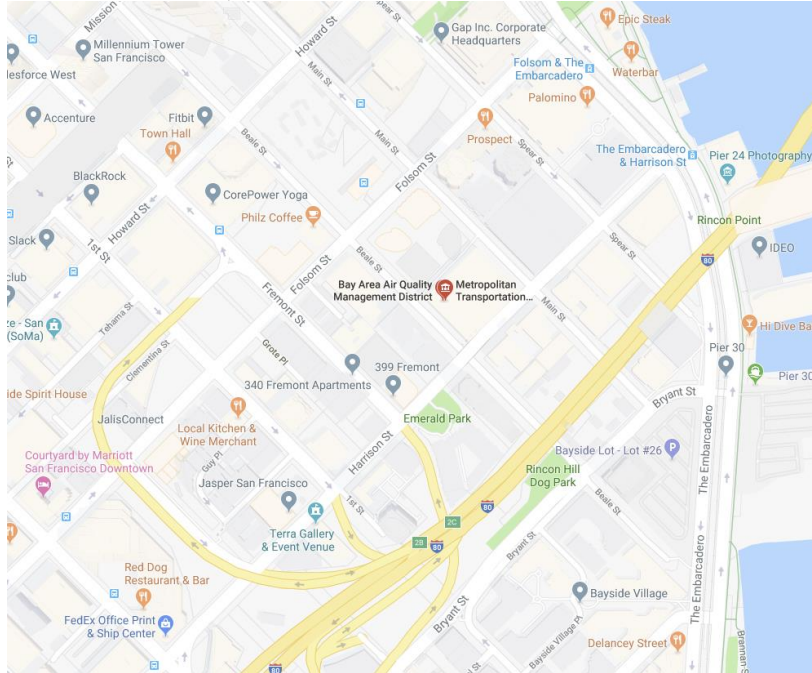
The concept paper for draft rules 13-2 and 13-3 is posted on the Air District's website at www.baaqmd.gov/rules-and-compliance/rule-development/rules-under-development/regulation-13-rule-2 and www.baaqmd.gov/rules-and-compliance/rule-development/rules-under-development/regulation-13-rule-3. For questions or comments on the rule development, please contact Robert Cave at (415) 749-5048 or rcave@baaqmd.gov.

For questions or comments on the prospective rule development of draft Rule 13-4 and draft amendments to Rule 8-34 please contact Victor Douglas at (415) 749-4752 or vdouglas@baaqmd.gov.

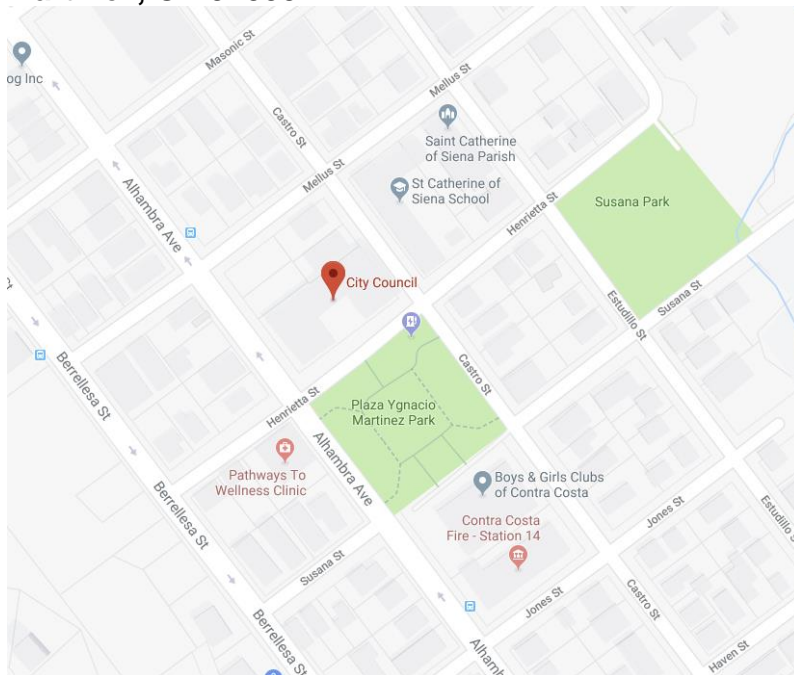
Maps of Workshop Locations and Public Transit Options

Attendees are encouraged to use public transit, rideshare, bicycle, walk or use other non-motorized transportation modes to and from the workshops.

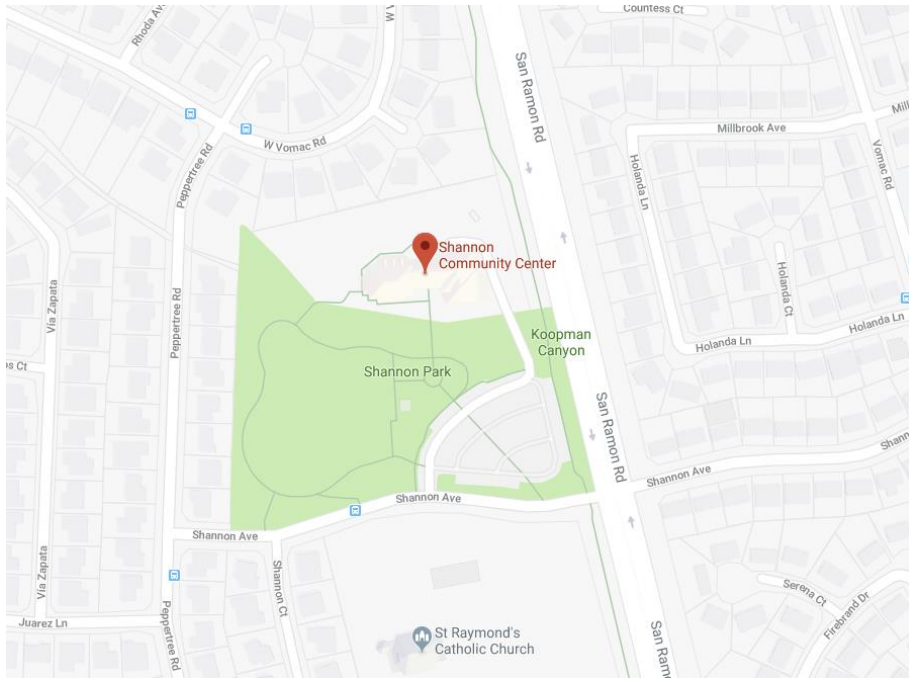
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