

Errata Sheet

Revised Agenda Board of Directors Regular Meeting Wednesday, July 15, 2020

Agenda Item #8 Additional Item

8. Public Meeting to Consider Adoption of the Bay Area Air Quality Management District's Emissions Statement Certification for the 1997, 2008, and 2015 8-hour Ozone National Ambient Air Quality Standards (NAAQS)

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Board of Directors will consider certifying that the existing Air District Rule section 2-1-429 Federal Emissions Statement meets the requirements of the Federal Clean Air Act section 182(a)(3)(B) for the 1997, 2008, and 2015 Ozone National Ambient Air Quality Standards (NAAQS).



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**BOARD OF DIRECTORS
REGULAR MEETING REVISED AGENDA
July 15, 2020**

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY
EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST OF THE MEETING BY CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT'S AGENDA WEBPAGE FOR THE MEETING AVAILABLE AT**

www.baaqmd.gov/bodagendas

- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE FOLLOWING LINK OR BY PHONE**

<https://bayareametro.zoom.us/j/96768273173>

877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

WEBINAR ID: 967 6827 3173

- **THOSE PARTICIPATING BY PHONE WHO WOULD LIKE TO MAKE A COMMENT CAN USE THE "RAISE HAND" FEATURE BY DIALING "*9". IN ORDER TO RECEIVE THE FULL ZOOM EXPERIENCE, PLEASE MAKE SURE YOUR APPLICATION IS UP TO DATE**

- **COMMENTS MAY ALSO BE SUBMITTED VIA EMAIL AT**

Comments@baaqmd.gov

BOARD OF DIRECTORS REGULAR MEETING REVISED AGENDA

WEDNESDAY
JULY 15, 2020
9:30 A.M.

Chairperson, Rod Sinks

1. CALL TO ORDER - ROLL CALL

PUBLIC MEETING PROCEDURE

The Board Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Board members.

This meeting will be webcast. To see the webcast, please visit www.baaqmd.gov/bodagendas at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.

***Email Comment on Agenda Items:** The public may comment on each item on the agenda. Email Comments for items on the agenda must be submitted to Comments@baaqmd.gov prior to the Board taking up the particular item and indicate the agenda item to which the comment relates. Emailed comments will be considered as the agenda item is taken up by the Board. Emailed comments containing 250 words or less will be read aloud by staff. Emailed comments exceeding 250 words may be summarized during the meeting, if feasible.*

CONSENT CALENDAR (ITEMS 2-8)

Staff/Phone (415) 749-

2. Minutes of the Board of Directors Special Meetings of June 3, 2020 and June 17, 2020

Clerk of the Boards/5073

The Board of Directors will consider approving the draft minutes of the Board of Directors Special Meetings of June 3, 2020 and June 17, 2020.

3. Board Communications Received from June 3, 2020 through July 14, 2020

J. Broadbent/5052
jbroadbent@baaqmd.gov

A copy of communications directed to the Board of Directors received by the Air District from June 3, 2020 through July 14, 2020, if any, will be distributed to the Board Members by way of email.

4. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of May 2020
J. Broadbent/5052
jbroadbent@baaqmd.gov

In accordance with Resolution No. 2012-08, the Board of Directors will receive a list of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the month of May 2020.

5. Air District Personnel on Out-of-State Business Travel
J. Broadbent/5052
jbroadbent@baaqmd.gov

In accordance with Section (b) of the Air District Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memorandum lists Air District personnel who have traveled on out-of-state business in the preceding months.

6. Authorization to Amend a Contract with Bentley Systems, Inc., for Roadway Elevations Data for Nine Counties in the Bay Area
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authoring the Air District to purchase roadway elevations for the entire Bay Area roadway network, as an extension to the existing contract with Bentley Systems, Inc., in an amount not to exceed \$257,000. The elevation data will be used as important inputs in community-scale models for estimating Assembly Bill (AB) 617 community impacts from on-road traffic.

7. Projects with Proposed Grant Awards Over \$100,000
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider approving projects with proposed grant awards over \$100,000 and authorize the Executive Officer/APCO to enter into all necessary agreements with applicants and partners for the recommended projects.

8. Public Meeting to Consider Adoption of the Bay Area Air Quality Management District's Emissions Statement Certification for the 1997, 2008, and 2015 8-hour Ozone National Ambient Air Quality Standards (NAAQS)
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider certifying that the existing Air District Rule section 2-1-429 Federal Emissions Statement meets the requirements of the Federal Clean Air Act section 182(a)(3)(B) for the 1997, 2008, and 2015 Ozone National Ambient Air Quality Standards (NAAQS).

COMMITTEE REPORTS

9. Report of the Stationary Source Committee Meeting of June 17, 2020

CHAIR: J. Bauters

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Update on the Development of Draft Amendments to Regulation 6, Rule 5 (Rule 6-5): Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units

1) *None; receive and file.*

B) Update on Implementation of Regulation 11, Rule 18 (Rule 11-18): Reduction of Risk from Air Toxic Emissions at Existing Facilities

1) *None; receive and file.*

C) Update on the Odor Attribution Study in the South Bay

1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

10. Report of the Mobile Source Committee Meeting of June 18, 2020

CHAIR: D. Canepa

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Projects and Contracts with Proposed Grant Awards Over \$100,000

1) *Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1; and*

2) *Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.*

B) Revise Allocation of Fiscal Year Ending (FYE) 2021 Transportation Fund for Clean Air Funding

1) *Approve the proposed increase to the allocation of Transportation Fund for Clean Air (TFCA) in FYE 2021, as shown in Table 2; and*

2) *Authorize the proposed change to cost-effectiveness limits for the Air District-sponsored programs and projects shown in Table 3.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

11. Report of the Climate Protection Committee Meeting of June 18, 2020

CHAIR: T. Barrett

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following report:

A) Update on Heat Pump Water Heater Grants

- 1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

12. Report of the Legislative Committee Meeting of June 25, 2020

CHAIR: M. Abe-Koga

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Sacramento Legislative Budget Update

- 1) *None; receive and file.*

B) Air District Sponsored Bill

- 1) *None; receive and file.*

C) State Legislation Update

- 1) *The Legislative Committee (Committee) will discuss and review bills and take positions where appropriate.*

At the direction of the Board of Directors, the Committee will review and consider taking a position on Assembly Constitutional Amendment (ACA) 5 (Weber).

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

13. Report of the Ad Hoc Committee on Equity, Access, and Inclusion Meeting of July 1, 2020
CHAIR: D. Hurt
J. Broadbent/5052
jbroadbent@baaqmd.gov

A) Report Back from Committee Chair Davina Hurt's Meeting with Bay Area Environmental Justice Leaders

1) *None; receive and file.*

B) Consideration of Revised Ad Hoc Committee on Equity, Access, and Inclusion Charter

1) *The Ad Hoc Committee will consider recommending the Board of Directors approve the revised charter based on Committee comments at its March 25, 2020 meeting.*

C) Discussion of Key Deliverables of the Ad Hoc Committee on Equity, Access, and Inclusion

1) *None; receive and file.*

D) California Air Resources Board's Environmental Justice Work

1) *None; receive and file.*

E) Update on Office of Diversity, Equity, & Inclusion | Internal Efforts to Advance Racial Equity

1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

14. Report of the Advisory Council Meeting of May 12, 2020
BOARD LIAISON: R. Sinks

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Council received the following reports:

A) Particulate Matter (PM) Symposium Overview

1) *None; receive and file.*

B) Community Particulate Matter (PM) Discussion Overview

1) *None; receive and file.*

C) Update on Air District Particulate Matter (PM) Potential Policy Strategies

1) *None; receive and file.*

For the full Council agenda packet and materials, click on the link below:
<https://www.baaqmd.gov/about-the-air-district/advisory-council/agendasreports>

PRESENTATIONS

15. Spare the Air Advertising Campaign Video and Update

The Board of Directors will receive an update on the Air District's Spare the Air Campaign.

16. COVID-19 Shelter-in-Place and Changes in Particulate Matter_{2.5} (PM_{2.5}) Concentrations in the Bay Area

The Board of Directors will receive a presentation on the effects of COVID-19 and the changes in PM_{2.5} in the Bay Area.

PUBLIC COMMENT ON NON-AGENDA MATTERS

17. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

Emailed comments indicating the comment pertains to non-agenda matters will be considered under this item. Emailed comments containing 250 words or less will be read aloud by staff. Emailed comments exceeding 250 words may be summarized during the meeting, if feasible.

BOARD MEMBERS' COMMENTS

18. *Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

OTHER BUSINESS

19. Report of the Executive Officer/APCO

20. Chairperson's Report

21. Time and Place of Next Meeting:

Wednesday, September 16, 2020, at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

22. Adjournment

The Board meeting shall be adjourned by the Board Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
yjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District's offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District's policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District's Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at rsanders@baaqmd.gov.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Rod Sinks and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 10, 2020

Re: Public Meeting to Consider Adoption of the Bay Area Air Quality Management District's Emissions Statement Certification for the 1997, 2008, and 2015 8-hour Ozone National Ambient Air Quality Standards (NAAQS)

RECOMMENDED ACTION

Recommend the Board of Directors (Board) certify that the existing Air District Rule section 2-1-429 *Federal Emissions Statement* meets the requirements of the Federal Clean Air Act section 182(a)(3)(B) for the 1997, 2008, and 2015 Ozone National Ambient Air Quality Standards (NAAQS).

BACKGROUND

The Federal Clean Air Act section 182(a)(3)(B) requires all ozone non-attainment areas to have in place a program that requires emissions statements from stationary sources of nitrogen oxides (NO_x) and volatile organic compounds (VOC). Due to the Air District's marginal non-attainment status with the 2015 8-hour ozone standard, the Air District is required to submit a certification that its existing program, or rule, continues to comply with the requirement and that the boundaries of the Air District have not changed.

The Air District adopted Federal Emissions Statement provisions in Rule 2-1-429 on November 4, 1992. The rule was amended on June 15, 1994, and most recently amended December 21, 2004, to comply with the 1997 8-hour ozone standard requirements. The Air District submitted a New Source Review (NSR) rule amendment for the 1997 Ozone NAAQS to U.S. Environmental Protection Agency (EPA) on December 14, 2017, which includes Rule 2-1-429. The NSR revision was approved by U.S. EPA into the State Implementation Plan (SIP) on May 21, 2018, [83 FR 23372]. The Air District requires permits for all classes and categories of sources subject to section Clean Air Act section 182(a)(3)(B). Permit exemptions may be allowed for qualifying sources that emit five tons or less per year for any regulated air pollutant, which is well below the allowable waiver of 25 tons per year of NO_x or VOCs. Furthermore, the Air District maintains an emissions inventory of all sources using factors acceptable to U.S. EPA.

Emission Statement certification submittal delinquencies for the 1997 and 2008 8-hour ozone standards were recently brought to the attention of California air districts with non-attainment status. When the U.S. EPA approved the Air District's New Source Review rule for the 1997 ozone standard, which includes Rule 2-1-429, on May 21, 2018, the Air District was not aware of the additional requirement to submit an Emissions Statement certification to certify that the

program remained in compliance for the boundary requirements or general adequacy of the rule to meet the 1997 or 2008 ozone standards.

This item seeks to resolve previous delinquencies in a single Board Action as recommended by U.S. EPA. Upon the Air District Board's adoption, the certification will be transmitted to the California Air Resources Board (CARB) as a SIP submittal, which CARB would subsequently transmit to U.S. EPA. The deadline to submit the Emissions Statement Regulation certification for the 2015 8-hour Ozone standard to U.S. EPA is August 3, 2020.

DISCUSSION

The purpose of the proposed Emissions Statement certification is to satisfy a SIP element requirement and to declare the Air District's existing Emissions Statement program (Rule 2-1-429) continues to meet the requirements of the 2015 8-hour ozone standard and meets all procedural requirements under 40 CFR Subpart F including 40 CFR 51.102 requirements. This includes certification that the boundaries and sources subject to the rule remain adequate and meet the requirements of the 2015 standard. The Air District's boundaries subject to existing Rule 2-1-429 have not changed, and the rule continues to be in compliance with CAA Section 182(a)(3)(B) for the 2015 standard. Additionally, the Air District's marginal non-attainment status and boundaries have not changed since the 1997 ozone standard determination. Therefore, this Emission Statement certification of adequacy also applies for the 1997 and 2008 ozone standards.

This item seeks to resolve previous Emissions Statement certification delinquencies for 1997 and 2008 that U.S. EPA has identified as well as a new certification of compliance for the 2015 ozone standard. Board adoption of this certification will remove any outstanding SIP deficiencies identified by U.S. EPA at this time.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Yvette DiCarlo
Reviewed by: Henry Hilken

Attachment 8A: Federal Emissions Statement Certification
Attachment 8B: Rule 2-1-429

Clean Air Act Emissions Statement Certification

EPA Approval for the California State Implementation Plan (SIP) Revision Certifying that the Existing Emission Statement Program Meets the Requirements for the Implementation of the 1997, 2008 and 2015 8-hour Ozone National Ambient Air Quality Standards: Nonattainment Area State Implementation Plan Requirements

Section 182(a)(3)(B) of the Clean Air Act (Act) requires all ozone nonattainment areas to have in place a program that requires emissions statements from stationary sources of nitrogen oxides (NO_x) and volatile organic compounds (VOC). Specifically, section 182(a)(3)(B)(i) of the Act requires air agencies to submit to U.S. EPA a SIP revision requiring the owner or operator of each stationary source to report and certify the accuracy of their reported NO_x and VOC emissions, beginning in 1993 and annually thereafter.

Section 182(a)(3)(B)(ii) of the Act allows air agencies to waive the requirements under subsection (i) for stationary sources emitting less than 25 tons per year of VOC or NO_x if the State provides an inventory of emissions from such class or category of sources, based on the use of the emission factors established by the U.S. EPA or other methods acceptable to the U.S. EPA as part of the inventories required under section 182(a)(1) (the base year emissions inventory) and section 182(a)(3)(A) (the periodic emissions inventory).

The emissions statement requirements for the 2015 70 ppb 8-hour ozone standard are described in *Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements* (83 FR 62998, December 6, 2018). If a nonattainment area has a previously-approved emissions statement rule in force for a previous 8-hour or 1-hour ozone standard covering all portions of the nonattainment area for the 70 ppb 8-hour ozone standard, the existing rule should be sufficient for the 70 ppb 8-hour ozone standard. If the existing rule does not meet section 182(a)(3)(B) requirements, a revised or new rule would have to be submitted as part of the current ozone SIP.

San Francisco Bay Area AQMD Rule 2-1-429, *Federal Emissions Statement*, fulfills the section 182(a)(3)(B) emissions statement requirements. District Rule 2-1-429 was last revised on December 21, 2004, and submitted to U.S. EPA on December 14, 2017 as part of BAAQMD's New Source Review Rule amendments, and approved by U.S. EPA into the SIP on May 21, 2018, [83 FR 23372]. The boundaries of the San Francisco Bay Area nonattainment area for the 70 ppb 8-hour ozone standard are the same as for the previous 75 ppb 8-hour ozone standard and for the previous 80 ppb 8-hour ozone standard for which the rule was last amended. The San Francisco Bay Area AQMD has reviewed existing Rule 2-1-429 to ensure it is adequate and, based on the rationale in the table below, determined that the existing rule is adequate to meet the section 182(a)(3)(B) emissions statement requirements for the 2015 70 ppb 8-hour ozone standard, the 2008 75 ppb 8-hour ozone standard and the 1997 80 ppb 8-hour ozone standard

The San Francisco Bay Area AQMD hereby certifies that the existing provisions of Rule 2-1-429 adequately meet the emissions statement requirements of section 182(a)(3)(B) of the Act for the purposes of the 2015 70 ppb 8-hour ozone standard, the 2008 75 ppb 8-hour ozone standard, and the 1997 80 ppb 8-hour ozone standard and that no revision of the rule is required. The Air District requires permits for all classes and categories of sources subject to section

182(a)(3)(B). Permit exemptions may be allowed for qualifying sources that emit 5 tons or less per year for any regulated air pollutant which is well below the allowable waiver of 25 tons per year of NOx or VOCs. Furthermore, the Air District maintains an emissions inventory of all sources using factors acceptable to U.S. EPA.

Rationale that District Rule 2-1-429 is adequate to meet the requirements of CAA 182(a)(3)(B) for the 70 ppb 8-hour ozone standard

CAA 182(a)(3)(B) Requirements	San Francisco Bay Area AQMD Rule 2-1-429 Provision
CAA 182(a)(3)(B)(i)	
<p>“Within 2 years after November 15, 1990, the State shall submit a revision to the State implementation plan to require that the owner or operator of each stationary source of oxides of nitrogen or volatile organic compounds provide the State with a statement, in such form as the Administrator may prescribe (or accept an equivalent alternative developed by the State), for classes or categories of sources, showing the actual emissions of oxides of nitrogen and volatile organic compounds from that source.”</p>	<p>Rule 2-1-429: The owner or operator of any facility that emits or may emit oxides of nitrogen or volatile organic compounds shall provide the APCO with a written statement, in such form as the APCO prescribes, showing actual emissions of oxides of nitrogen and volatile organic compounds from that facility.</p>
<p>“The first such statement shall be submitted within 3 years after November 15, 1990. Subsequent statements shall be submitted at least every year thereafter.”</p>	<p>Rule 2-1-429: “Effective November 1, 1994, the statement shall be submitted to the District each year with the annual permit renewal.” Since all sources subject to the CAA 182(a)(3)(B) requirements must be permitted by the District, with a permit exemption of 5 tons per year, all sources of interest must submit statements with the annual permit renewal.</p>
<p>“The statement shall contain a certification that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement.</p>	<p>Rule 2-1-429: The statement shall also contain a certification by a responsible official of the company or facility that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement.</p>
CAA 182(a)(3)(B)(ii)	
<p>“The State may waive the application of clause (i) to any class or category of stationary sources which emit less than 25 tons per year of volatile organic compounds or oxides of nitrogen if the State, in its submissions under subparagraphs</p>	<p>Rule 2-1-429: The APCO may waive this requirement for any class or category of facilities that emit less than 25 tons per year of oxides of nitrogen and volatile organic</p>

<p>(1) or (3)(A), provides an inventory of emissions from such class or category of sources based on the use of the emission factors established by the Administrator or other methods acceptable to the Administrator.”</p>	<p>compounds, each taken separately, if the District provides the Air Resources Board with emission inventories of facilities emitting greater than 10 tons per year of either oxides of nitrogen or volatile organic compounds based on the use of emission factors acceptable to the Air Resources Board and the U.S. Environmental Protection Agency (EPA).</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Bay Area AQMD Federal Emissions Statement Regulation

2-1-429 Federal Emissions Statement: The owner or operator of any facility that emits or may emit oxides of nitrogen or volatile organic compounds shall provide the APCO with a written statement, in such form as the APCO prescribes, showing actual emissions of oxides of nitrogen and volatile organic compounds from that facility. At a minimum the emission statement shall contain all of the information contained in the Air Resources Board's Emission Inventory Turn Around Document as described in Instructions for the Emission Data System Review and Update Report. The statement shall also contain a certification by a responsible official of the company or facility that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement. Effective November 1, 1994, the statement shall be submitted to the District each year with the annual permit renewal. The APCO may waive this requirement for any class or category of facilities that emit less than 25 tons per year of oxides of nitrogen and volatile organic compounds, each taken separately, if the District provides the Air Resources Board with emission inventories of facilities emitting greater than 10 tons per year of either oxides of nitrogen or volatile organic compounds based on the use of emission factors acceptable to the Air Resources Board and the U.S. Environmental Protection Agency (EPA). A current list of classes and categories of facilities for which this requirement has been waived by the APCO will be kept by the District and made available upon request. Also, for purposes of reporting emission data to the Air Resources Board and to the EPA, the District will provide calendar year and peak ambient ozone season data determined through weighted averaging of current and prior year (if available) company/facility reported certified information. This Section is required by the provisions of Section 182(a)(3)(B) of the Clean Air Act.

(Adopted 11/4/92; Amended 6/15/94; 6/7/95; 12/21/04)