

# Air Quality Update

Brought to you by YORKE ENGINEERING, LLC.

[www.YorkeEngr.com](http://www.YorkeEngr.com)

**December 2009**

## FEDERAL GHG REPORTING AND HOW IT DIFFERS FROM CALIFORNIA'S AB-32

The EPA issued the final rule for Mandatory Reporting of Greenhouse Gases (GHGs). Signed by the EPA Administrator on September 22, the rule was published in the Federal Register on October 30<sup>th</sup>, and becomes effective on December 29, 2009. Required monitoring of GHGs will begin in 2010, with reporting due in 2011. The rule is intended to collect accurate and timely GHG emissions data to be used for future policy decisions.

Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit more than 25,000 metric tons of GHGs per year are required to report annually to the EPA. The gases covered in the rule include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and fluorinated gases.

Applicable facilities or operations specifically referenced in the rule include: electricity generation units in the Acid Rain Program; HFC-23 destruction; petroleum refineries; municipal landfills; manure management; manufacturing or production of adipic acid, aluminum, ammonia, cement, HCFC-22, lime, nitric acid, petrochemicals, phosphoric acid, silicon carbide, soda ash, titanium dioxide, ferroalloy, glass, iron and steel, pulp and paper, lead, hydrogen and zinc.

Under the federal GHG reporting, all applicable entities must submit reports electronically to the EPA annually by March 31<sup>st</sup> of the

following year. The report requires facility/supplier name with federal ID number, year and months covered in report, date of submittal, annual emissions of each GHG by each applicable source, total GHG emissions, and methodology used to determine GHG emissions, with a signed and dated certification by the facility's designed representative. Once the report is submitted, EPA will verify the report.

### Differences between EPA and CARB Mandatory Reporting of GHGs

Although both the EPA and CARB regulations require the reporting of GHGs and use similar emission calculation methods, several differences exist between their reporting requirements. For example, the general EPA reporting threshold (not including the source specific categories) is 25,000 metric tons of CO<sub>2</sub>e, not including biogenic sources. In contrast, the general CARB threshold is 25,000 metric "tonnes" of CO<sub>2</sub> only, including CO<sub>2</sub> from biogenic sources, and CARB has fewer source specific categories. EPA does not require a third party to verify the report, whereas CARB requires verification; EPA does not require the reporting of indirect energy usage while CARB does; and EPA uses the same reporting deadline for all facilities, whereas CARB has multiple reporting deadlines.

Below are the links to EPA and CARB mandatory reporting requirements, respectively:

<http://www.epa.gov/climatechange/emissions/ghgulemaking.html>

<http://www.arb.ca.gov/cc/ccei.htm>

### Air Quality Tip...

*Air Quality Compliance requires the operator to follow the conditions on the air permits and the regulations in the local air district rules. Not all rule requirements are listed on the permits. In addition, older permits often list permit conditions such as emission limits, source testing, and record keeping that may conflict with the most recent air district rules. For facility compliance follow the most stringent permit or rule requirement.*

### Upcoming Training Offered by UCI or Yorke Engineering:

- South Coast Air Quality Permitting and Compliance Seminar: March 16<sup>th</sup> -17<sup>th</sup>, 2010  
<http://www.yorkeengr.com/classes.htm>
- UCI Air Quality Permitting and Compliance – Spring Qtr. Sign-ups open in early February
- UCI Climate Protection and Environmental Sustainability: On-line, Sign-ups open in early February

### Upcoming Due Dates for 2010

- 2009 SCAQMD AER: 3/2
- Rule 1146 Comp. Plan\*: 1/1
- RECLAIM APEP (cyc. 1): 3/1
- RECLAIM Quarterly (cyc. 2): 1/30
- Title V – 500-SAM: 2/28 & 8/31
- Title V – 500-ACC: 3/1 (Except RECLAIM Cycle 2 8/29)
- Title V – Application for Permit Renewal due 180 days prior to permit expiration.

\* For units per article on following page.

All due dates listed are the statutory dates; sometimes dates are extended when they fall on a day the agency is closed.

## SCAQMD LIFTS PERMIT MORATORIUM WITH SB 827

The SCAQMD will resume issuing the permits blocked by the moratorium soon after January 1st. Senate Bill 827, allows the SCAQMD to resume issuing emission “offsets” from their “bank” to qualifying projects and public service facilities.

The SCAQMD provides offsets for permits at facilities that emit less than four tons per year of smog-forming emissions per Rule 1304. Offsets are also provided for permits for exempt projects and essential public services. For more than a year now, the permit moratorium has frozen over 1,200 projects, including those for hospitals, emission control systems, and renewable power.

SB 827 will lift the permit moratorium until May 1, 2012, allowing the SCAQMD time to complete rulemaking on their emission offset program to comply with the state court decision which resulted in the moratorium.

The SCAQMD has been unable to use their bank of offsets required for permitting due to a lawsuit filed in August 2007 by the Natural Resource Defense Council (NRDC) and other environmental groups. The state judge’s ruling in the case rendered SCAQMD rules 1315, 1309.2, and 1304 unusable due to California Environmental Quality Act (CEQA) requirements. The judge made the decision even though CEQA compliance occurs at the individual project approval phase.

In July, a federal judge for a similar lawsuit to invalidate all credits in the SCAQMD’s offset bank, approved the SCAQMD’s motion to dismiss.

## RULE 1146 BOILER PLAN DUE JANUARY 1<sup>ST</sup>!

Rule 1146 requires the submittal of a Compliance Plan by January 1<sup>st</sup>, 2010 for Group II Units (Units = boilers, process heaters, or *steam generators*) and *Atmospheric Units*. Group II units are from 20 MMBtu/hr to 75MMBtu/hr. The atmospheric units are defined as between 5MM and 10MMBtu/hr and with a non-sealed combustion chamber and natural draft exhaust. The plan will need to be followed up by an application for a permit to construct to meet the future emission limits of 9 ppm for Group II units and 12 ppm for atmospheric units (assuming the current equipment cannot meet those limits). Exclusions include RECLAIM facilities, large refinery boilers, among others.



*Yorke Engineering, LLC specializes in environmental and air quality consulting for stationary and mobile sources including dispersion modeling, health risk assessments, permitting, emission inventories, air quality compliance systems, etc. Yorke Engineering has over 200 customers including a wide variety of industrial facilities and government organizations*

## SOUTH COAST AQMD RULE CHANGES ADOPTED

For full details on rule adoptions go to: <http://aqmd.gov/rules/recentrules.html>

- Rule 1155: *Particulate Matter Control Devices*: This rule establishes record keeping requirements, emission limits, and the installation of Baghouse Leak Detection Systems in units with a surface area greater than 7500 sq. ft. The rule applies to baghouses, bin vents, cyclones, electrostatic precipitators, and wet scrubbers, and includes monitoring that starts April 1, 2010.
- Rule 1145: *Plastic, Rubber, Leather, and Glass Coatings* (amended)- This older rule is being amended to revise the VOC limit for multi-color coatings, establish a new category for coating refrigerated glass doors, and deleting (c)(3) which allows automotive coatings in certain situations.

## SOUTH COAST AQMD RULE CHANGES PROPOSED

For full details on proposed rule changes below go to: <http://www.aqmd.gov/rules/proposed.html>

- Rule 317: *Clean Air Act Non-Attainment Fees* (Amended)- This proposed amendment would raise fees on major stationary sources that do not mitigate emissions of VOC’s or NOx below 80% of the source’s baseline emissions.