



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 5

Opening Comments and Board Structure

**Board of Directors Special
Meeting/Board Orientation
January 13, 2021**

Chairperson Cindy Chavez

Requested Board Action



- Action Requested: None, Informational Only
- Outcome: Good governance, transparency and public participation are imperative to reaching the Air District's goals. The contribution of time, energy and thoughtful evaluations by the Board of Directors, Air District staff, and the public are invaluable and should be used well.

Overview



- Proposal: Consolidate the number of committees from 12 to 7
- Ensure consistent committee management
- Ensure transparency and accessibility for the public
- Requires change to Administrative Code

Consolidate the Number of Committees



A. Administration

- This is a consolidation of Budget & Finance, Executive, Personnel and the Ad Hoc Building Oversight Committees.

B. Community Equity, Health & Justice

- This is a consolidation of the Ad Hoc Committee on Equity, Access, and Inclusion with the Committee on Community and Public Health.

C. Mobile Source and Climate Impacts

- This is a consolidation of the Climate Protection and Mobile Source Committees.

D. Stationary Source and Climate Impacts

- This consolidation of the Climate Protection and Stationary Source Committees.

E. Legislative

- This committee would remain in its current form.

F. Bay Area Regional Collaborative (BARC)

- This committee would remain in its current form with four appointments from the BAAQMD Board of Directors.

G. Technology Implementation Office (TIO) Steering Committee

- This committee would remain in its current form with two appointments from the BAAQMD Board of Directors.

Consistent Committee Management



- A. Hold an annual training for committee chairs and vice chairs so that all committees share best practices to ensure consistent good governance.
- B. Increase the number of chairs per committee to 2 co-chairs.
- C. Monthly pre-committee meeting briefings for the committee co-chairs and vice chair prior to each committee meeting.
- D. The committees will each create an annual work plan at the beginning of the calendar year that will receive final approval from the full board.

Transparency and Accessibility for the Public



- A. Staff presentations adhere to a 10-minute maximum presentation time unless the item is exceptionally complicated.
- B. Staff presentations begin with a description of the outcome of the item.
- C. The addition of the staff member's name and email for each meeting agenda item.
- D. The inclusion of information about the process for vendor selection for each item with a contract.
- E. After the staff presentation, the Chair will move directly to public comment.
- F. After public comment, the Chair will return to the directors for questions, comments and deliberation.
- G. Directors will be limited to 5 minutes each time they are called upon to speak.
- H. Committee reports will be provided in writing unless the co-chairs have additional information to share with the Board.
- I. The Board Chair, Vice Chair and Secretary will receive monthly agenda briefings prior to the Board of Directors meeting.

Feedback and Questions





BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 5A

Introduction to the Air District

**Board of Directors Special
Meeting/Board Orientation
January 13, 2021**

**Jack P. Broadbent
Executive Officer/APCO
jbroadbent@baaqmd.gov**

Requested Board Action



- Action Requested: None, Informational Only
- Outcome: Introduction and Overview of the Air District

Mission Statement

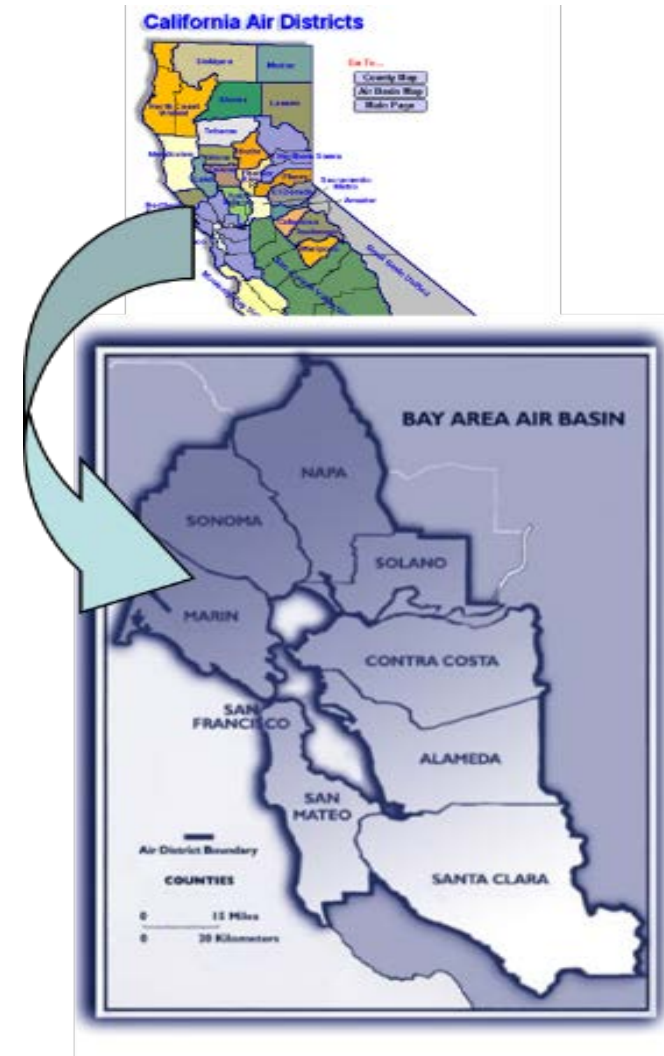


The Air District aims to create a healthy breathing environment for every Bay Area resident while protecting and improving public health, air quality, and the global climate.

Air District Background



- Responsible for air quality in the San Francisco Bay Area
 - Over 100 cities
 - Nearly eight (8) million residents
 - Five (5) million vehicles
- Anticipated growth by 2040
 - Nine (9) million people
 - 20% increase in driving



High-Level Air Quality Overview



- Global
 - Climate change, Greenhouse gases (GHGs), Methane, Particulate Matter (PM)
- Regional
 - Smog/Ozone, PM
- Neighborhood
 - Toxic Air Contaminants (TACs), PM

Air Monitoring Network



Network of State and Local Air Monitoring Stations

- Provides timely air pollution data to the general public
- Supports compliance with California and national ambient air quality standards
- Supports air pollution research studies



Air District Overview



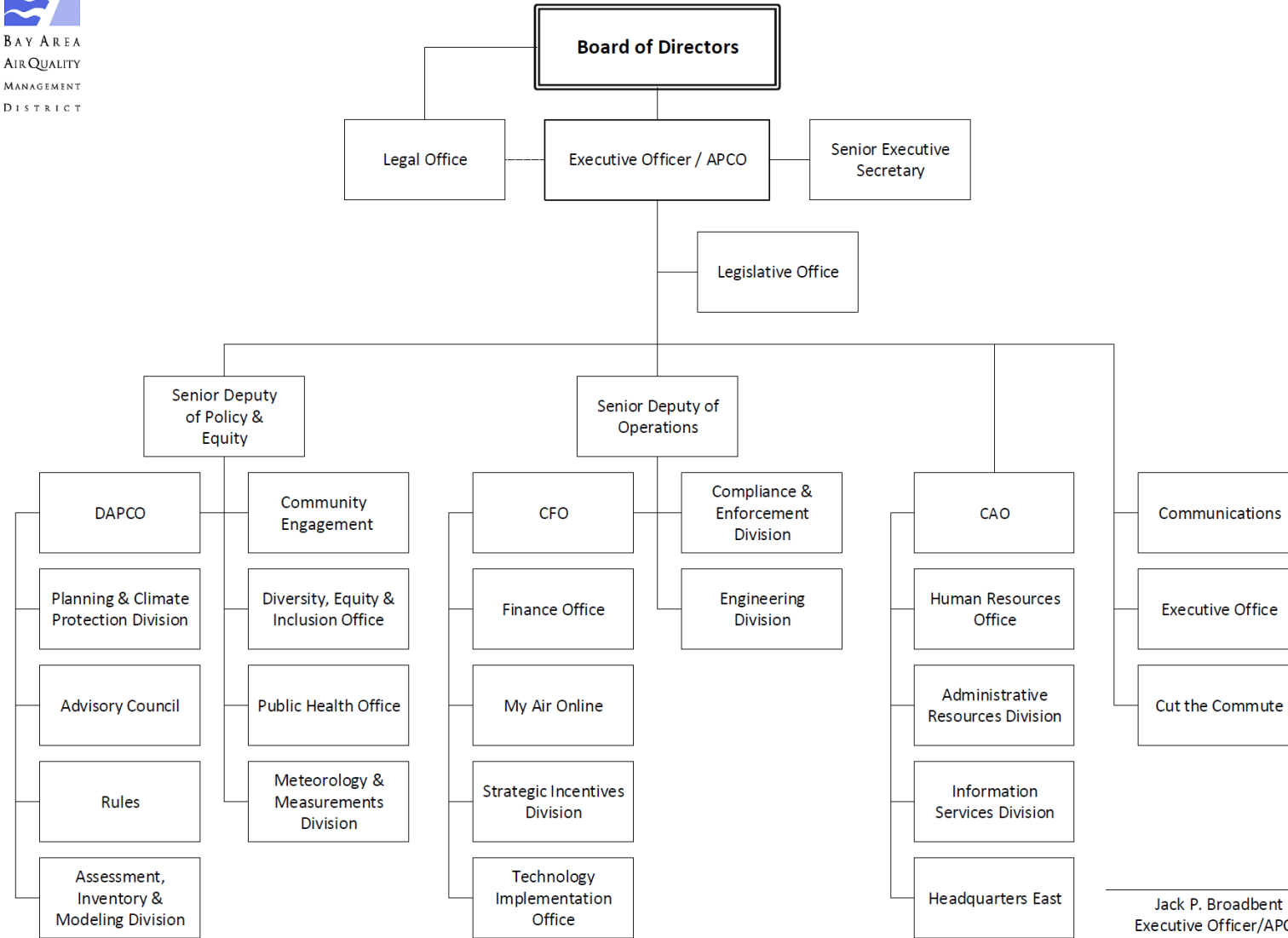
- **Board of Directors:**
 - Oversees policies and adopts regulations for the control of air pollution within the district.
 - Appoints the Air District's Executive Officer/Air Pollution Control Officer, who implements these policies and gives direction to staff, as well as the District Counsel, who manages the legal affairs of the agency.
- **Staff:**
 - Currently budgeted for 414 staff members, including engineers, inspectors, planners, scientists, and other professionals.
- **Advisory Council:**
 - Provides input to the Board and the Executive Officer on air quality matters.
- **Hearing Board:**
 - Independent, five-member body that serves to adjudicate regulatory compliance issues that may arise between the Air District and local industries and hears appeals of permitting decisions made by the Executive Officer.



-- For Internal Use only --

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Bay Area Air Quality Management District Organizational Chart



Jack P. Broadbent
Executive Officer/APCO
Updated: 01/11/2021

Senior Deputy Executive Officers



Veronica Eady

Senior Deputy Executive Officer of Policy & Equity

Damian Breen

Senior Deputy Executive Officer of Operations

Deputy Air Pollution Control Officers (DAPCOs)



Jeff McKay
Chief Financial Officer

Rex Sanders
Chief Administrative Officer

Greg Nudd
DAPCO of Policy

Alan Abbs
Legislative Officer

Accessing Board Materials



- Board Materials emailed prior to each meeting with instructions
- Recommend installing Adobe Reader and downloading Agenda PDFs
- Presentations and Agendas available from BAAQMD website
- New Agenda System in development for 2021

Accessing Board Materials



Coming Together
2019 Annual Report
VIEW REPORT

Air Pollution Complaints Permitting Asbestos Job Requests Grant Applications Public Data Center News / Events / Calendar

AIR DISTRICT WEB STREAMING

UPCOMING ARCHIVED

NEW Path to Clean Air CERP Design Team
STREAMING LIVE ON 1/12 AT 6:00 PM
[Meeting Details](#)

UPDATED Board of Directors Special Meeting
STREAMING LIVE ON 1/13 AT 9:30 AM
[Agenda](#) (818 Kb PDF, 24 pgs)

spare the air
Tuesday 1/12
NO ALERT
[Learn more...](#)
[Air Quality Widgets](#)

Accessing Board Materials



Accessing Board Materials



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BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT


BOARD OF DIRECTORS
SPECIAL MEETING/BOARD ORIENTATION
January 13, 2021

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

Accessing Board Materials



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BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**BOARD OF DIRECTORS
SPECIAL MEETING/BOARD ORIENTATION
January 13, 2021**

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GOVERNOR GAVIN NEWSOM**

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

Bookmarks

- Agenda_0_011321_bods
- MONCAL
- > Agenda_2_Covermin
- Agenda_2A_Draft_Minutes_SBOD_121...
- > Agenda_3_Covermin
- Agenda_3A_Draft_Minutes_Joint_1216...
- > Agenda_4_SSCCMtRpt_12172020
- Agenda_4A_SSCBackup_12172020
- > Agenda_5A_Introduction of the Air Dis...
- Agenda_5B_District Financial Overview
- > Agenda_5C_Air Quality Overview
- > Agenda_5D_Legal Authorities

Questions?





BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 5B

Overview of Air District Finances

**Board of Directors Special Meeting/Board Orientation
January 13, 2021**

**Jeff McKay
Chief Financial Officer
jmckay@baaqmd.gov**

Requested Board Action



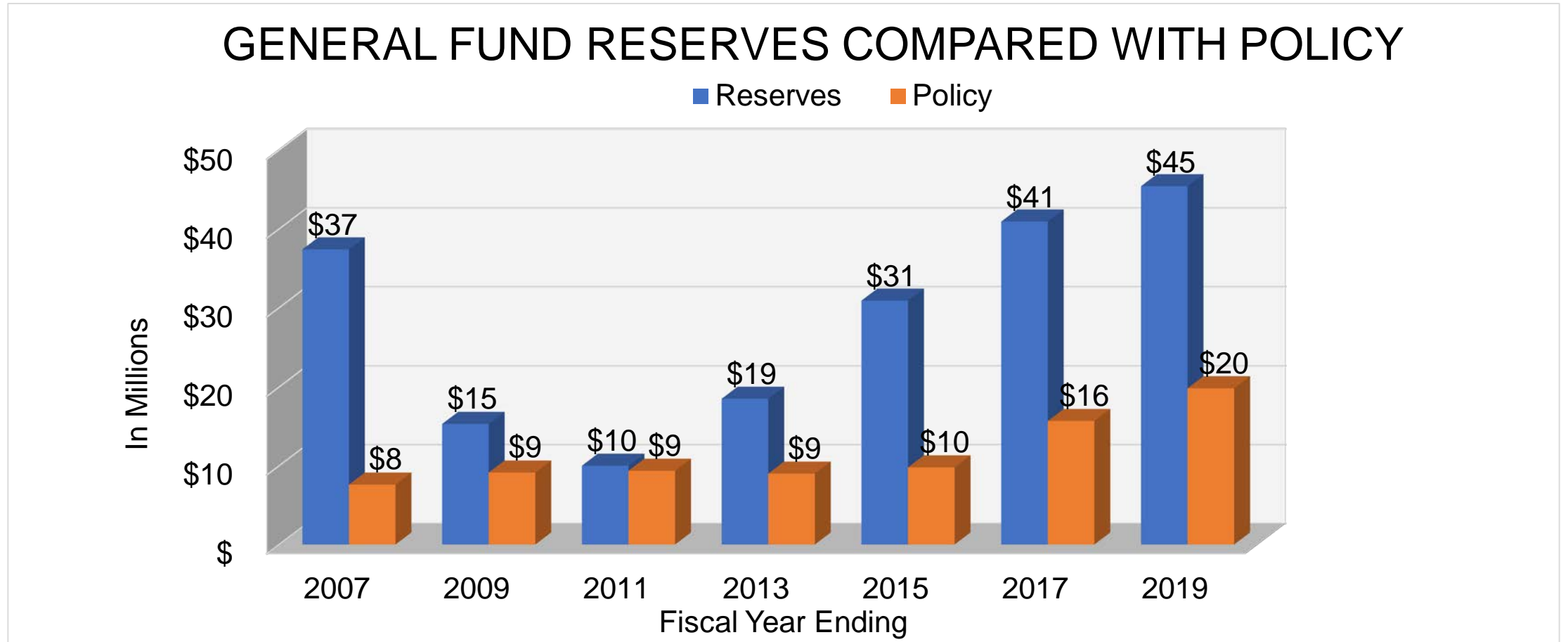
- Action Requested: None, Informational Only
- Outcome: Overview of Air District Finances

Outline



- Multi-Year Trends
- Brief review of Fiscal Year Ending (FYE) 2021 Budget
- Discussion of some tools used to deal with economic downturns
- Fees and Cost Recovery

Actual Reserves & Policy (Excludes Building Proceeds)

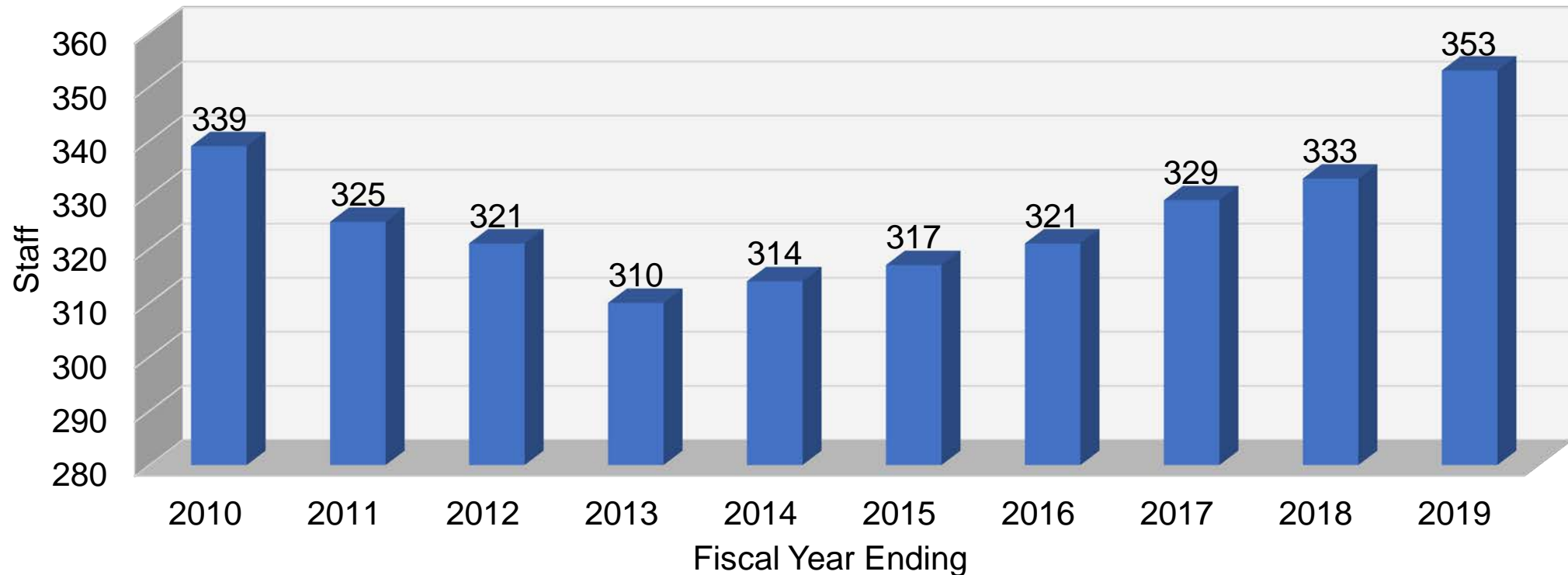


Staffing Trend-Filled Positions

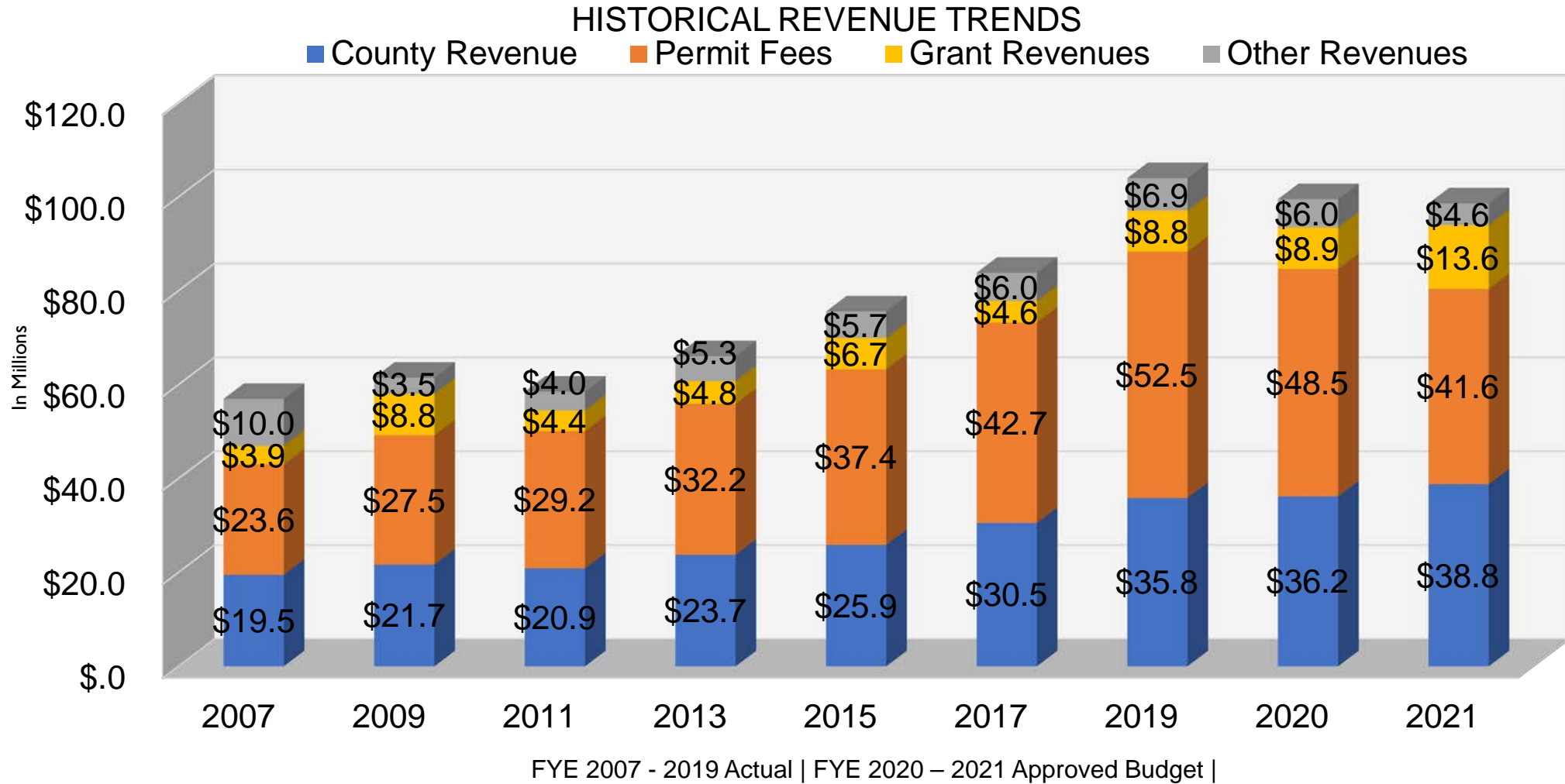


As of January 2021: total approved 414 Full-Time Equivalent

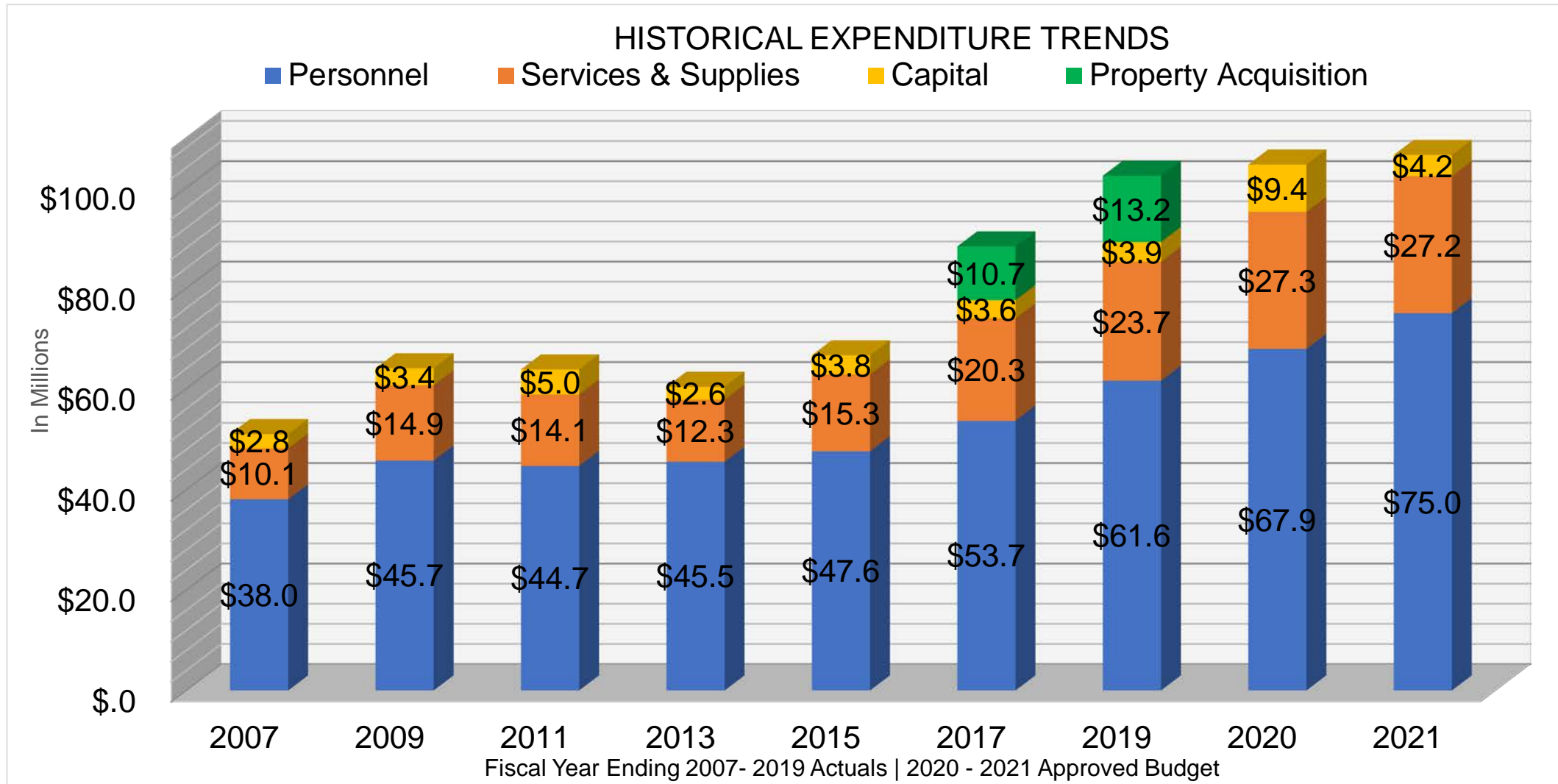
ACTUAL STAFFING LEVELS



General Fund Revenue Trend



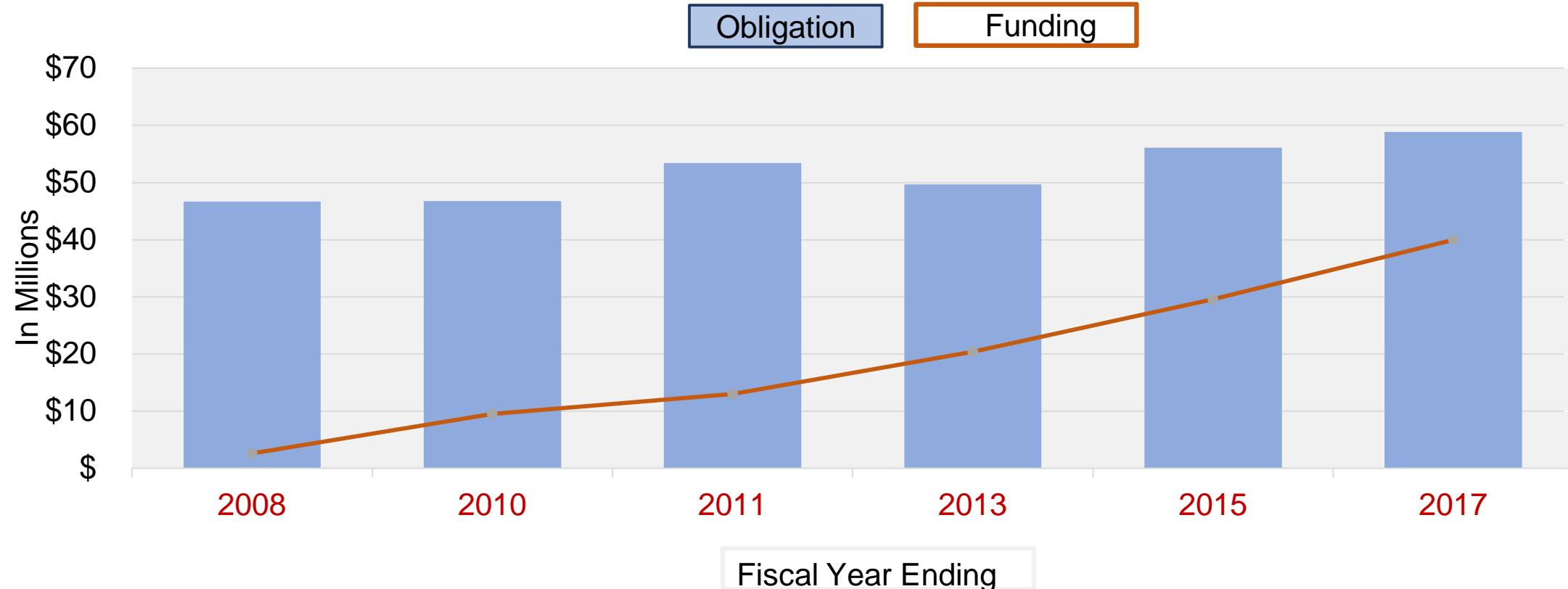
General Fund Expenditure Trend



Medical Retirement Other Post Employment Benefits (OPEB)



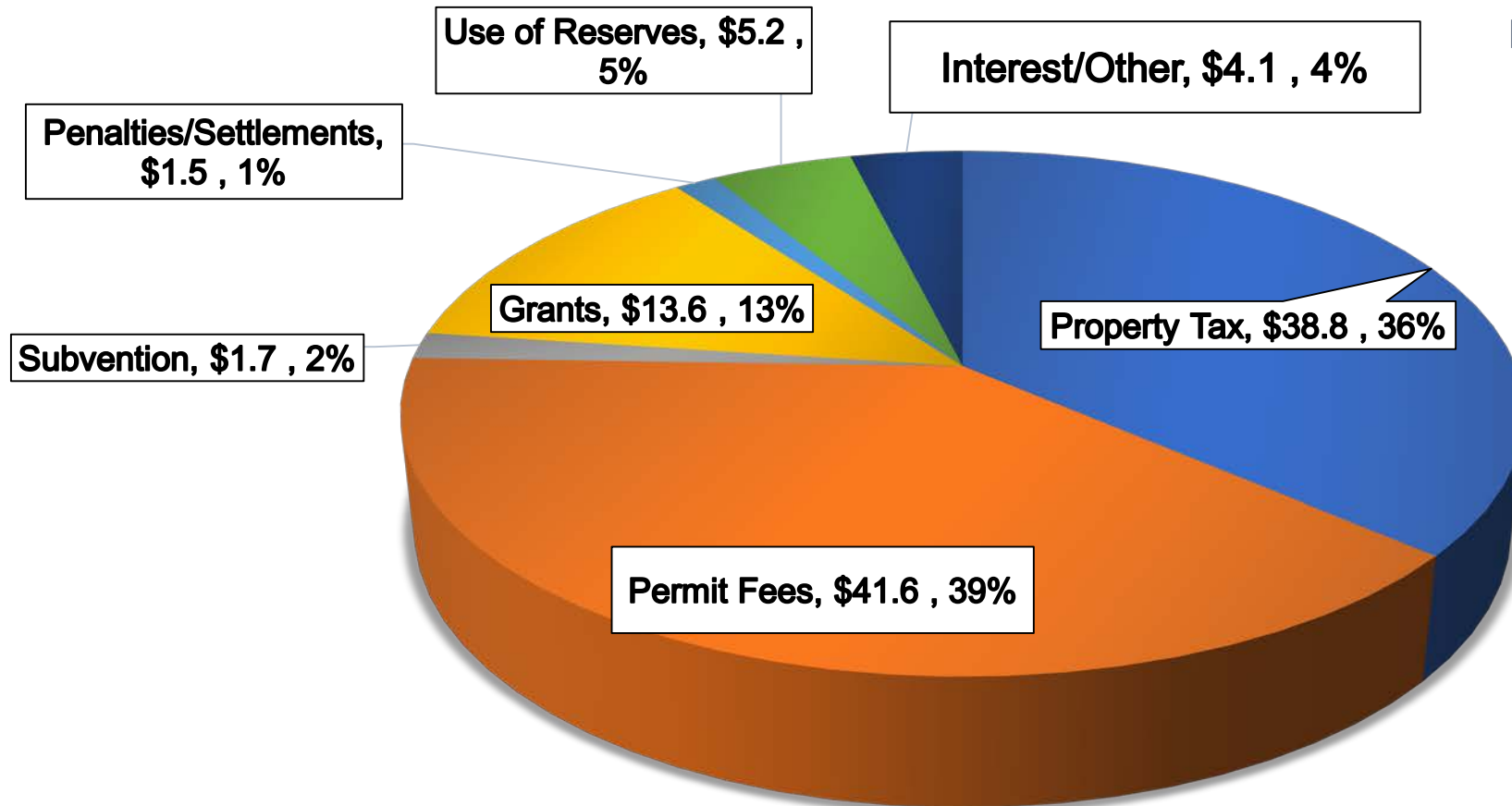
OPEB HISTORICAL FUNDED STATUS



General Fund Revenue Sources FYE 2021 Budget

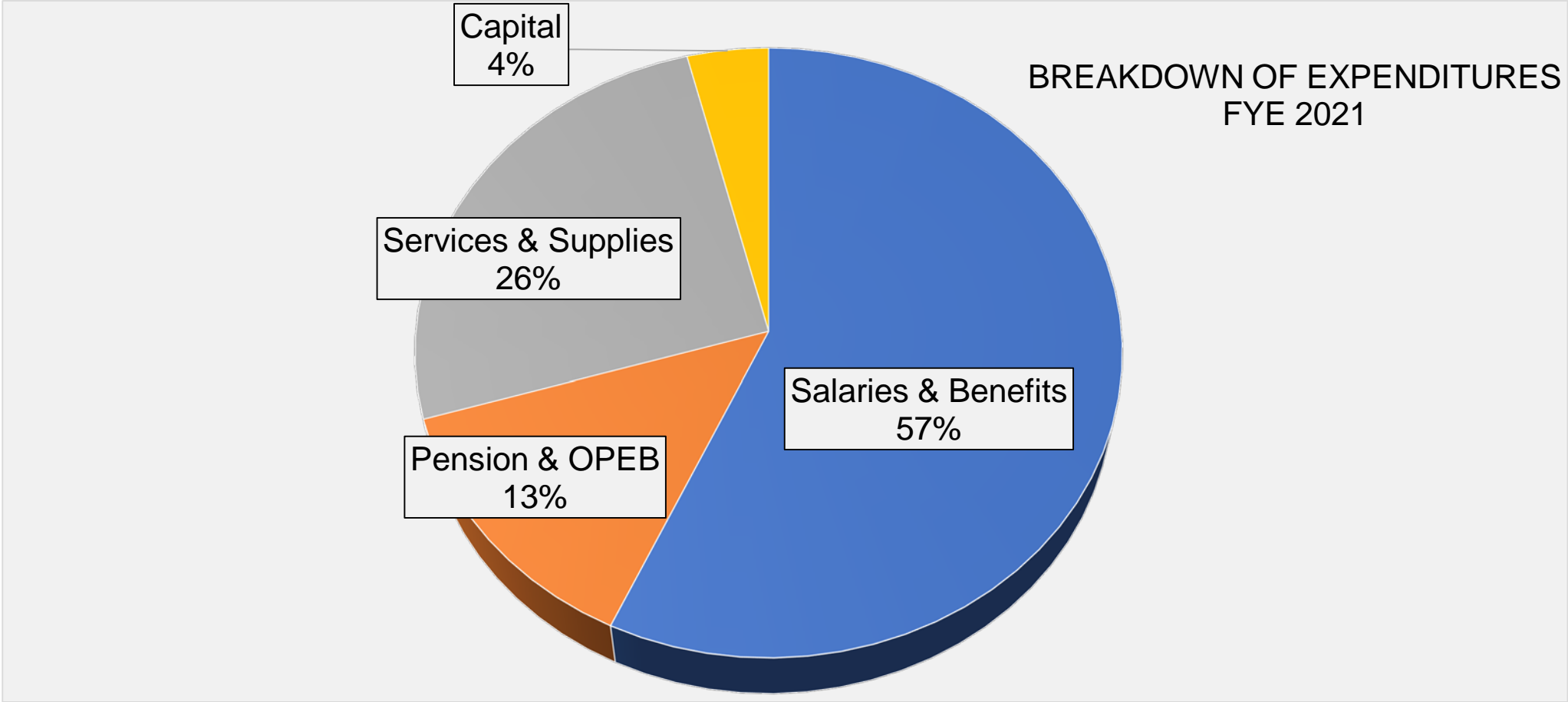


Breakdown of Revenues
FYE 2021 (in Millions)



■ Property Tax ■ Permit Fees ■ Subvention ■ Grants ■ Penalties/Settlements ■ Use of Reserves ■ Interest/Other

General Fund Expenditures FYE 2021 Proposed Budget



FYE 2021 Adopted Budget Summary



- Budget Balanced with Use of \$5 Million (M) from Reserves
- 414 Budgeted Positions
- No Amendment to Existing Fee Schedules
- New Fee Schedule: Assembly Bill (AB) 617, \$1M / year
- No Increase in Services and Supplies
- Includes 3.1% Cost of Living Adjustment (COLA)
- \$1 M Annual Contribution for Pension (designated but deferred funding)
- \$4 M Annual Contribution for OPEB (designated but deferred funding)

Actions Taken During Downturns



- Reserves Used for General Fund Expenditures
- Vacancies Unfilled (Staff Reduction through Attrition)
- Postponed Expenditures
- Deferred Capital Investment
- Initiated Cost Recovery Policy
- Continued Discretionary Funding of Retirement Liabilities

Cost Recovery Background



- Air District has authority to assess fees to recover the reasonable costs of regulating stationary sources
- Board of Directors set goal of increasing cost recovery to a minimum of 85%
- Fee amendments will be made in consideration of cost recovery analyses conducted at the fee schedule-level
- Filling vacancies and new/enhanced programs reduce cost recovery
- Cost recovery has gone from 65% in 2011 to 86% in 2019



BAY AREA
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AGENDA: 5C

Air District and Air Quality Overview

Board of Directors Special Meeting/Board Orientation
January 13, 2021

Ranyee Chiang, Ph.D., Director of Meteorology and Measurement
rchiang@baaqmd.gov

Henry Hilken, Director of Planning and Climate Protection
hhilken@baaqmd.gov

Requested Board Action



- Action Requested: None, Informational Only
- Outcome: Overview of Air Quality and the Air District's role

Presentation Outline



- ▶ Air District Mission
- ▶ Basics of Air Quality (AQ) and Climate
- ▶ Measurement and Modeling
- ▶ Focus on communities
- ▶ Plans
- ▶ Toolkit to Reduce Emissions

Mission



Create a healthy breathing environment for every Bay Area resident while protecting and improving public health, air quality, and the global climate



Air Pollutants and Their Impacts



Typical Bay Area Sources	Gaseous Air Pollutant	Air Pollutant Category		Impact		
		U.S. EPA Criteria Pollutant	Air Toxic	Odor	Climate	Health
	Ground-level Ozone	✓				••
	Carbon Monoxide	✓				••
	Nitrogen Dioxide	✓				••
	Sulfur Dioxide	✓		○		••
	Carbon Dioxide				•••	
	Methane			○	•	•
	Fluorinated Gases				•	
	Hydrogen Sulfide		✓	○		••

- Transportation, Vehicle Exhaust & Road Dust
- Railways & Railyards
- Airport & Small Aircraft Operations
- Marine Shipping Terminals
- Chemicals Manufacturing & Processing
- Waste Management, Transfer, & Landfills
- Petrochemical Refining, Storage, & Transport
- Power Generation
- Metal Melting, Recycling, & Scrapyards
- Water Management
- Residential Wood Combustion

✓ Member of Category ○ Unquantified Impact • Low Impact •• Medium Impact ••• High Impact

Air Pollutants and Their Impacts (cont.)

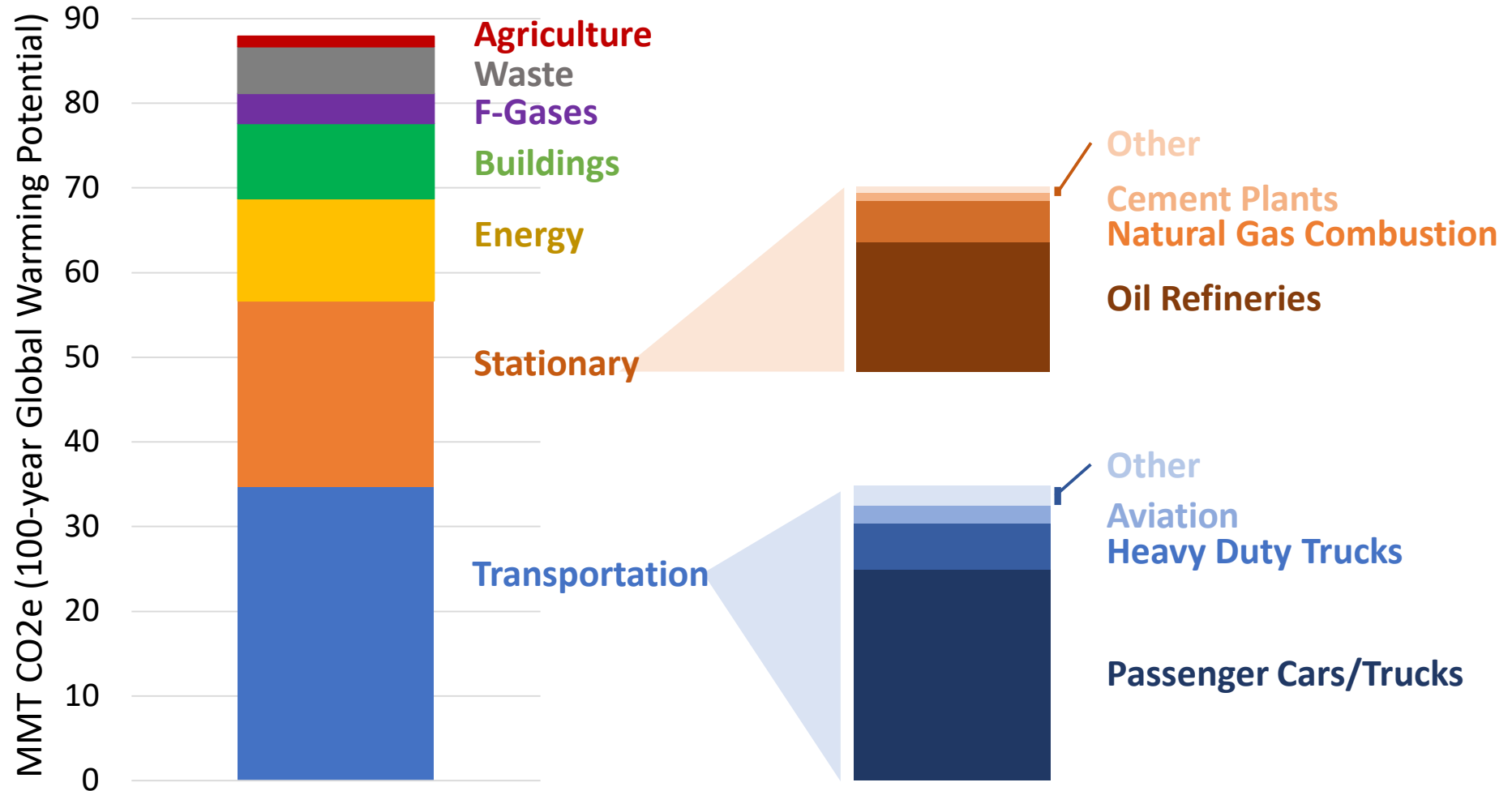


Typical Bay Area Sources	Particle or Volatile Air Pollutant	Air Pollutant Category		Impact		
		U.S. EPA Criteria Pollutant	Air Toxic	Odor	Climate	Health
	Particulate Matter	✓			•	•••
	Diesel PM		✓		••	•••
	Ultrafine PM					•••
	Metals		✓	○		•••
	Lead	✓	✓			•••
	Volatile Organic Compounds		✓	○	•	•••
	Polycyclic Aromatic Hydrocarbons		✓	○		•••

- Transportation, Vehicle Exhaust & Road Dust
- Railways & Railyards
- Airport & Small Aircraft Operations
- Marine Shipping Terminals
- Chemicals Manufacturing & Processing
- Waste Management, Transfer, & Landfills
- Petrochemical Refining, Storage, & Transport
- Power Generation
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- Residential Wood Combustion

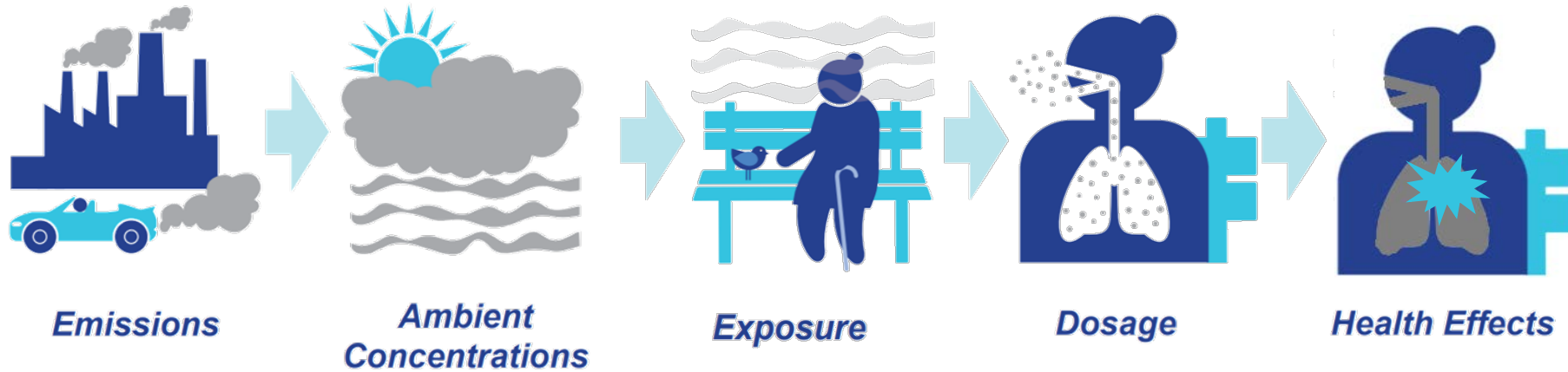
✓ Member of Category ○ Unquantified Impact • Low Impact •• Medium Impact ••• High Impact

Bay Area Greenhouse Gas (GHG) Emissions



2017 GHG Emissions Inventory Report
 (with measurements-based revisions to methane estimates)

Air Pollution Terms



Measurements Throughout the Bay Area



Facilities

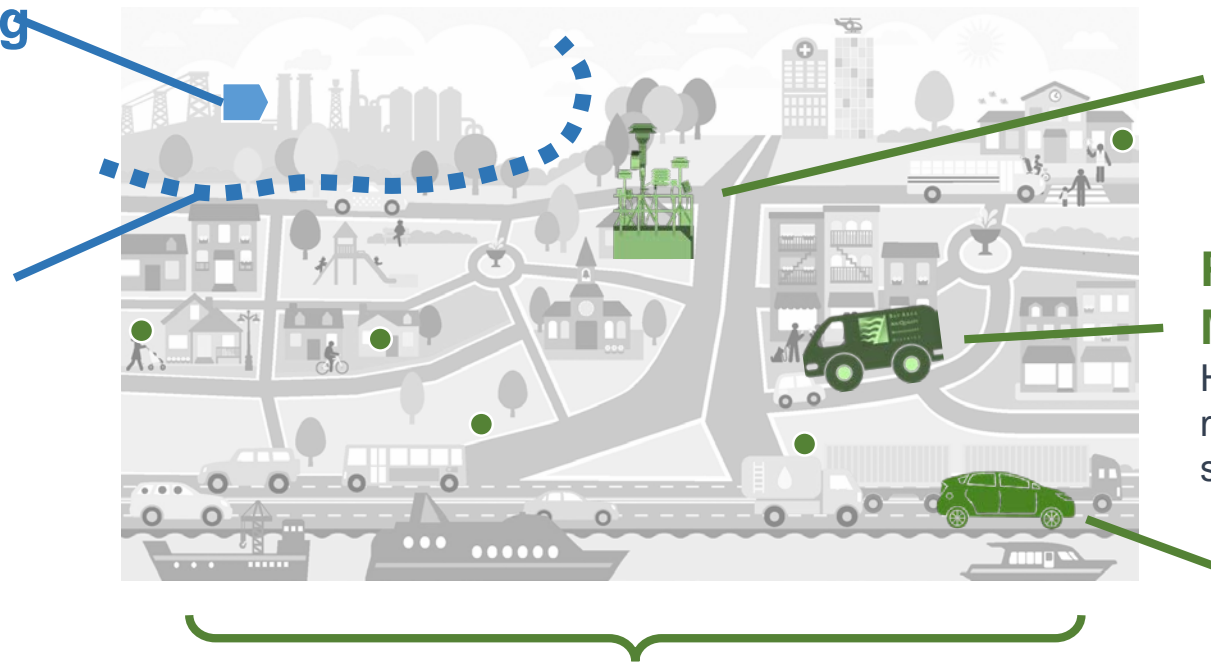
Communities

Source Testing

Emissions from facilities (e.g. stack)

Fence line Monitoring

Facility emissions that may impact communities



Regional Network

High accuracy equipment at ~30 stations in the Bay Area

Portable/Mobile Monitoring

High accuracy equipment on a moving vehicle or temporarily sited

Hyperlocal Monitoring

Medium accuracy equipment to measure block-by-block air pollution for an annual average

Sensor Networks

Low cost, real-time sensors for higher density data, community-led science

Navigating Air Quality Information



Alerts and Advisories



Air Quality Data and Websites

- Air District Air Quality Data
- Environmental Protection Agency (EPA) AirNow
- EPA AirNow Fire and Smoke Map
- EPA Air Data
- PurpleAir
- Clarity
- Aclima Insights
- Refinery Monitoring

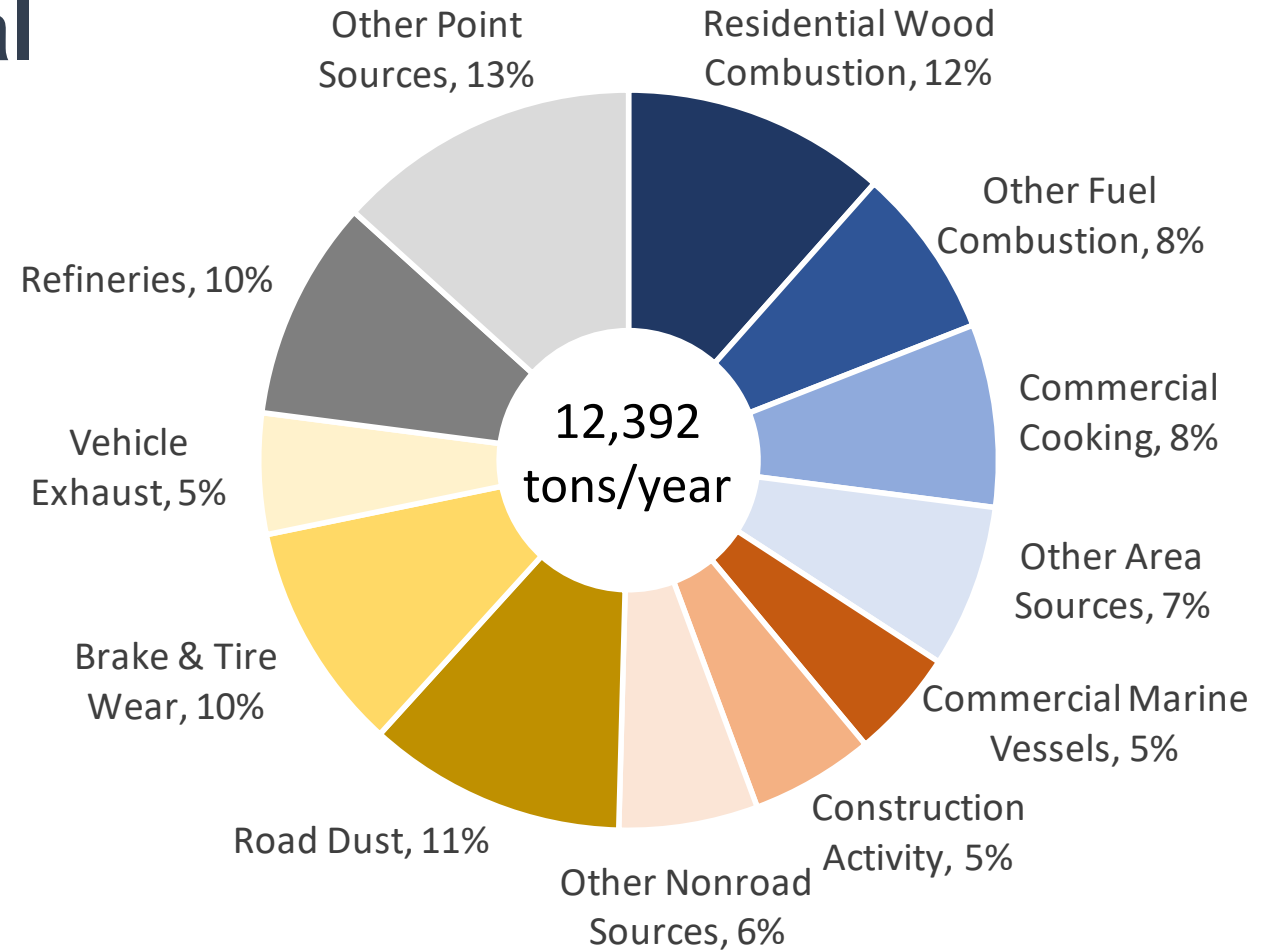
Multiple goals to answer different questions and for different audiences

- Multiple timescales and geographical coverage
- Multiple ways of collecting, analyzing, reporting, and visualizing data

Emissions Inventory: Estimates of Sources of Air Pollution



Example: 2016 annual average Particulate Matter (PM)_{2.5} emissions



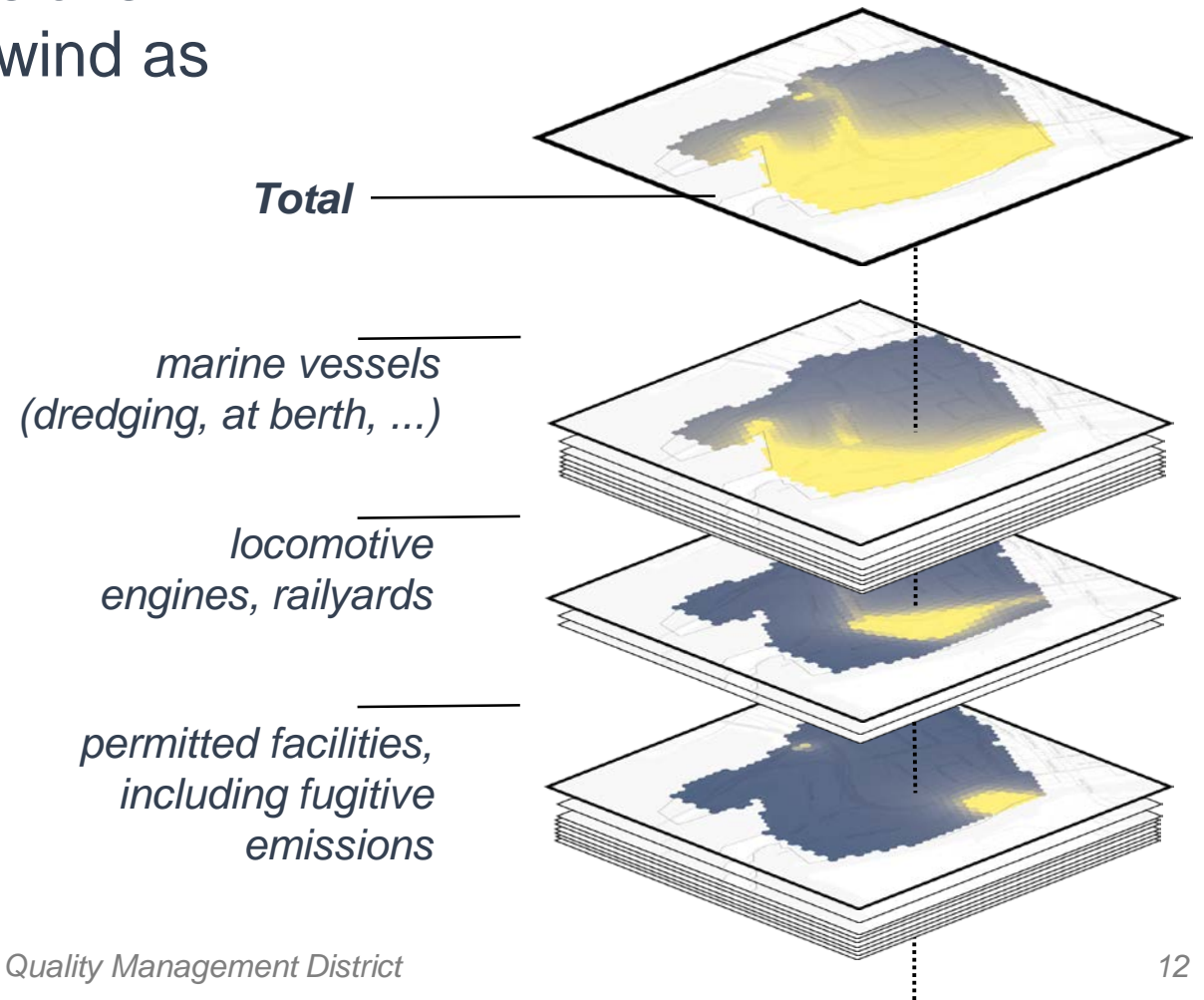
Air Quality Modeling: Understanding Pollutant Behavior, Exposure, Health Impacts



Computational simulation using emissions inventory, air quality measurements, wind as inputs

Example modeling question:

How do different sources of pollution contribute to air quality in a community (source apportionment)?



Community Engagement: Collaborative Relationships to Support Air District Mission



**Assembly
Bill 617**



**Community
Grants**



**Youth
Engagement**



**Community Eng
agement Guideli
nes and Training**

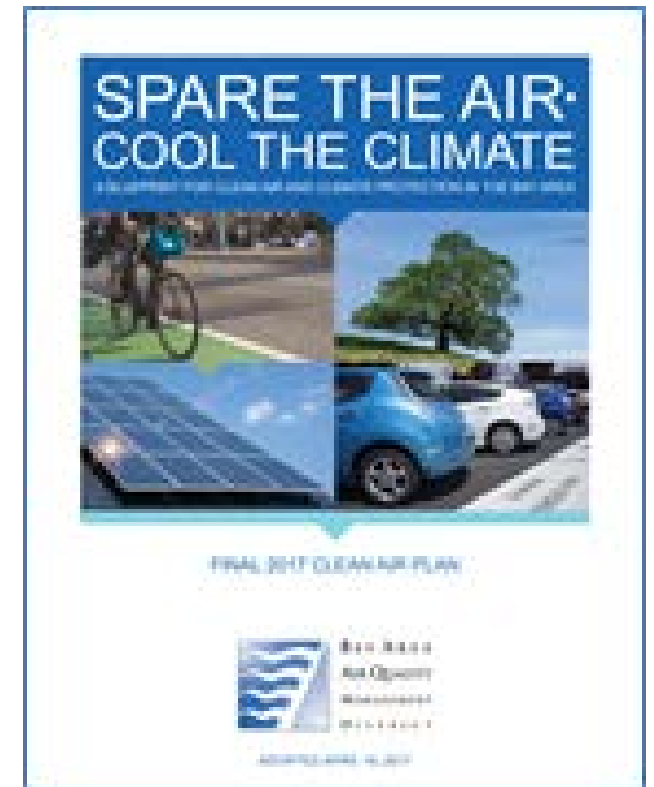
2017 Clean Air Plan



Regional AQ plan prepared pursuant to California Clean Air Act
Multi-pollutant plan to update 2010 Clean Air Plan

A comprehensive strategy of 85 measures to:

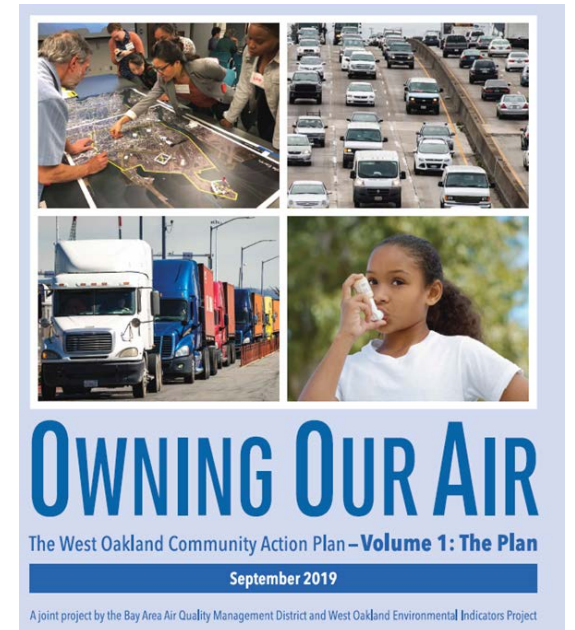
- reduce ozone and fine particles throughout the region
- reduce air toxics in impacted communities
- reduce GHGs toward long-range targets
 - "40% below 1990 levels by 2030
 - "80% below 1990 levels by 2050



Assembly Bill (AB) 617 – Plans Go Local



- AB 617 requires Air District to partner with communities to better understand local air pollution & health and to prepare plans to improve local conditions
- West Oakland Community Action Plan
 - Partnership with West Oakland Environmental Indicators Project and Community Steering Committee
 - Hyper-local emissions estimates and exposure modeling
 - 89 strategies, plus Enforcement Plan
 - Actions needed by multiple agencies
- Richmond/San Pablo Community Monitoring Plan Completed; moving into Community Emissions Reduction Planning process
- Partnering with other impacted communities



Rule Development



Adopt and Implement Rules Applicable at New and Existing Sources

- Regulation 1: General Provisions & Definitions (1)
- Regulation 2: Permitting Rules (10)
- Regulation 5: Open Burning (1)
- Regulation 6: Particulate Matter (6)
- Regulation 7: Odorous Substances (1)
- Regulation 8: Organic Compound (49)
- Regulation 9: Inorganic Gaseous Pollutants (14)
- Regulation 10: Standards of Performance for New Stationary Sources (1)
- Regulation 11: Hazardous Pollutants (18)
- Regulation 12: Miscellaneous Standards of Performance (15)
- Regulation 14: Mobile Source Emissions Reduction Measures (1)



Engineering Staff Issues Air Quality Permits

- Permitting for over 10,000 facilities with over 24,000 sources
- Evaluate 1,200 applications per year for new and modified source
- Conduct 300 health risk assessments per year for new and existing facilities
- Issue Authorities to Construct, Permits to Operate, Registrations & Exemptions
- Maintain emissions inventory for permitted facilities: GHG, criteria pollutants and toxics
- Maintain Federal Title V Permits for 83 facilities
- Protects public health by setting stringent health risk action levels for new and modified sources and existing facilities

Compliance and Enforcement



Compliance and Enforcement Staff Assures Air District Rules and Permits are Implemented Effectively

- Issue compliance advisories
- Compliance assistance – small & green business assistance
- Industry Compliance School
- Inspections
- Investigate complaints
- Variances
- Issue Notices of Violations
- Partner with communities to identify sources of concern
- Partner with interagency environmental task force programs

Collaborating Statewide and Regionally



- Work with California Air Resources Board (CARB), Office of Environmental Health Hazard Assessment (OEHHA), other State agencies, and other air districts
 - Participate in CARB rulemaking
 - Assist enforcement of CARB rules
 - Work with CARB & OEHHA staff on policy, funding, advocacy, science
 - Coordinate with other districts via California Air Pollution Control Officers Association (CAPCOA)

Collaborating Statewide and Regionally, (cont.)



- Work with Bay Area Regional Collaborative (BARC), Metropolitan Transportation Commission (MTC)/Association of Bay Area Governments (ABAG), San Francisco Bay Conservation and Development Commission (BCDC) to coordinate regional programs
 - Support and implement Plan Bay Area
 - Coordinate policy and funding re: ports, other mobile source programs
 - Implement Commuter Benefit Program
 - Collaborate on climate, e.g., solar ordinance, VMT reduction

Collaborating With Cities and Counties

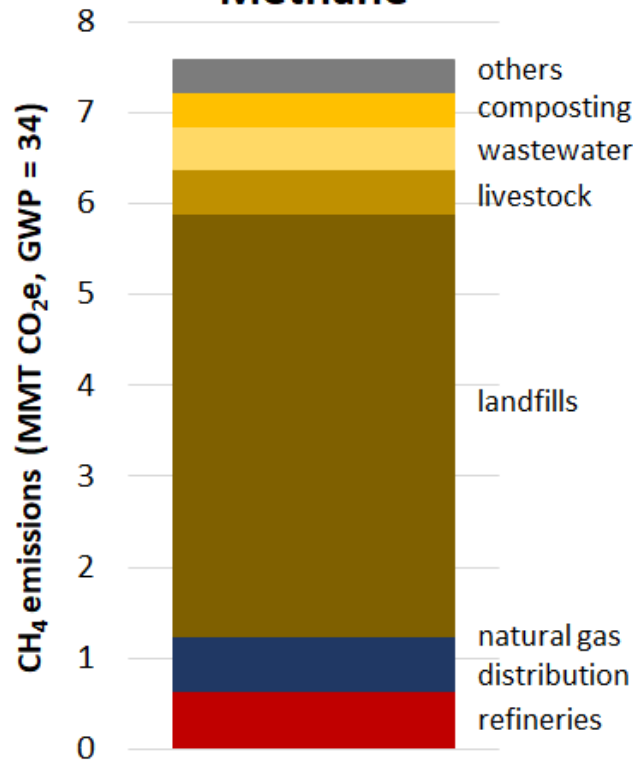


- Implement California Environmental Quality Act (CEQA)
 - CEQA Guidelines
 - Review & comment on CEQA docs
- Support local plans, policies and programs
 - Plan & policy guidance, best practices, technical support
 - Climate action plans, GHG data & policies
- Grants & incentives support local clean air projects
- Collaborate on AB 617 planning and other community capacity-building efforts
- Wildfire response, industrial incidents

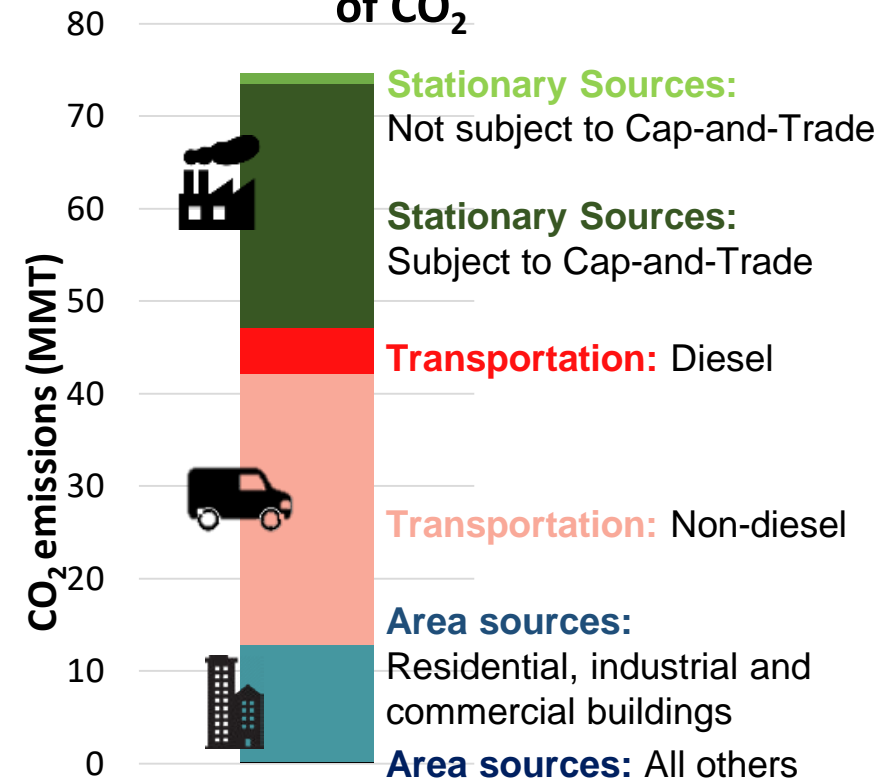
Bay Area GHG Emissions - Examples



Major Source Categories of Methane



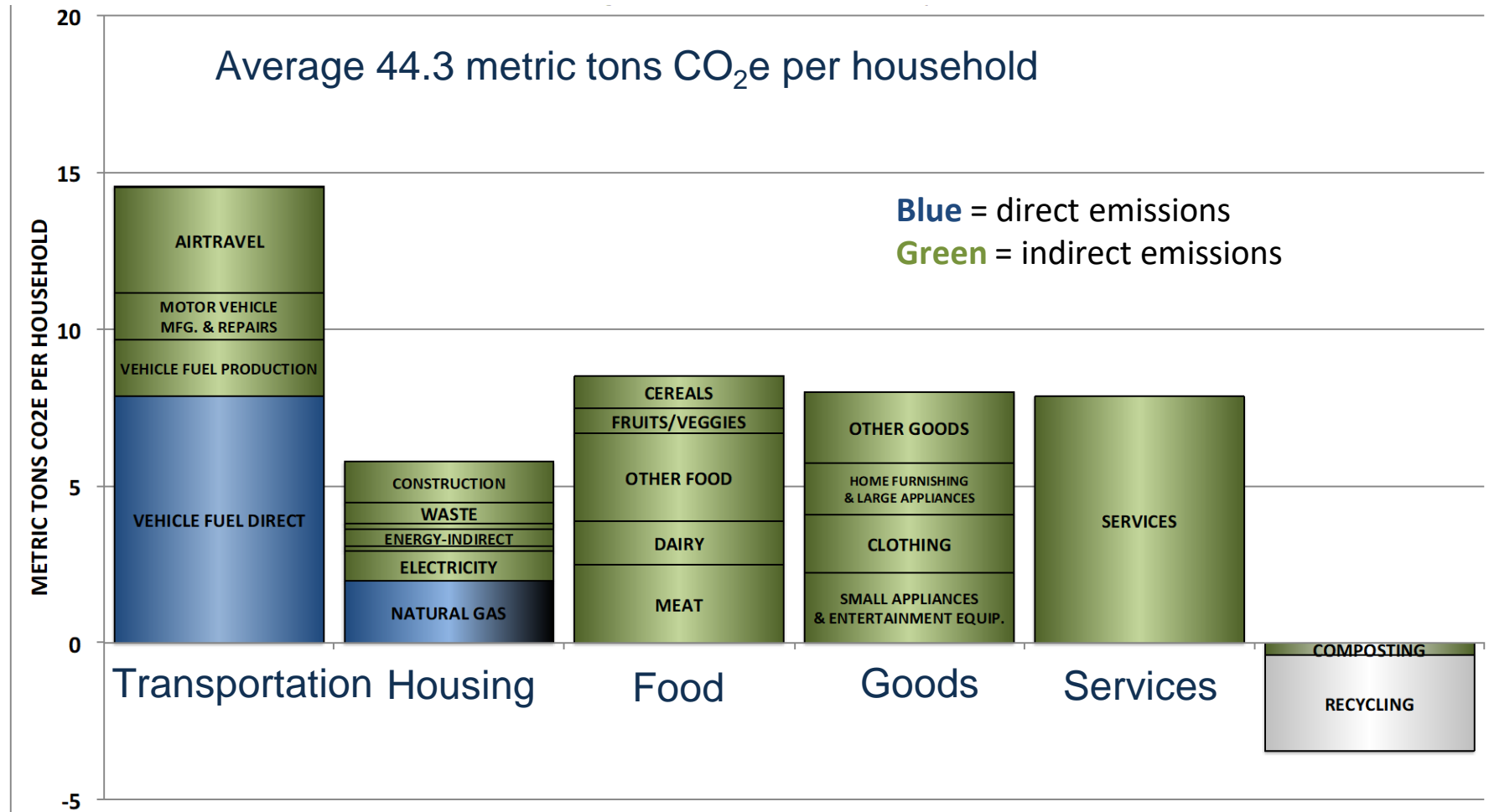
Major Source Categories of CO₂



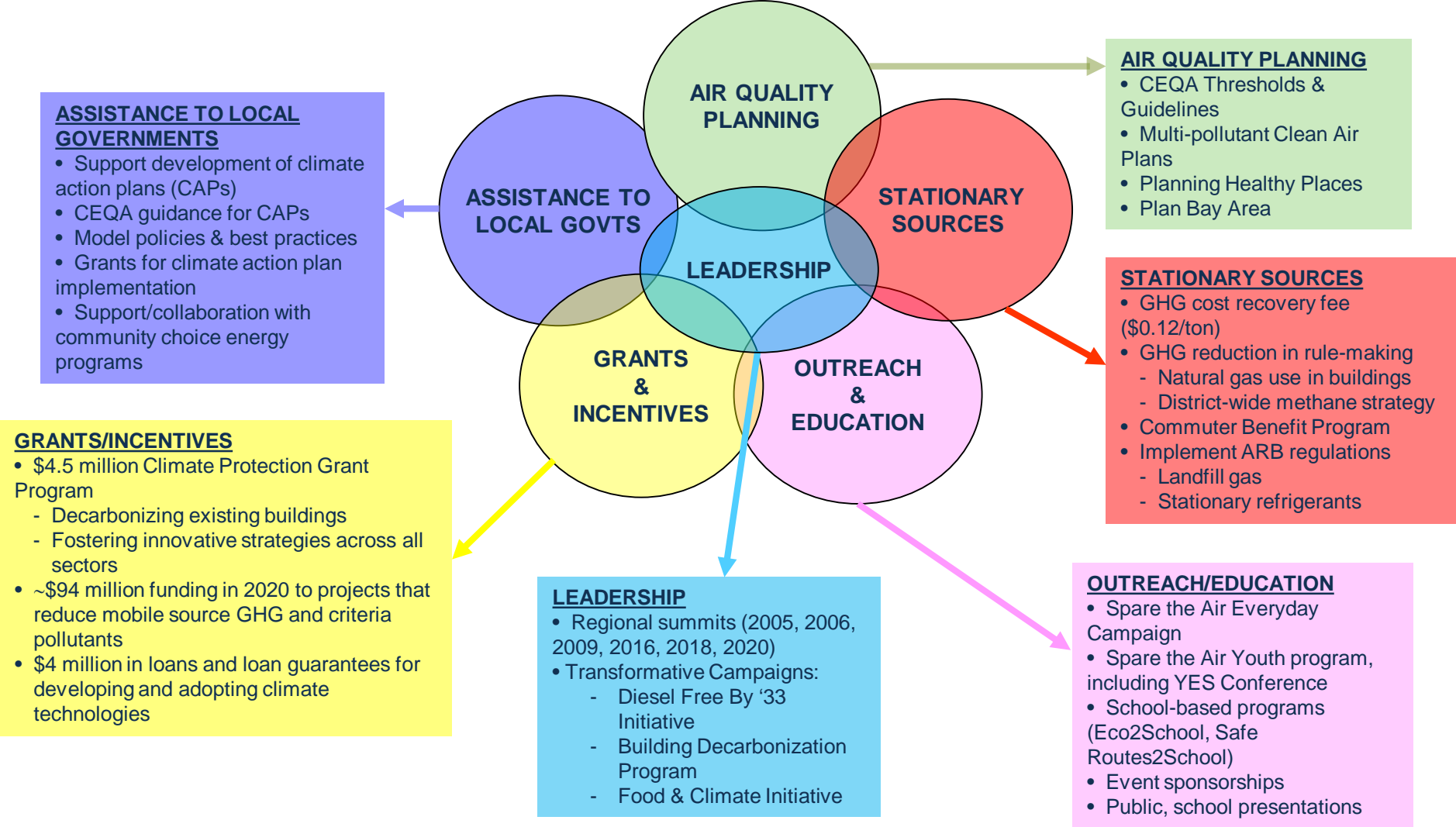
Consumption-based GHG Emissions



SF Bay Area Average Household GHG Footprint



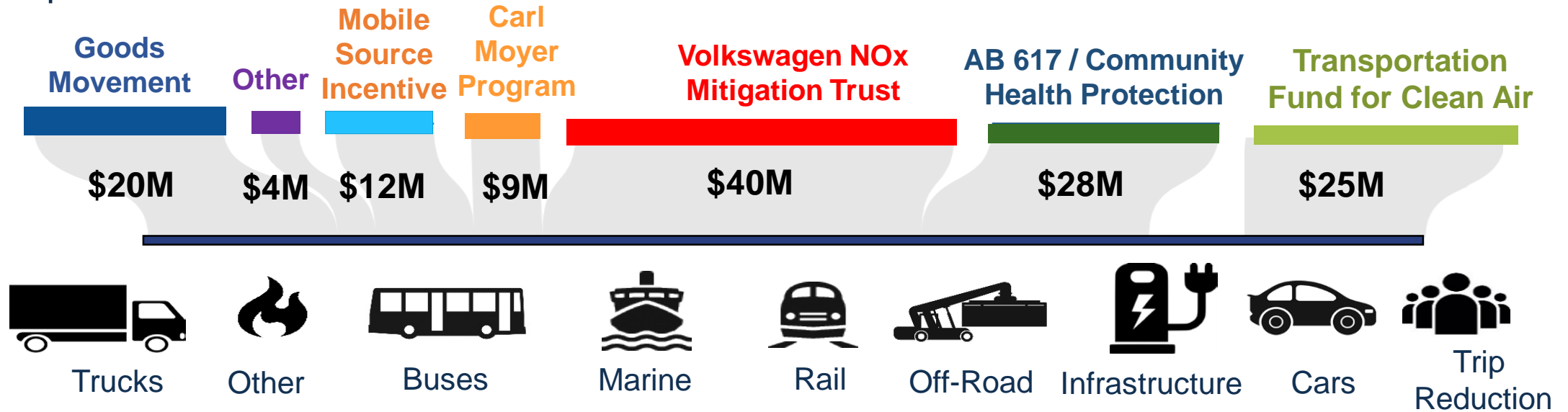
Climate Protection Program



Incentives: Grants for Clean Air & Climate Solutions



- ~\$84 million (M) Funding awarded in 2020 for projects that reduce air pollution
- Focus on impacted communities--97% of Community Health Protection funds (\$26.7M) benefiting disadvantaged and low-income communities, including West Oakland & Richmond
- **\$138M new revenue available for FYE 2021**



*Carl Moyer category includes revenue from: Carl Moyer, Carl Moyer Statewide Funds, Funding Agricultural Replacement Measures for Emission Reductions (FARMER)

Incentives: Innovative Financing for Innovative Technologies



Working Capital for Business Growth: 90% loan guarantees
Loans for Buying Climate Tech: low-interest loans up to \$30M

Funded Projects: renewable microgrids, zero-emissions ferry



Approved Projects: residential batteries, advanced Electric Vehicle (EV) chargers, demand response software, low-carbon concrete, in-road energy recovery, data center cooling



Communications: Promoting Behavior Change



Spare the Air

- 2020 - Record number of Spare the Air Alerts
- New remote work campaign
- Launched Cut the Commute Pledge
- New Smoke is Smoke campaign



Media Relations



Wildfires & Incidents



Contact the Air District



General Business: (415) 749-5000

Complaints: (800) 334-ODOR

Winter Spare the Air Alerts: (877) 4-NO-BURN

Air Quality Info: (800) HELP AIR

Report Smoking Vehicles: (800) EXHAUST
(394-2878)



www.baaqmd.gov
www.sparetheair.org



[@airdistrict](https://twitter.com/airdistrict)



www.facebook.com/bayareaairdistrict



[@bayareaairdistrict](https://www.instagram.com/bayareaairdistrict)



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 5D

Air District Legal Authorities 101

Board of Directors Special Meeting/Board Orientation
January 13, 2020

Brian C. Bungler
District Counsel
bbunger@baaqmd.gov

Requested Board Action



- Action Requested: None, Informational Only
- Outcome: Overview of Air District Legal Authorities

Air Quality Problems



➤ Criteria Pollutants

➤ Federal and California: ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, particulate matter, lead

➤ California only: sulfates, hydrogen sulfide, vinyl chloride

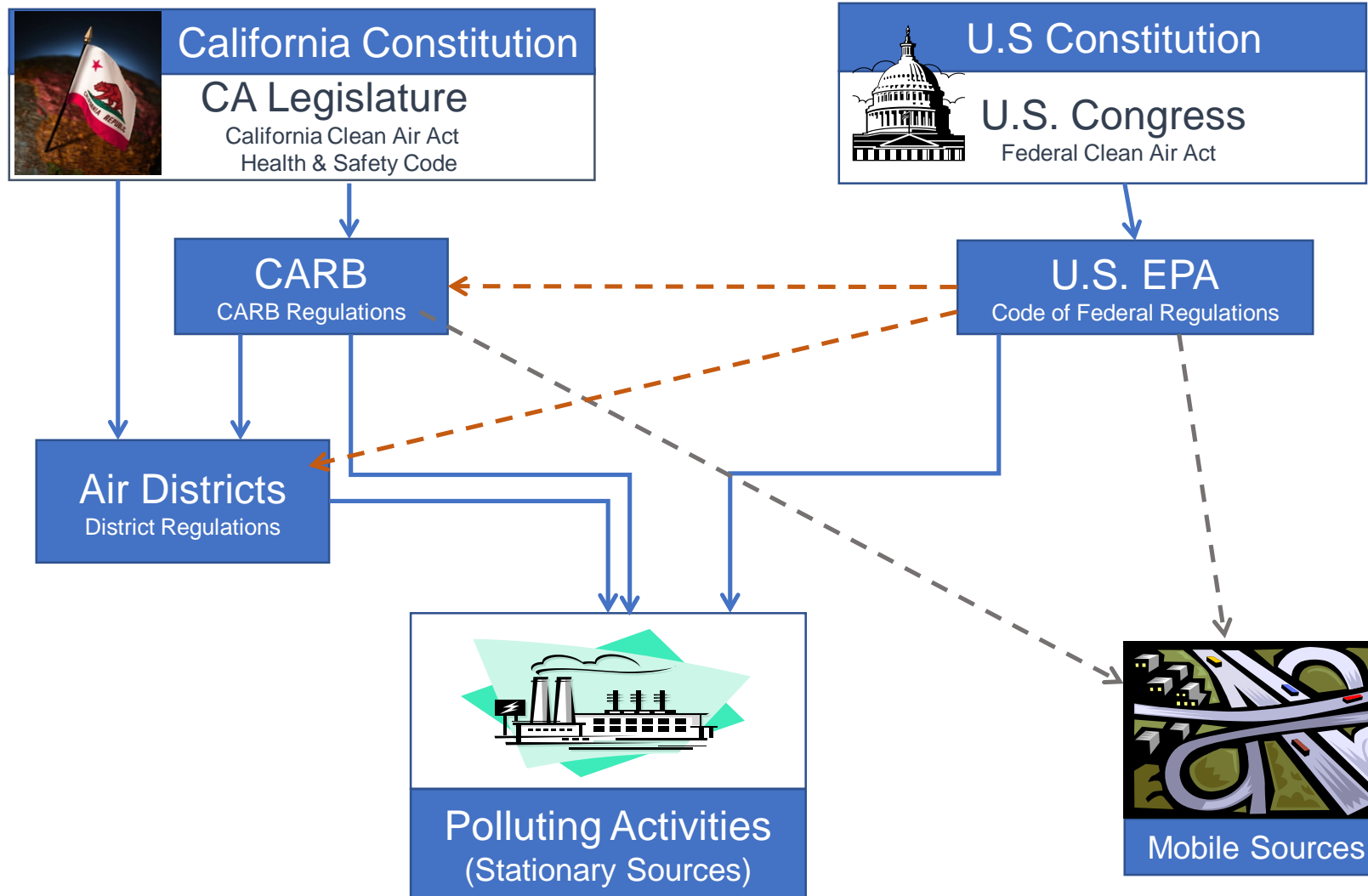
➤ Air Toxics

➤ Federal: hazardous air pollutants (HAPs)

➤ California: toxic air contaminants (TACs)

➤ Greenhouse Gases (GHGs)

Regulatory Framework



District Authority



- Primary responsibility: control of air pollution from sources other than motor vehicles
- Powers to:
 - Adopt and enforce regulations
 - Require stationary source permits
 - Adopt fees
 - Adopt air toxic control measures
 - Regulate nuisances
 - Prohibit dark smoke
 - Adopt state nonattainment plans
 - Adopt regulations necessary to execute duties

Roles of Board and Staff



- Board Responsibilities:
 - Set policy
 - Adopt budget and fees and approve expenditures
 - Adopt plans
 - Adopt regulations
 - Appoint the Air Pollution Control Officer and Counsel

Roles of Board and Staff (cont.)



- **Staff Responsibilities:**
 - Appoint, direct, and supervise district staff
 - Issue permits
 - Enforce statutes, regulations and permit requirements
 - Develop plans for Board consideration
 - Develop regulations for Board consideration

Roles of Board-Appointed Bodies



- Hearing Board
 - Appeals of permitting decisions
 - By applicant
 - By third parties
 - Variance requests from regulated entities
 - Permit revocation requests from Air District staff
 - Abatement Order requests from Air District staff
- Advisory Council
 - Studies issues and provides advice at request of Board and staff

Criteria Pollutant Control - Planning



- Federal – federal attainment plans, e.g., 2005 Ozone Strategy
 - Must demonstrate attainment by a specified date
 - Plan Components
 - Inventory
 - Man-made (“anthropogenic”): stationary sources, area sources, motor vehicles
 - Natural (background/non-anthropogenic)
 - Modeling
 - Control strategy
 - “Commitments” for all source types
 - Penalties for failing to have plan
 - Joint adoption with Metropolitan Transportation Commission (MTC)

Criteria Pollutant Control – Planning (cont.)



- California – state attainment plans, e.g., 2017 Clean Air Plan
 - Must demonstrate 5% reduction in nonattainment pollutant emissions per year averaged over three years OR that District will implement “every feasible measure”
 - Plan components: stationary sources, transportation control measures, area/indirect
 - To be updated triennially

Criteria Pollutant Control – Planning (cont.)



- Differences from federal
 - Plan elements limited to those within District authority
 - Continuous improvement rather than target dates
 - Ranking of measures
 - No citizen suit provisions

Criteria Pollutant Control - Regulations



- Federal New Source Performance Standards
 - Detailed industry-specific regulations establishing emissions limits for specific items of equipment
 - Federal regulations directly applicable to sources
- District-Implemented Regulations Required by Federal and California Clean Air Acts
 - New Source Review Permit Program Requirements
 - Specific Regulatory Actions Committed to by District in Attainment Plans
- Additional District Regulatory Provisions

District Regulations



- Substantive requirements
 - Best Available Retrofit Control Technology (BARCT)
 - Feasible measure
 - Federal requirements if submitted into California state implementation plan
- Procedural requirements
 - Noticed hearing
 - Analysis of overlapping requirements
 - Socioeconomic impact analysis
 - Incremental cost analysis
 - Board must find that rule meets requirements of necessity, authority, clarity, consistency, nonduplication, and reference

Criteria Pollutant Control – Permits Pre-Construction Permits



- Pre-construction Permits for Major Sources
 - New Source Review – for non-attainment pollutants
 - Lowest Achievable Emissions Rate (LAER)
 - Emission Offsets – “No Net Increase” Requirement
 - “Prevention of Significant Deterioration” – for attainment pollutants
 - Best Available Control Technology (BACT)
 - Analysis of potential to cause violation of air quality standards
- Pre-construction Permits for Non-major Sources
 - Minor New Source Review
 - Incorporates all other applicable regulatory requirements

Criteria Pollutant Control – Permits (cont.)

Operating Permits & Equipment Registrations



- Operating Permit Requirements
 - District “Permit to Operate”
 - Incorporates conditions from Authority to Construct
 - Applies to all sources, including existing sources
 - “Title V” Operating Permit
 - Consolidates major facility permit requirements in a single document for transparency and ease of review
 - Can also require additional conditions to improve enforceability, e.g., enhanced monitoring
- Equipment Registration Requirements for Certain Sources That Do Not Require Permits
 - Small boilers
 - Restaurant char-broilers

Air Toxics Control



- Regulations
 - Federal – source category toxics standards
 - Example – Refinery MACT
 - Example – Aluminum and other non-ferrous foundries area source standard (ZZZZZZ)
 - California –
 - ARB air toxic control measures
 - California Toxics Hot Spots Program
 - AB 617 – Community monitoring and emission reduction plans

Air Toxics Control (cont.)



- Air District –
 - Air District source category toxics rules
 - Regulation 11, Rule 18 – reduction of air toxics risk from existing facilities
- Permits
 - Federal – Title V incorporates federal toxics requirements
 - Air District –
 - New Source Review of Toxic Air Contaminants
 - Incorporate source category toxics requirements

Greenhouse Gases (GHGs)



- Federal – Permit requirements for large emitters:
 - Requirements apply to facilities with emissions over the “major facility” threshold for some other regulated pollutant and a GHG increase of more than 75,000 tpy
 - “Prevention of Significant Deterioration” pre-construction permits
 - “Title V” Operating Permits

Greenhouse Gases (cont.)



- California – Various regulatory initiatives, including:
 - California Air Resources Board (CARB)'s Assembly Bill (AB) 32 implementation efforts (cap-and-trade, etc.)
 - Utilities' renewable energy portfolio standards ("RPS")
 - Motor vehicle tailpipe standards ("Pavley Bill")
 - AB 398 – Cap-and-Trade program authorized through 2030
 - 2030 Scoping Plan approved December 2017

Greenhouse Gases (cont.)



- Air District –
 - Assembly Bill (AB) 398
 - Removed Air District authority to regulate CO₂ at cap-and-trade facilities
 - Reaffirmed authority to otherwise regulate GHGs
 - Permit fees based on GHG emissions
 - Permit requirements for GHG emissions

Other Topics



- California Environmental Quality Act (CEQA)
- Senate Bill (SB) 375 – The Sustainable Communities Strategy and Climate Protection Act
- District Consultative Policy Role
 - Regional Transportation Plan (RTP)
 - Joint Policy Committee (JPC)/Bay Area Regional Collaborative (BARC)
- Prohibition on Public Nuisances
- Regulating Visible Emissions