AGENDA: 4A

Bay Area Air District

Backup Power Generation at Data Centers in the Bay Area

Community Advisory Council Special/Retreat Meeting

October 29, 2026

Ana Beard, Senior Air Quality Specialist, Regulatory Development Division

Xuna Cai, Supervising Air Quality Engineer, Engineering Division

Joseph Palmer, Principal Air Quality Specialist, Compliance & Enforcement Division

Abbreviations

AI: Artificial Intelligence
BACT: Best Available Control Technology
BUG: Backup Generator
CBO: Community-Based Organization
CERP: Community Emission Reduction Plans
CSC: Community Steering Committees
CO: Carbon Monoxide
CEQA: California Environmental Quality Act
DPM: Diesel Particulate Matter
EPA: Environmental Protection Agency
HRA: Health Risk Assessment
MW: Megawatts
NGO: Non-Governmental Organization
NOV: Notice of Violation
NOx: Nitrous Oxides
OBC: Overburdened Community
PM: Particulate Matter
POC: Precursor Organic Compound
TBACT: Best Available Control Technology for Toxics

Presentation Outline

- Overview of Data Centers and Backup Generators (BUGs)
- Permitting BUGs at Data Centers
- Compliance and Enforcement for BUGs at Data Centers
- Looking Forward - Rulemaking Considerations for BUGs

Bay Area Air District

Overview of Data Centers and Backup Generators (BUGs)

Ana Beard
Senior Air Quality Specialist
Regulatory Development Division

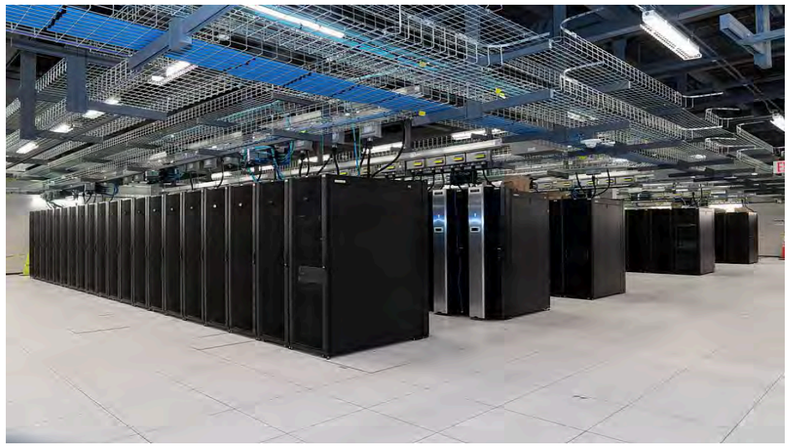
Overview of Data Centers

Data centers are physical facilities that house and run large networked computer systems and servers for the processing, storage, and distribution of large amounts of data

They support core applications like:

- *artificial intelligence (AI)*
- *autonomous vehicles*
- *e-commerce*
- *online communication*
- *cloud-based computing and storage*
- *content delivery and streaming*

Example of Exterior of a Data Center (Creative Commons)



Example of Interior of a Data Center (Creative Commons)

Permitting and California Environmental Quality Act (CEQA) for Data Centers

City and County: land use decisions and permits, CEQA lead agency for facilities less than 50 Megawatts (MW)

State: certification and CEQA lead agency for facilities over 50 MW

Air District: regulates and permits stationary air pollution sources at data centers, comments on CEQA projects

Other agencies: other permits as required

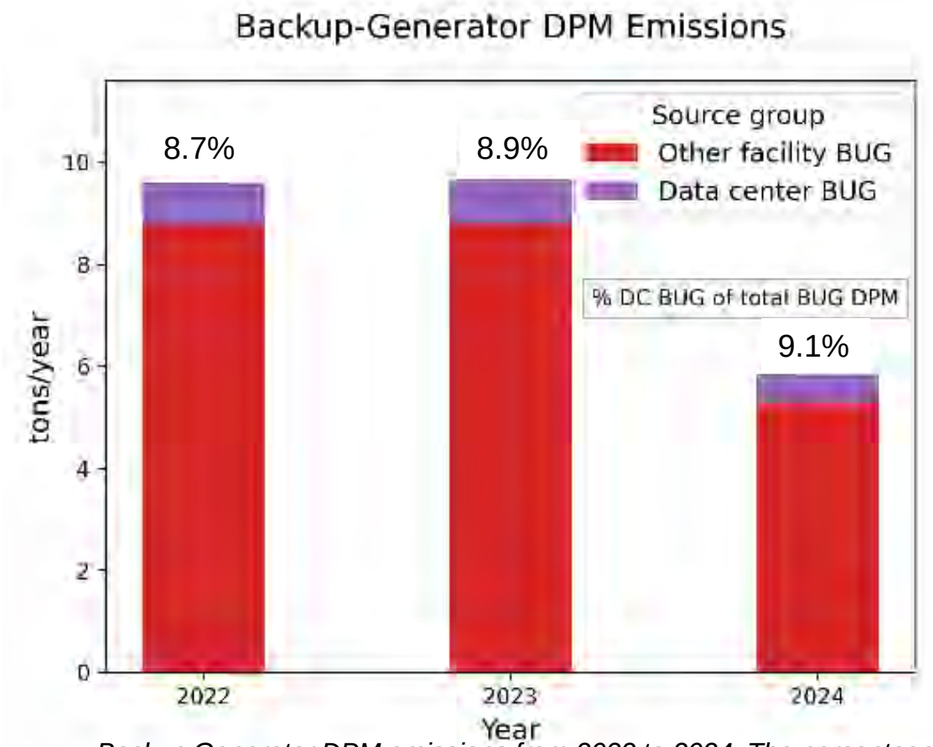
Air Pollution and Backup Generation

- Data centers often rely on diesel backup generators (BUGs) to meet reliability needs
  - *E.g., Vantage Data Center facility – 44 BUGs and 178,000 combined horsepower*
- Diesel BUGs generate harmful air pollution, including diesel particulate matter (DPM)
  - *Health impacts may include increased risk of cancer, heart disease and stroke, and respiratory disease such as asthma*
- Alternative power sources exist and have been deployed in the region

Diesel Generator at a Data Center in Los Angeles (Creative Commons)

DPM Emissions Attributed to BUGs in the Nine Counties of the Bay Area

- In 2022, more than 95% of DPM emissions were from mobile sources
- Data center BUGs contributed about 9% of DPM emissions from all BUGs in the region from 2022 to 2024
- Regional DPM emissions may not account for localized impacts



Backup Generator DPM emissions from 2022 to 2024. The percentage shows the data center BUG share of total BUG DPM emissions.

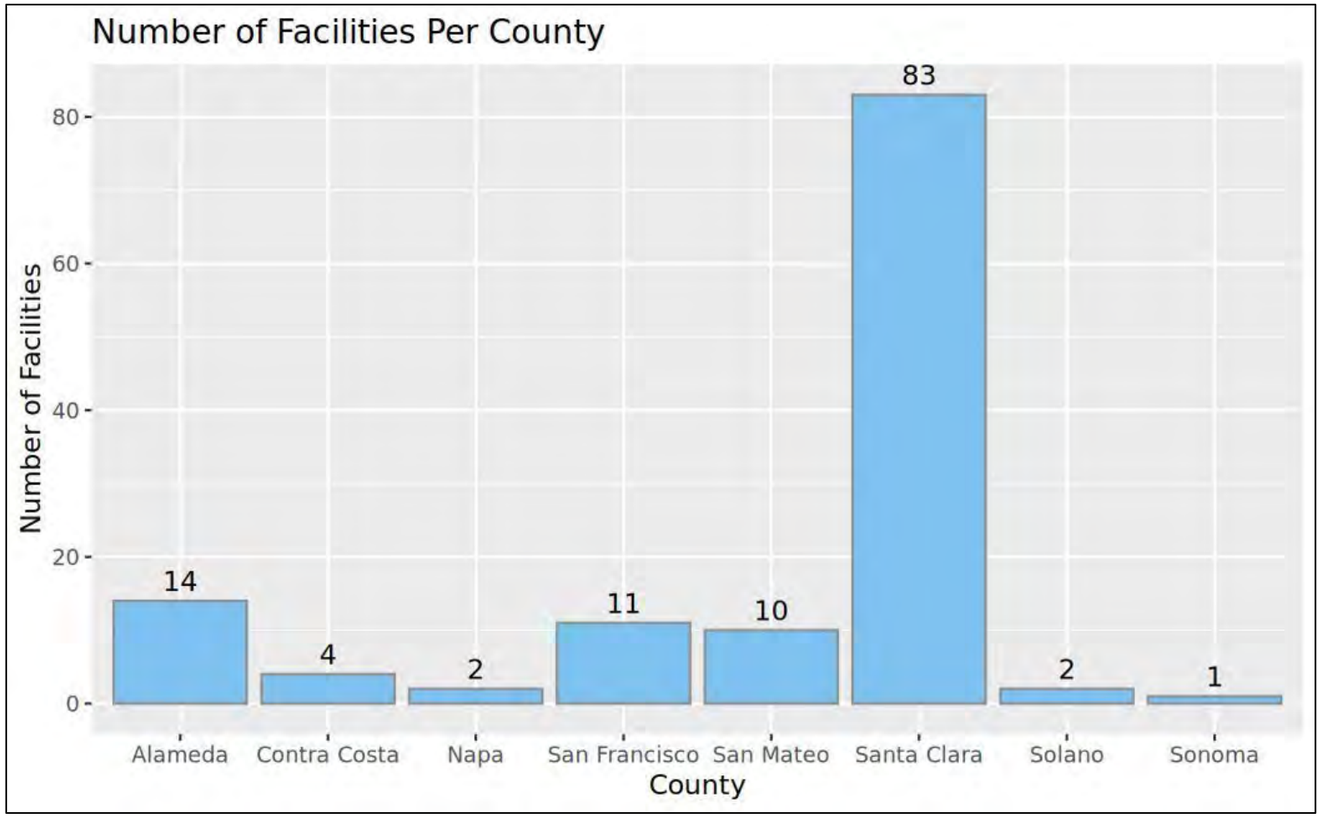
Data Centers are Clustered in Certain Areas

- Clustered in Santa Clara County (San Jose, Santa Clara)
- In several communities already experiencing high DPM emissions, including some overburdened communities (OBC)*
- Potential to add to cumulative local exposure to DPM, other pollutants

Permitted and Proposed (Authority to Construct) Data Centers. Source: Air District Permitting Data as of 6/1/2026

*OBC map can be found here: https://www.baaqmd.gov/About-Air-Quality/Interactive-Data-Maps

Number of Permitted Data Center Facilities in Bay Area Region

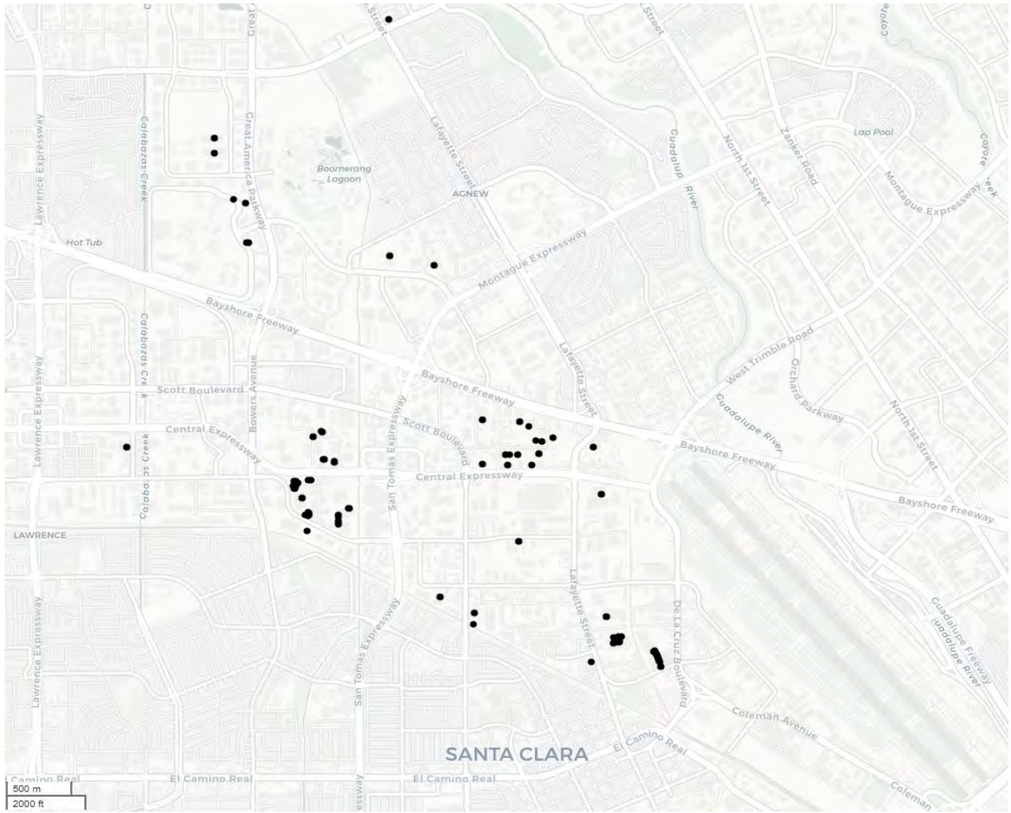


Permitted and Proposed (Authority to Construct) Data Centers. Source: Air District Permitting Data as of 6/1/2026

Facilities in this graphic are defined based on the Air District's definition of facility (Rule 2-1-213), which may consider several data center buildings as one facility for the purpose of permitting. As such, the counts above may vary from other sources.

Modeling Analysis: Santa Clara Case Study

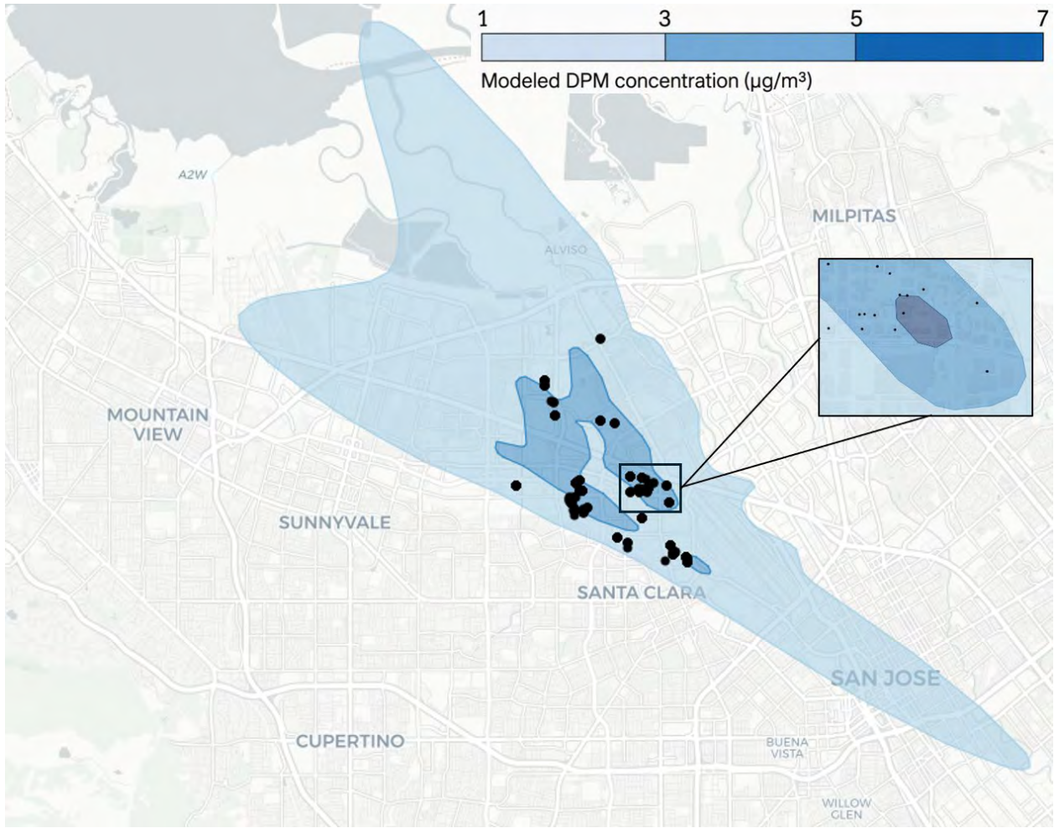
- Preliminary analysis with two scenarios under worst-case (late January) meteorological conditions
  - *Full load case* – all generators at full load for 24 hours
  - *Facility demand case* – match facility power needs
- Based on **386** permitted emergency diesel generators in the City of Santa Clara (maintained by 30 data centers)
- One representative (or fleet average) generator emits **7.7 kg** of DPM at full load for 24 hours
- Daily DPM from all on-road vehicles in Santa Clara County is **40 kg**



Locations of data center emergency diesel generators in the City of Santa Clara

Modeling Results

- Modeled daily average DPM concentrations of 3 to 5 µg/m³ seen in areas surrounding clusters of data centers
- These DPM concentrations similar to annual average DPM levels modeled near major roadways
- Maximum daily average DPM concentrations were about 7 µg/m³



Modeled daily average DPM concentrations (attributable to data center BUGs) under the facility demand scenario

Case Study: Findings and Context

- An important benchmark: 24-hour National Ambient Air Quality Standard (NAAQS) for $PM_{2.5}$ is 35 µg/m³.
- Elevated $PM_{2.5}$ episodes are not uncommon during winter: 25 µg/m³ or higher on approximately 5% of winter days, with peak at 38 µg/m³.
- Modeling indicates that diesel BUGs from Santa Clara data centers could add a significant increment to existing $PM_{2.5}$ concentrations.

Note: The case study represents worst-case conditions and is not intended to demonstrate or predict exceedance of the daily $PM_{2.5}$ NAAQS.

Air Quality Management Approach to BUGs

Regulations

Rules focus on addressing air pollution from stationary sources, like BUGs

Permits

Operations of BUGs are evaluated and permit conditions developed to comply with regulations

Inspections

Compliance with air quality regulations and permit conditions verified

Rule Development

If there are concerns, review and/or amend rules

Bay Area Air District

Permitting BUGs at Data Centers

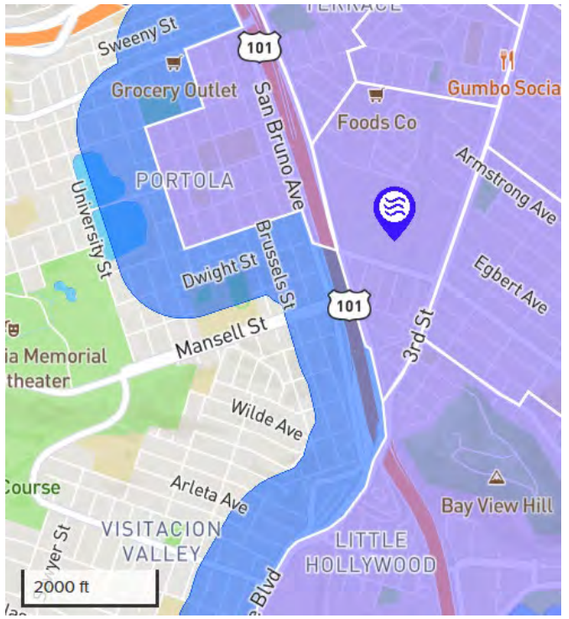
Xuna Cai
Supervising Air Quality Engineer
Engineering Division

Permitting Process Overview

Some steps may not be required for each project and may be omitted.

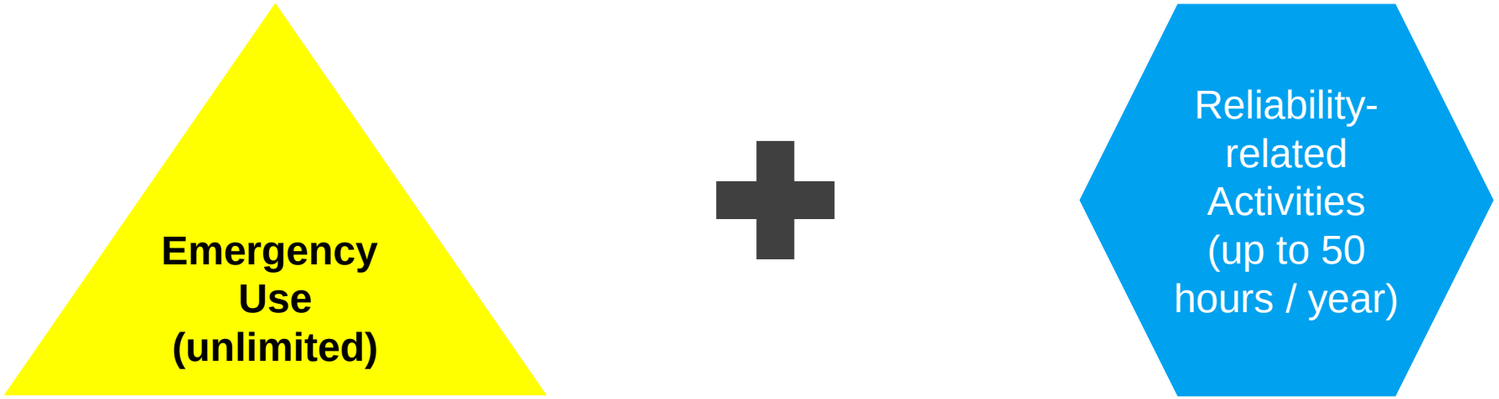
Initial Review of Application

- California Environmental Quality Act and other agency approvals
  - *CEQA lead agency is usually California Energy Commission (over 50 MW), City or County (less than 50 MW)*
- Project description, equipment specifications, and emission data
- Location:
  - *School within 1000 feet?*
  - *Within an Overburdened Community*?*



Overburdened Communities Map on Air District's Website

Permitted Use of BUGs



- **Emergency Use:** “unforeseeable failure of regular electric power supply” as defined in Bay Area Air District Regulation 9, Rule 8
- **Example of Unpermitted Use of BUGs:** Emergency Load Reduction Program (ELRP) operation outside of an Exceptional Period*.

** Exceptional Period: Under Governor Newsom’s July 30, 2021, Proclamation of a State Emergency, participation in the ELRP is exempt from Rule 9-8, through October 31, 2021, provided all conditions of paragraph 4 of that proclamation are met.*

Technical Review

Determine if Best Available Control Technology (BACT) is required based on emissions levels of key pollutants

WHEN

Applicable when daily emissions exceeds 10 lbs. per pollutant based on 24-hour emergency operation

WHAT

BACT for Diesel Engine is Environmental Protection Agency (EPA) Tier 4 emission standards

HOW

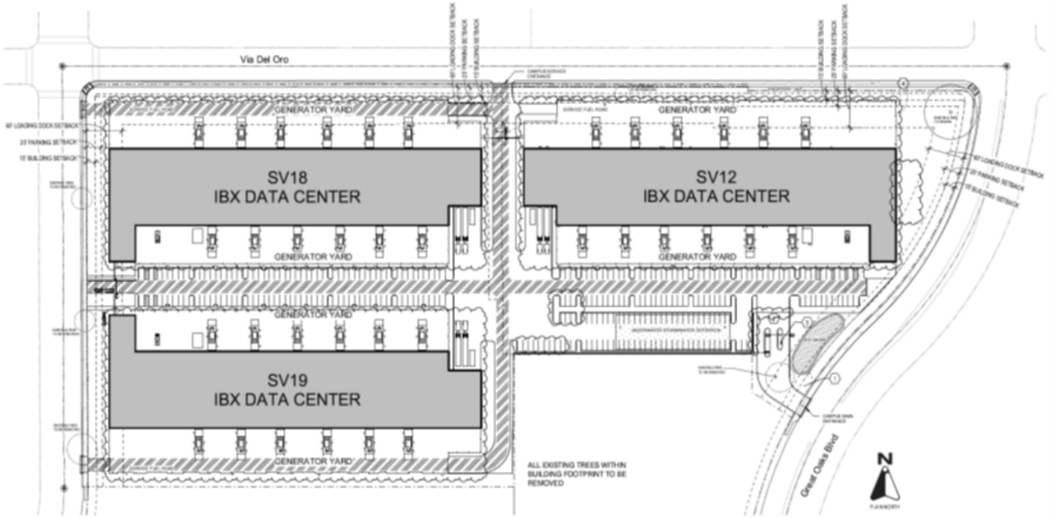
Common control technologies to achieve Tier 4:

- Particulate Matter (PM): Diesel Particulate Filter
- Nitrous Oxides (NOx): Selective Catalytic Reduction
- Carbon Monoxide (CO) and Precursor Organic Compound (POC): Oxidation Catalyst

Health Risk Assessment (HRA)

Conduct HRA to assess potential health impacts from exposure to DPM

- Project must meet health-based thresholds
  - *Based on maintenance and reliability-testing hours*
  - *Assessment includes all sources permitted in the past 5 years at the same facility**
- More stringent cancer limit in overburdened communities
- Results determine if Best Available Control Technology for Toxics (TBACT) is required (Tier 4 PM standard) and can inform permittable hours of operation



A data center facility map with multiple buildings

** Facility is any source(s) or building(s) located at one or more contiguous or adjacent properties, also are under common control and in the same major industrial grouping.*

Applicable Regulatory Requirements

Determine compliance with regulatory requirements, including (but not limited to):

BAAQMD Regulation 9, Rule 8: Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines	• Reliability-related operation limit to 50 hours per year • Non-resettable meter measuring hours of operation at each engine
California Code of Regulations Title 17, Section 93115: Air Toxic Control Measure for Stationary Compression Ignition Engines	• Emission limits: EPA Tier 2 • Maintenance and testing operation limit to 50 hours per year • Only ultra-low sulfur diesel or biodiesel
Title 40, Code of Federal Regulations, Part 60, Subpart IIII: Standards of Performance for Stationary Compression Ignition Internal Combustion Engines	• Emission limits: EPA Tier 2 • Non-emergency operation limit to 50 hours per year (or 100 hours for certain situations)

Permit Limits and Monitoring

Apply Standard Permit Conditions

- Limitation of Use: Only emergency use or required maintenance testing (up to 50 hours)
- Verification: Require a non-resettable meter to measure hours of operation
- Required Recordkeeping: Hours of operation for non-emergency use and emergency use (with the reason)
- Limitation of Use if Located Near a School: Can only operate non-emergency use outside of school hours

Additional Permit Conditions, If Applicable

- Source test: for non-EPA certified engines triggering BACT/TBACT, initial source test and repeat once every three years

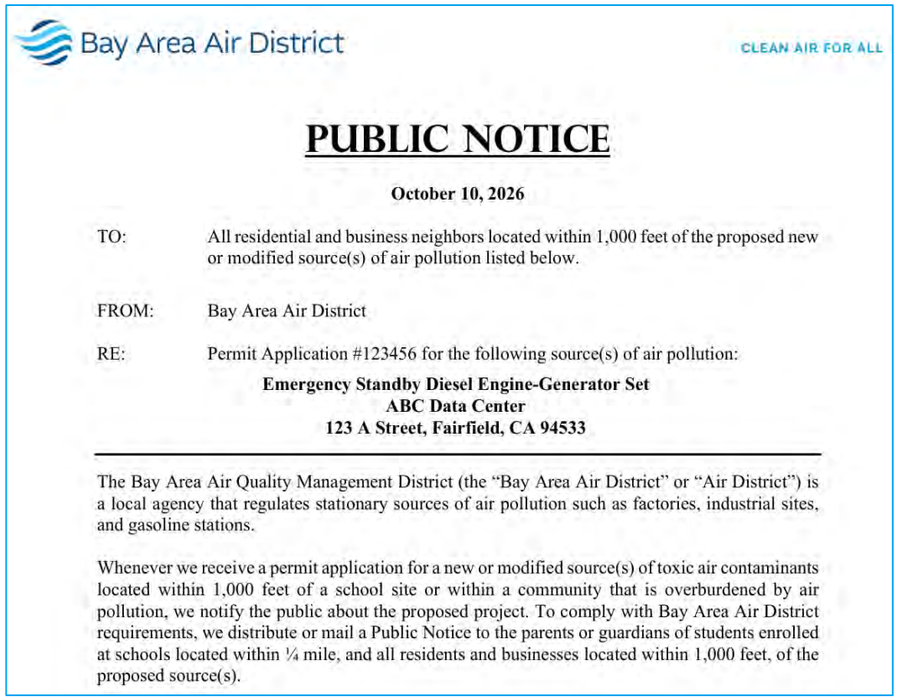
Public Notices

Post public notice if the project:

- Is located within 1,000 feet of K-12 school or
- Triggers an HRA and is within an OBC

Public Notice Process:

- Provided to guardians of students and addresses within 1,000 feet, available on Air District website;
- Public comment period is 30 days via email, mail, or voice message;
- Written response to all received public comments; and
- Incorporate any changes based on comment(s) to finalize evaluation and permit conditions.



Bay Area Air District CLEAN AIR FOR ALL

PUBLIC NOTICE

October 10, 2026

TO: All residential and business neighbors located within 1,000 feet of the proposed new or modified source(s) of air pollution listed below.

FROM: Bay Area Air District

RE: Permit Application #123456 for the following source(s) of air pollution:

Emergency Standby Diesel Engine-Generator Set
ABC Data Center
123 A Street, Fairfield, CA 94533

The Bay Area Air Quality Management District (the "Bay Area Air District" or "Air District") is a local agency that regulates stationary sources of air pollution such as factories, industrial sites, and gasoline stations.

Whenever we receive a permit application for a new or modified source(s) of toxic air contaminants located within 1,000 feet of a school site or within a community that is overburdened by air pollution, we notify the public about the proposed project. To comply with Bay Area Air District requirements, we distribute or mail a Public Notice to the parents or guardians of students enrolled at schools located within ¼ mile, and all residents and businesses located within 1,000 feet, of the proposed source(s).

Issue Authority to Construct After Review and Approval

Authority to Construct Timeline

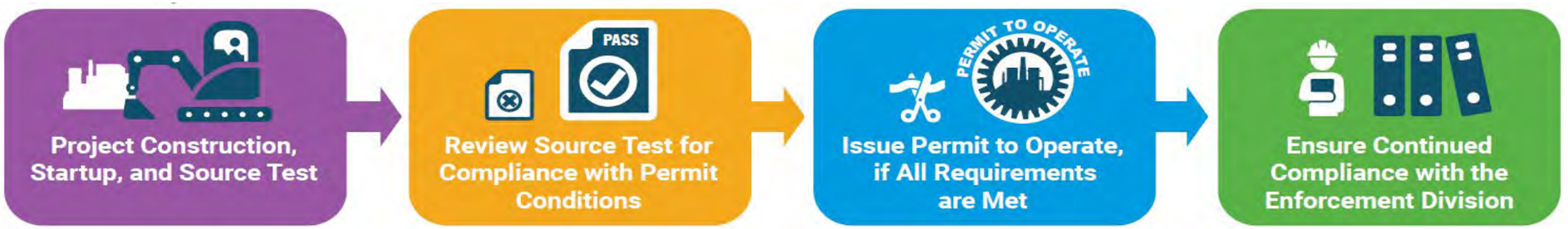
Issue Authority to Construct after:

- 90 days if no public notice;
- 180 days if any public notice; and
- All CEQA requirements have been satisfied.

Per BAAQMD Regulation 2-1-408 and BAAQMD Regulation 2-1-310

Large scale development under construction (Creative Commons)

Permit to Operate and Continued Compliance



Verify key information and compliance:

1. Review of source test results after construction (if applicable)
2. Issue Permit to Operate if all requirements are met
3. Annual permit renewals require reporting of emergency and non-emergency hours
4. Facility inspections to verify all permit conditions

Bay Area Air District

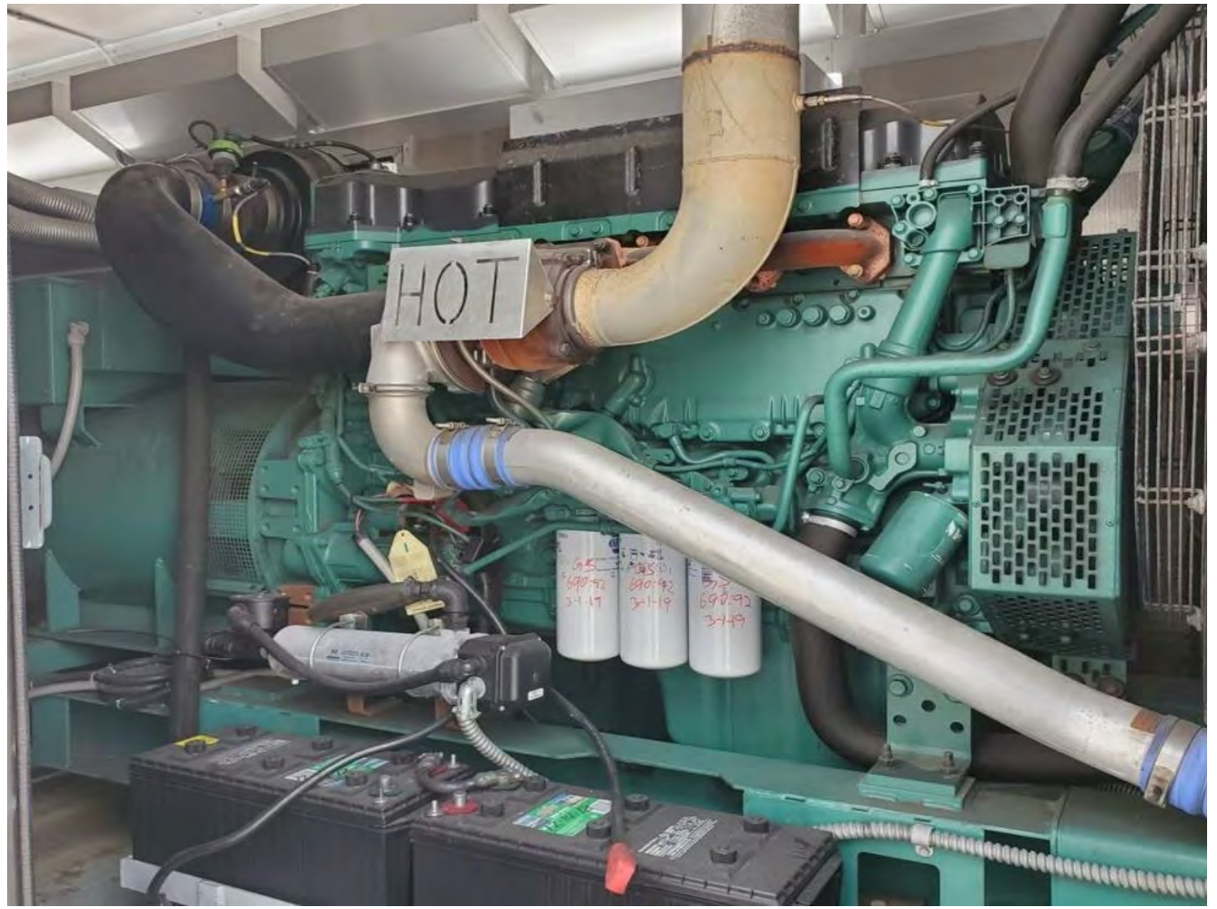
Compliance and Enforcement for BUGs at Data Centers

Joseph Palmer
Principal Air Quality Specialist
Compliance & Enforcement Division

Compliance & Enforcement

1. Compliance information on data centers
   - Complaints
   - Inspections
   - Notices of Violation

2. Example data center inspection



Example large diesel backup engine, stock photo

Compliance Information on Data Centers

Inspections 7/1/2024 – 6/30/2026

- 3 air quality complaints
- 25 routine facility inspections
  - 20% of 127 identified data centers
  - 229 individual engines at the 25 inspected facilities
  - 16 of the 25 inspected facilities were in compliance (64%)

Example inspection of a large diesel back-up engine, stock photo

7/1/2024 – 6/30/2026 Violation Details

Notices of Violation (NOVs) for non-compliance with <u>permit condition</u>

- 7 NOVs – backup engines used as short-term primary power
  - Only permitted for reliability/ emergency/ testing
- 2 NOVs – exceeded permitted hour limit

Notices of Violation for non-compliance with Air District <u>rule</u>

- 3 NOVs – unpermitted engines
- 2 NOVs – expired permit
- 2 NOVs – failed to properly test

Example Inspection – Engine Location

Google Earth image of a Bay Area data center with 20+ large diesel backup engines highlighted

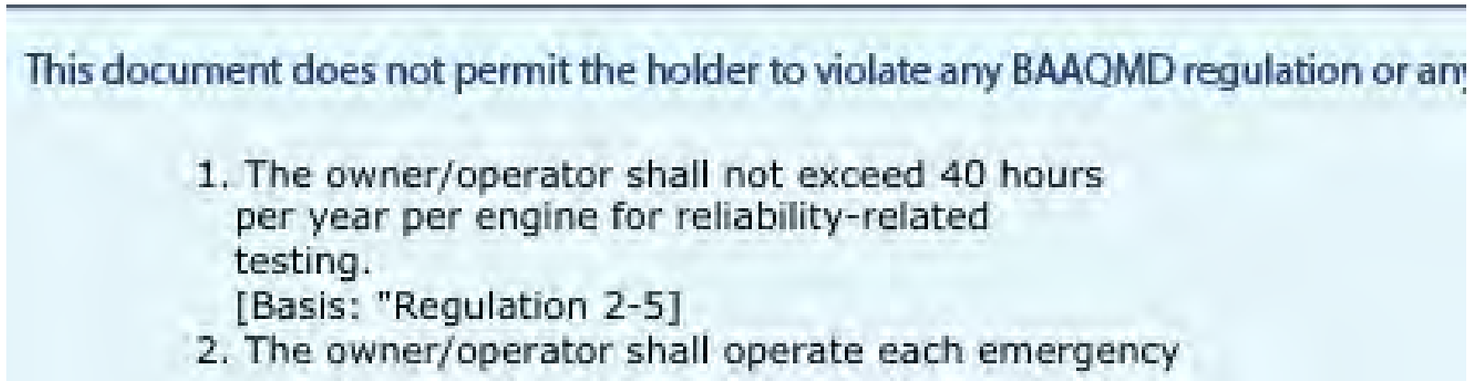
Example Inspection – Vicinity Photo

Google Earth image of a Bay Area data center with 20+ large diesel backup engines highlighted

Example Inspection – Pre-Inspection Review

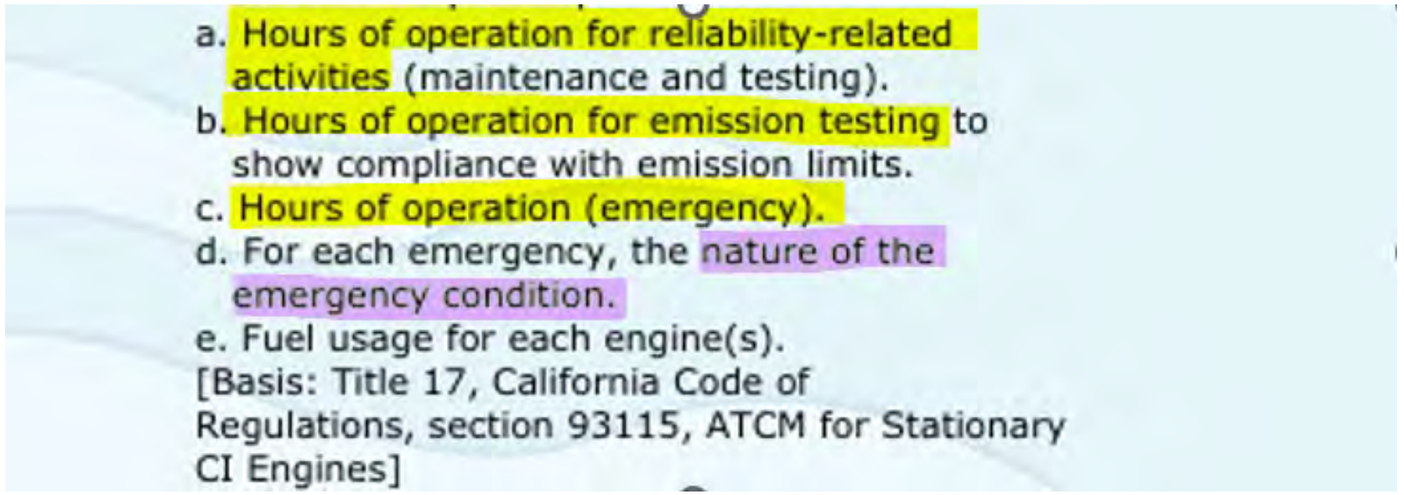
Permit condition review

1. Hour limit


This document does not permit the holder to violate any BAAQMD regulation or any

1. The owner/operator shall not exceed 40 hours per year per engine for reliability-related testing.
[Basis: "Regulation 2-5]
2. The owner/operator shall operate each emergency

2. Record keeping


a. Hours of operation for reliability-related activities (maintenance and testing).
b. Hours of operation for emission testing to show compliance with emission limits.
c. Hours of operation (emergency).
d. For each emergency, the nature of the emergency condition.
e. Fuel usage for each engine(s).
[Basis: Title 17, California Code of Regulations, section 93115, ATCM for Stationary CI Engines]

Example Inspection – Onsite Checks

- Check engine data match permit
- Photograph hour meter reading
- Review records and calculate total hours operated
- Verify hour meter reading aligns with records
- Ensure use is exclusively for reliability/emergency/testing
- Any emissions control equipment operated as required

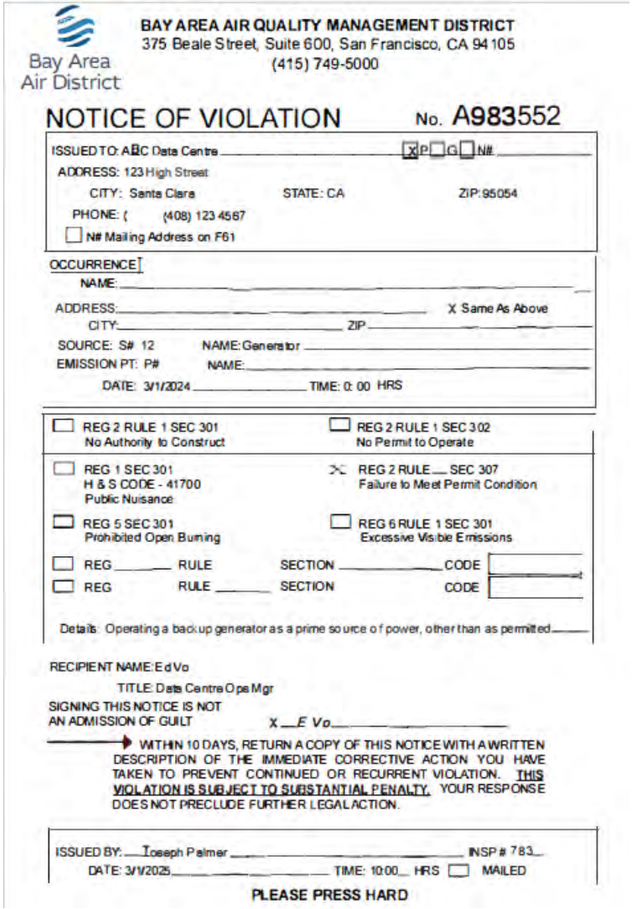
Generator, showing dials and controls, with a separate close up of an hour meter, stock photos

Example Inspection – Hour Meter Records

Date	Engine	Hr - start	Hr -end	Load kW	Reason
1/11/2026	Gen #4	125.5	145.7	220	UPS xfer
1/13/2026	Gen #4	145.7	146.1	0	Monthly generator run
2/25/2026	Gen #4	146.1	146.5	0	Monthly generator run
3/1/2026	Gen #4	146.5	155.9	221	Troubleshoot gen #4
3/18/2026	Gen #4	155.9	156.3	0	Monthly generator run
4/3/2026	Gen #4	224.8	225.2	0	Monthly generator run
5/22/2026	Gen #4	225.2	225.6	0	Monthly generator run
5/25/2026	Gen #4	225.6	226.7	267	Load bank test
6/7/2026	Gen #4	226.7	239.9	224	Site incident
6/8/2026	Gen #4	239.9	241.3	221	HUPs bypass xfer

Example Inspection – Results

1. Review inspection findings with site contact
2. Issue Notice of Violation, where applicable
3. Prepare inspection/violation report and supporting documentation
4. Conduct follow-up, if needed
5. Work with Engineering, if permit application/modification needed
6. Route violations to Legal Team for resolution



Bay Area Air District

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
375 Beale Street, Suite 600, San Francisco, CA 94105
(415) 749-5000

NOTICE OF VIOLATION No. A983552

ISSUED TO: ABC Data Centre [X] P [ ] G [ ] N#
ADDRESS: 123 High Street
CITY: Santa Clara STATE: CA ZIP: 95054
PHONE: ((408) 123 4567
[ ] N# Mailing Address on F61

OCCURRENCE
NAME:
ADDRESS: X Same As Above
CITY: ZIP:
SOURCE: S# 12 NAME: Generator
EMISSION PT: P# NAME:
DATE: 3/1/2024 TIME: 0: 00 HRS

[ ] REG 2 RULE 1 SEC 301 No Authority to Construct
[ ] REG 2 RULE 1 SEC 302 No Permit to Operate
[ ] REG 1 SEC 301 H & S CODE - 41700 Public Nuisance
[X] REG 2 RULE 1 SEC 307 Failure to Meet Permit Condition
[ ] REG 5 SEC 301 Prohibited Open Burning
[ ] REG 6 RULE 1 SEC 301 Excessive Visible Emissions
[ ] REG RULE SECTION CODE
[ ] REG RULE SECTION CODE

Details: Operating a backup generator as a prime source of power, other than as permitted

RECIPIENT NAME: Ed Vo
TITLE: Data Centre Ops Mgr
SIGNING THIS NOTICE IS NOT AN ADMISSION OF GUILT X E Vo

WITHIN 10 DAYS, RETURN A COPY OF THIS NOTICE WITH A WRITTEN DESCRIPTION OF THE IMMEDIATE CORRECTIVE ACTION YOU HAVE TAKEN TO PREVENT CONTINUED OR RECURRENT VIOLATION. THIS VIOLATION IS SUBJECT TO SUBSTANTIAL PENALTY. YOUR RESPONSE DOES NOT PRECLUDE FURTHER LEGAL ACTION.

ISSUED BY: Joseph Palmer INSP # 783
DATE: 3/1/2025 TIME: 1000 HRS [ ] MAILED

PLEASE PRESS HARD

Bay Area Air District

Looking Forward - Rulemaking Considerations for BUGs

Ana Beard

Senior Air Quality Specialist

Regulatory Development Division

What is Rule Development?

Rule development is a **core tool for protecting public health and improving air quality**.

It allows the Air District to set and update enforceable requirements for facilities that produce harmful emissions.

Rulemaking addresses criteria pollutants, toxic air contaminants, and greenhouse gases.

It involves both **creating new rules** for unregulated sources and **amending existing rules** to make them more effective.

Rule Development Process

Identified Air Quality Issue
- CERPs
- Community Concerns
- New Health Information
- Legal Mandates
- New Technology

Stakeholder Meetings
- CSCs
- CAC
- Community Groups
- Industry

Public Workshops
- Community Members
- Industry
- NGOs, CBOs, Industry Associations

Technical Assessment
- White Paper
- Rule Concepts
- Air Quality Plans

Draft Proposal
- Draft Rule Language
- Preliminary Staff Report

Rule Proposal
- Proposed Rule Language
- Staff Report
- Socioeconomic Analysis
- Environmental Analysis

Note:
CBO: Community-Based Organization
CSC: Community Steering Committees
CERP: Community Emission Reduction Plans
NGO: Non-Governmental Organization

Bay Area Air District ★ *We are here*

Next Steps – Regulatory and Non-Regulatory

Evaluating potential regulatory path for BUGs rulemaking

E.g., **Rule 9-8:** Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines or **Regulation 2: Permits**

Evaluating policies to improve reporting and transparency

Interdivisional Coordination on BUGs/Data Centers

E.g., **Through working with local governments, evaluating inspection process**

Exploring non-regulatory tools

Questions & Discussion

AGENDA: 4B

Bay Area Air District

Backup Power Generation and Community Air Quality Impacts of Data Centers in the Bay Area

Community Advisory Council Special/Retreat Meeting

October 29, 2026

Masheika Allgood, Founder of AllAI Consulting
Roger Lin, Senior Attorney & Meya Saenz Zagar, Energy Justice Campaigner, Center for Biological Diversity
Veronica Eady, Executive Director, West Oakland Environmental Indicators Project

Bay Area Air District

AllAI Consulting

Masheika Allgood
Founder of AllAI Consulting

Air Quality & AI Data Center Development

Bay Area Air District
Community Advisory Council

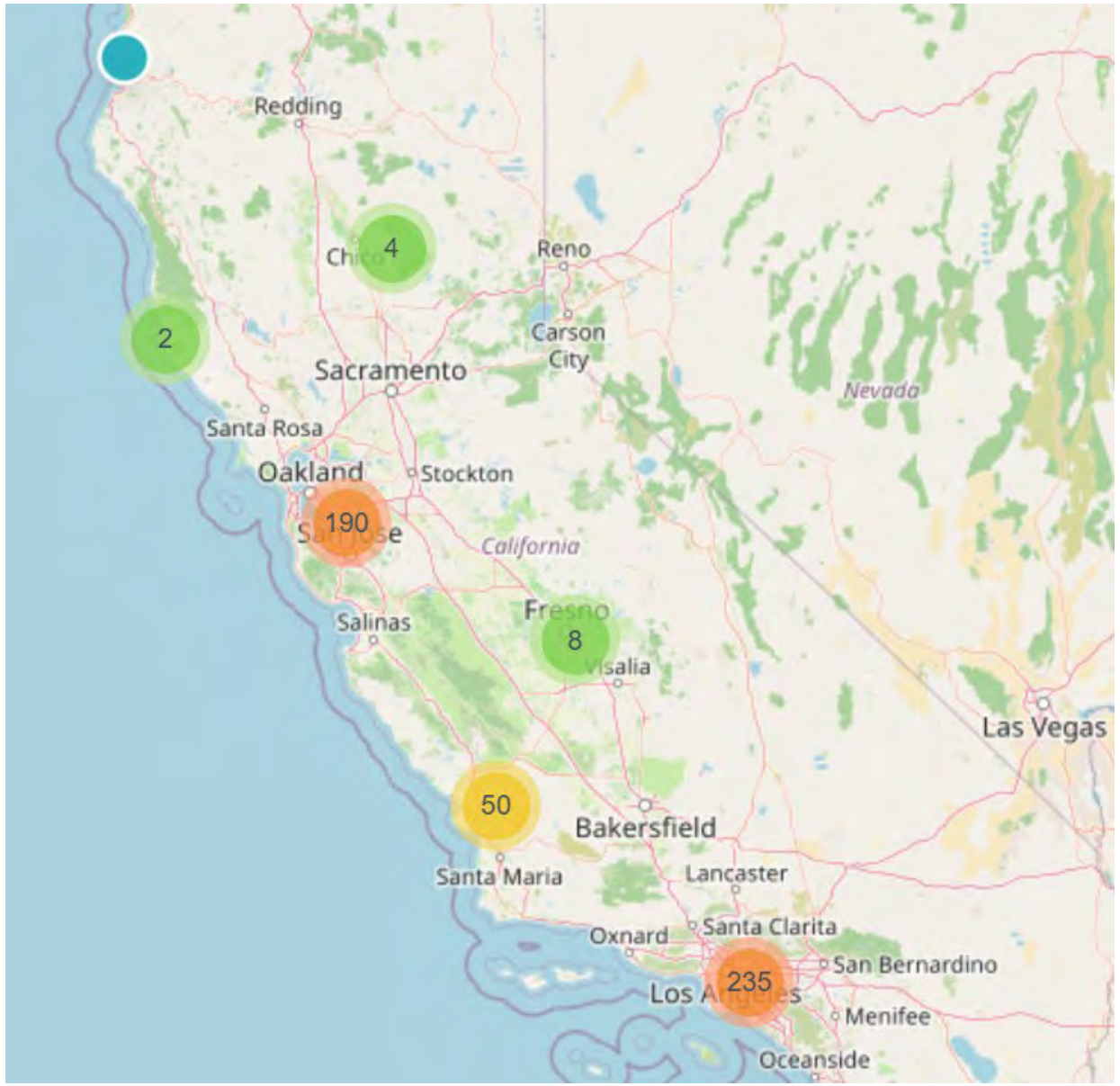
Masheika Allgood, Founder
AllAI Consulting, LLC

Aerial view of Data center.

October 29, 2026

Where are they being built?

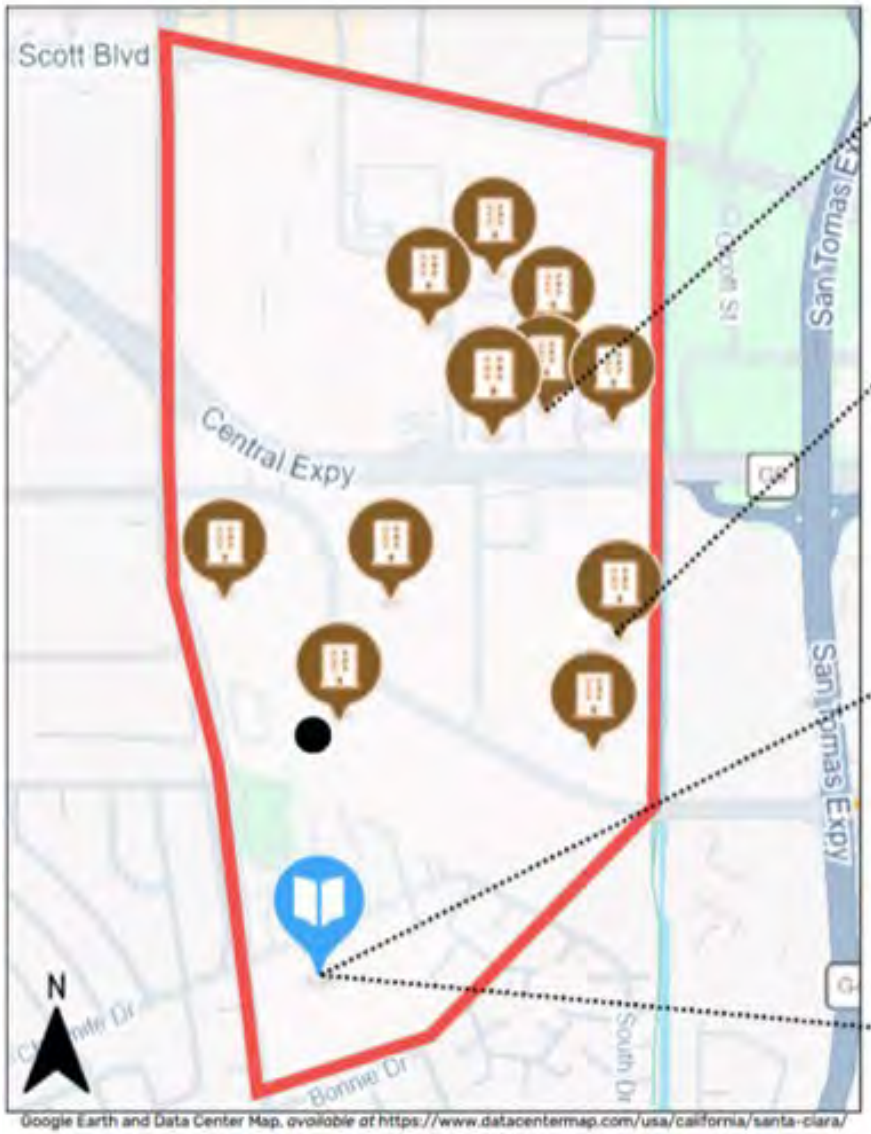
- First wave
  - Clustered - 99MW or less
  - High density well-resourced areas
- Second wave
  - Single facility - 100MW+
  - Lower density, less-resourced areas



Map showing clusters of data centers being built in the Bay Area.

Air Quality

AI data centers can host dozens of diesel generators at each facility. They tend to be built in clusters, which compounds the impact on neighboring households.



Google Earth and Data Center Map, *available at* https://www.datacentermap.com/usa/california/santa-clara/ (last visited April 6, 2026)

Amazon Data Services @ 2950 Stender Way Santa Clara CA 95051

- 45 diesel BUGs generators
- Between 2023-2024 diesel BUGs ran for a total of 393.9 hours.

2403 Walsh @ 2401 Walsh Avenue Santa Clara CA 95051

- 14 diesel back up generators
- Between 2024-2025 diesel BUGs ran for a total of 241 total hours.

Bracher Elementary School

- 24.5% english language learners
- 40% economically disadvantaged students
- 49% hispanic/latino, 25.5% asian or asian/pacific islander, 11% white, 7.2% two or more races, 4.@% black or african american

CalEnviroScreen @ census tract 6085505302

- pollution burden: 68
- diesel particulate matter 2.5: 79
- race/ethnicity profile: 38% asian american, 32% white, 20% hispanic, 5% african american, 4% other

Personal Impact: Public Health

While the respiratory and cardiovascular impacts of air pollution are widely known, knowledge of the impacts on neurological systems is just beginning to be understood.

7.9 Million Premature Deaths Per Year

Air Pollution is the number one risk factor for health loss worldwide and the second-leading risk factor for death.

13% Increase in Stroke Risk

Ischemic-stroke risk rises 13% for every 10 micrograms per cubic meter of PM2.5 exposure

3% Increase in Dementia Risk

Dementia risk rises about 3% per 1 microgram per cubic meter increase in PM2.5 exposure

1 in 4 Dementia Deaths

Air pollution was linked to roughly 626,000 dementia deaths worldwide in 2023, 20% of all dementia deaths

AllAI

Masheika Allgood, Founder
AllAI Consulting, LLC
founder@allai-us.com

Bay Area Air District

Center for Biological Diversity

Roger Lin, Senior Attorney &
Meya Saenz Zagar, Energy Justice Campaigner,
Center for Biological Diversity

Cluster of diesel backup generators at a data center.

Regulating Backup Generation at Data Centers:

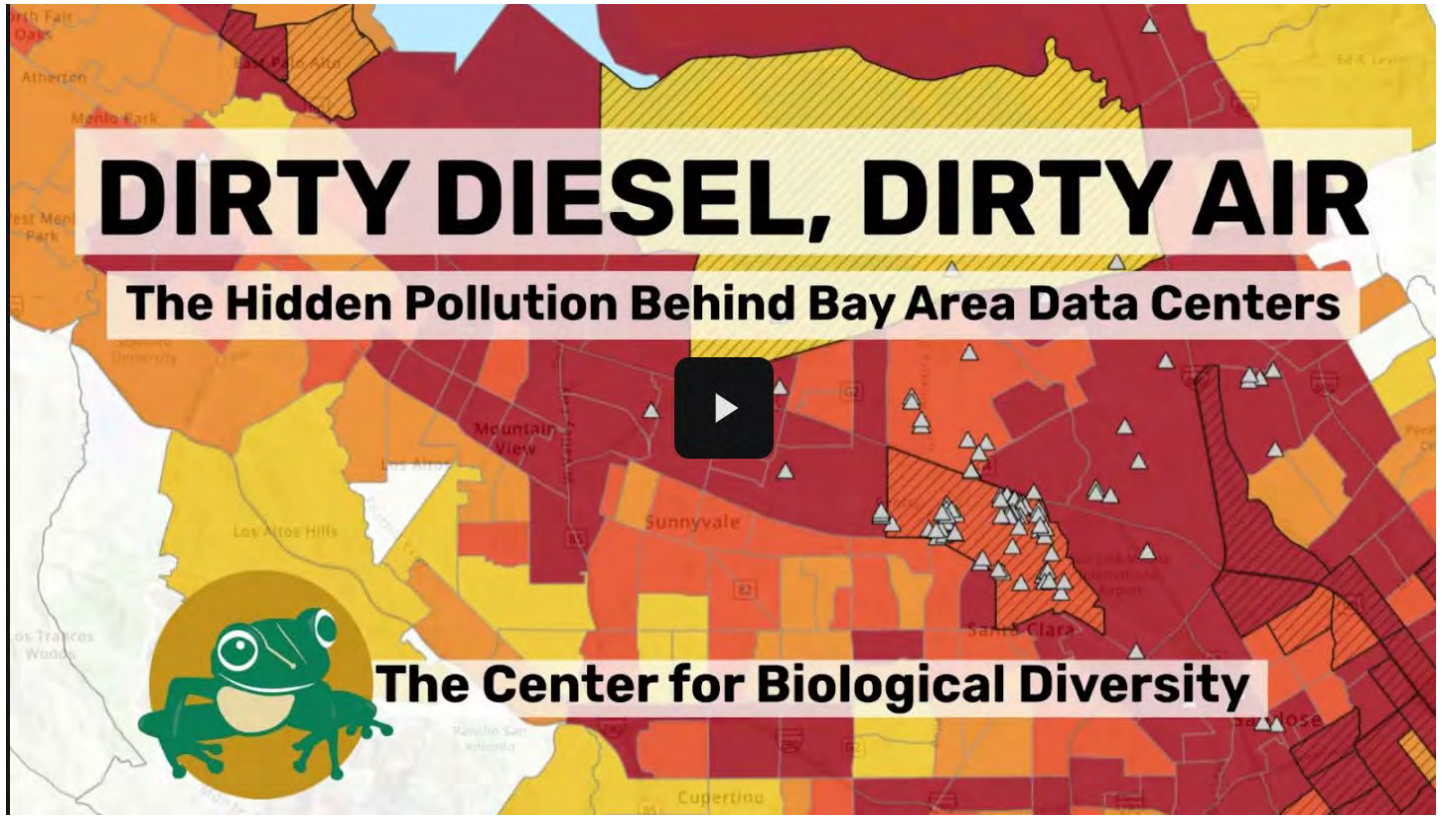
The Fight for Environmental Justice and Clean Air

Meya Saenz Zagar & Roger Lin

CENTER for BIOLOGICAL DIVERSITY

Video: Dirty Diesel, Dirty Air: The Hidden Pollution Behind Bay Area Data Centers

https://drive.google.com/file/d/1aSKfFrsaYp7KyaiU8vCZ0OP1joiXST9B/view
CBD Data Center Virtual Tour.mp4



Immediate Recommendations for Diesel Backup Generator Rulemaking

1. Open the Record for the Rulemaking
   a. **Include the Petition and any future correspondence** to and from the Air District regarding the rulemaking, providing the public with the opportunity to submit additional data to inform the concept paper.
   b. **Inform the public regarding the rulemaking to facilitate engagement,** identifying the regulations and rules (including BAAQMD Regulation 9, Rule 8) to be amended or a new regulation to be developed in the rulemaking process that encompasses all relevant regulations and rules.

2. Address Transparency
   a. **Make diesel BUGs emissions and reasons for emissions available to the public following a public records request**, consistent with the Clean Air Act to ensure permit conditions are practically enforceable.

Immediate Recommendations for Diesel Backup Generator Rulemaking

3. Community Engagement
    a. **Host information and listening sessions with fenceline communities & trusted community groups** across Santa Clara, San Jose, and Bayview; include a mailer within 2,000 feet to educate about safety risks & encourage participation.
    b. **Model the worst-case emergency scenario** when all diesel BUGs in San Jose, Santa Clara, and Bay View come online to inform the new rulemaking.

4. Strengthen Permit Requirements as the New Rule is Underway
    a. **Moratorium** on permitting diesel BUGs?
    b. **Include emergency hours of operation** in the permitting process?

CAC & Board Continued Collaboration with Petitioners

Logos of the petitioners.

CAC & Board Continued Collaboration with Petitioners

Add the Diesel Generator Rulemaking to the agenda for discussion at future Board and Committee meetings, including...

- Advisory Council
- Community Equity, Health, and Justice Committee
- Stationary Source Committee

Cluster of diesel backup generators at a data center.

Thank you!

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Bay Area Air District

West Oakland Environmental Indicators Project

Veronica Eady, Executive Director
West Oakland Environmental Indicators Project

West Oakland Environmental Indicators Project

Veronica Eady | WOEIP

Data Centers and Big Tech in Oakland

Behring Company

- Downtown Oakland, 415 20th Street
- Former Lawrence Berkeley Laboratory
- Data center proposed for first floor with offices above
- Details protected by NDAs

Image of data center in Oakland, CA

Data center in Oakland office building shouldn't need a permit, owner contends

Image of American Steel Blocks

American Steel

- Prometheus
  - a Jeff Bezos company
  - Leased 100,000 sq. ft .
- Tesla
  - Leased 40,000 sq. ft .
- Robotics and AI operations
- Other information protected by NDAs

NAACP | STOP DIRTY DATA CENTERS

2026 Guiding Targets Summary

1. **Call for Moratoriums When Needed** — Pause new or expanding AI data centers until communities have start-to-end transparency regarding projects, environmental health monitoring for air, water, and soil, and comprehensive oversight measures in place.
2. **Push for Transparency** — End closed-door deals and non-disclosure agreements (NDAs). Insist on public access to environmental data, permits, and financial impacts. File public records requests and demand answers to any push back for data center or utility and public resource decisions for data centers using tax payer dollars.
3. **Identify and Track Projects** — Fill out the NAACP Community Report form to map where data centers are being proposed or built across the country.
4. **Show Up Locally** — Use the NAACP public education one pagers to highlight concerns and ask questions about AI data centers in your community. Attend and speak at zoning, planning, and city and county council meetings to demand fair classifications of data center infrastructure needs, meaningful community input, and health protections. Ask your local elected officials to adopt the Frontline Framework for their decision-making and city ordinances.
5. **Lead from Within** — Support community members to run for local offices that shape development, zoning, and environmental decisions.

City of Oakland Moratorium

- 45-Day Moratorium
- Preventing land use agreements or entitlements
  - Design review
  - Conditional use permits
  - Zoning clearances
- Study environmental, energy, and water impacts
- Time to update Planning Code
- Question as to whether it will cover the Behring site

Protestors holding signs “Water is Life, Stop Data Centers!”

Bay Area Air District

Public Comment

PUBLIC COMMENT ON AGENDA:

Backup Power Generation and Community Air Quality Impacts of Data Centers in the Bay Area

- If you wish to provide public comment, please use the “raise hand” feature or dial *9 and the chair will call upon you at the appropriate time.
- Each person will have two (2) minutes to speak.

Bay Area Air District

Questions & Discussion

AGENDA: 5

Bay Area Air District

Community Advisory Council Local Environmental Justice Updates

Community Advisory Council Special Retreat/Meeting

October 29, 2026

Bay Area Air District

Alameda County

Bay Area Air District

Council Member Ms. Margaret Gordon Update

Bay Area Air District

Data Centers Are District Safeguards Keeping Pace?

Co-Chair Patrick Messac
Community Advisory Council Member
Alameda County

Permit Conditions & Verification

Diesel Backup Generators Operate Under Bay Area Air District Jurisdiction

PERMIT CONDITIONS

What limits are placed on backup generators?

50 hours / year

Maintenance & testing limit

Emergency Use

Uncapped Grid Outage Allowance

VERIFICATION

How does the District know the limits are met?

Permits only protect if conditions are independently verified.

ENFORCEMENT

What happens when facilities fall short?

Strict enforcement and oversight program ensures operational compliance.

Key Strategies and Local Community Efforts

Local Community

Hayward Residents

Organizing around the Eden Landing data center project proposal and localized diesel emissions.

Local Community

Oakland Residents

Raising concerns regarding downtown data center proposals, power draw, and proximity to residential zones.

Regional Groups

Clean Air & EJ Coalitions

CBE, Sierra Club SF Bay Chapter, Sunflower Alliance, WOEIP, Earthjustice

Submitting petition to the Air District seeking formal rule updates, independent monitoring, and compliance transparency.

Within 90 days: Return with a public Data Center Compliance & Enforcement Plan

Show current performance, independently verify what is happening in the field, and identify what is needed to meet a clear enforcement standard.

CURRENT PERFORMANCE

- Data centers and permitted backup generators
- Inspection frequency and % inspected
- Compliance rate — with denominator defined
- Operating hours by testing/maintenance vs. emergency use
- NOVs, unresolved violations, and time to resolution
- Penalties assessed and collected

GROUND TRUTHING

- Audit a sample of reported generator operating hours against non-resettable meter records
- Verify the stated reason for generator use
- Identify discrepancies between self-reporting and underlying records
- Conduct targeted field verification at higher-use / higher-risk sites
- Report what the District can and cannot independently verify today

ENFORCEMENT STANDARD

- Minimum inspection frequency
- Clear triggers for additional inspection or audit
- Escalation for repeat or unresolved violations
- Timelines for resolving NOVs
- Standard for when penalties or other enforcement tools should escalate
- What the District considers acceptable compliance performance

PLAN TO CLOSE THE GAPS

- Staffing and resource needs
- Monitoring / verification tools needed
- Rule or permit-condition changes needed
- Public reporting cadence
- Responsible division / owner
- Implementation dates and milestones

The ask: establish the standard, show current performance against it, and return with a plan to close the gap.

Bay Area Air District

Empowering Communities through Civic Science

Council Member Cynthia Prieto-Diaz
Community Advisory Council Member
Alameda County and Contra Costa County

Empowering Communities through Civic Science

- Partnering with **El Timpano** to address air quality and public health concerns
- **Three (3) hands-on workshops** (in Spanish and Mam) focusing on the negative impacts of poor air quality
  - Latest: October 12, 2026, in Contra Costa
- Elevating practical solutions, including **do-it-yourself (DIY) air purifiers** provided and bridging gaps between residents and available resources

Prieto-Diaz, Cynthia. (September 3, 2026). First 5 Contra Costa with Lasko Box Fans.

Community-Led Solutions & Impact

- Community health workers eager to share knowledge with families and neighbors, as well as inviting others to attend upcoming workshops
- During Q&A attendees started pitching **actionable ideas** like: increasing urban forests and even volunteering to care for trees planted, advocating for green spaces
- **Biggest Take Away:** Communities are ready to engage – as Community Advisory Council (CAC) members we can be a bridge to connect them with resources and opportunities

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Contra Costa County

Bay Area Air District

Co-Chair
William Goodwin Update

Bay Area Air District

Council Member Kevin Ruano-Hernandez Update

Bay Area Air District

Tetrachloroethylene (PCE) at Kennedy High School Richmond, California

Co-Chair Latasha Washington
Community Advisory Council Member
Contra Costa County

Kennedy High School: Evidence & Next Steps

1. What testing found beneath the campus
2. What indoor air testing found
3. What remains to be investigated
4. Requests for public data and coordination

Bay Area Air District

The Issue at Kennedy High School

Tetrachloroethylene (PCE) in soil vapor

PCE Detected Beneath the Campus

- July 17: Six soil vapor samples on school property.
- Two parking lot samples: 2,200 and 5,000 µg/m³.
- DTSC soil vapor screening level: 15 µg/m³.
- Screening triggers more evaluation. It does not measure what students breathed.

How Exposure Could Occur

- PCE is a solvent once common in dry cleaning and metal degreasing.
- It can migrate through soil gas. Vapor intrusion occurs if it enters a building through openings or utility pathways.
- Indoor air sampling answers the exposure question more directly than soil vapor alone.

Why the Campus Closed and Reopened

- Aug 3: West Contra Costa Unified School District (WCCUSD) closed Kennedy High School as a precaution while indoor air was tested.
- Aug 13: officials reported no evidence of vapor intrusion in main school buildings. The campus reopened for Aug 18 classes.
- Kitchen and metal shop use was paused while possible indoor product sources were reviewed.

Bay Area Air District

What remains unresolved

The source and extent of the PCE plume

The Surrounding Neighborhood Matters

- The CA Department of Toxic Substances Control (DTSC) found elevated PCE soil gas about 500 feet north of Kennedy High in April 2026.
- The investigation spans the campus and nearby properties.
- PCE has appeared at other Richmond cleanup sites.
- Reopening does not end source tracing or neighborhood evaluation.

What Residents Need to See

- Publish the full indoor, outdoor and soil vapor results with sampling locations and dates.
- Explain how findings compare with screening levels and what would trigger more testing or mitigation.
- Share a clear timeline for source investigation, construction safeguards and neighborhood outreach.

Requests for CAC and Air District Discussion

- Ask DTSC and WCCUSD for a public update on the plume, follow-up sampling and school construction.
- Ask the Air District to clarify its role in outdoor air monitoring, emissions sources and sharing relevant data.
- Coordinate a community briefing with students, families and nearby residents.

Bay Area Air District

San Francisco County

Bay Area Air District

Malik Sepharu
Program Director
Marie Harrison Community Foundation
Update

Bay Area Air District

San Mateo County

Bay Area Air District

Council Member Adriana Fernandez-Arriaga Update

Bay Area Air District

Santa Clara County

Bay Area Air District

Council Members Azjargal Tsogtsaikhan and Fagamalama Violet Saena Update

Bay Area Air District

Solano County

Bay Area Air District

From Community Concerns to System Improvement: What Crown Hill Taught Us About Using Case Studies

Council Member Ken Szutu
Community Advisory Council Member
Solano County

Working Together Can Solve Real Problems

Crown Hill showed the value of combining community experience, CAC persistence, and Air District capacity.

COMMUNITY

Lived experience
Evidence of impacts
Persistence

+

CAC

Forum for the issue
Case-study lens
Follow-through

+

AIR DISTRICT

Technical expertise
Regulatory authority
Enforcement tools

A persistent community problem moved toward a real-world solution.

Not every case will have the same outcome — but collaboration creates a pathway that none of us has alone.

Case Study = Continuous Improvement

Use a real community concern to understand the system — then improve it.

1. **Major community concern**
2. **Select a real case**
3. **Examine it together**
4. **Find gaps + what worked**
5. **Improve the process**
6. **Follow up + learn**

COMMUNITY + CAC + AIR DISTRICT STAFF

The purpose is not to find fault. It is to understand what happened, identify systemic gaps, and develop practical improvements together.

Build a Protocol for Future Case Studies

Crown Hill was our first experience. The process itself showed us what needs to improve.

WHAT SLOWED US DOWN

- × No established case-study process
- × Repeated public-records requests
- × Long waits for information
- × Staff roles worked out as we went

WHAT A PROTOCOL SHOULD PROVIDE

- ✓ Early staff participation
- ✓ Efficient access to relevant records
- ✓ Clear roles for CAC, community + staff
- ✓ Timeline, milestones + follow-through

Use what we learned from Crown Hill to make the NEXT case faster, more collaborative, and more useful.

Bay Area Air District

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