



MEMORANDUM

TO: Community Advisory Council (CAC) Members

FROM: Aeron Arlin Genet, Air Pollution Control Officer 

SUBJECT: Community Advisory Council Update

DATE: August 10, 2018

The last meeting of the Community Advisory Council (CAC) occurred on January 11, 2018. Per the recently adopted revisions to the CAC's by-laws, if there are no planning or rulemaking matters to discuss, District staff will provide a quarterly update to the CAC.

The following items are provided as a status update for the period of May 9, 2018 to August 10, 2018:

Revisions to District Rule 1304

At the January CAC meeting, there was a recommendation for the District Board to consider adoption of Rule 1304 that allows for electronic notification (e-noticing) for permit actions on major stationary sources of air pollution. This rule is still undergoing legal review to ensure that the proposed modifications adhere to state and federal notification requirements and keep the public informed about District actions on these sources. District staff are now targeting the October 18, 2018 District Board meeting to present on Rule 1304 modifications.

Assembly Bill 617 – Community Air Protection

Assembly Bill 617 (C. Garcia) was signed into law in September 2017. In response to this legislation, the California Air Resources Board (CARB) created the Community Air Protection Program. The Program's focus is to reduce exposure in the communities throughout the state most impacted by air pollution. CARB staff has been working with local air districts, community groups, community members, environmental organizations, and regulated industries to develop a new community-focused action framework for community air protection. The effort includes community air monitoring in selected communities, community emissions reduction programs, targeted incentive funding to deploy cleaner technologies, and grants to support community participation in the AB 617 process. This legislation also includes new requirements for

accelerated retrofit of pollution controls on industrial sources, increased penalty fees, and greater transparency and availability of air quality and emissions data.

The District is involved in several activities related to this legislation, and will continue to be in the coming years. One of the AB 617 requirements that will involve the CAC is the requirement to implement Best Available Retrofit Control Technology (BARCT) at certain District-permitted sources, discussed in more detail below. Additional information on AB 617 can be found at the District's website at www.ourair.org/community-air.

AB 617 BARCT Implementation Schedule

AB 617 requires all air districts not meeting California's air quality standards to develop a schedule for implementing BARCT on industrial sources that are subject to the State's Cap and Trade Program. AB 617 also requires CARB to establish a clearinghouse of information on Best Available Control (BACT) determinations and BARCT rules, to inform future BACT and BARCT decisions. District staff is participating in a statewide working group to develop and refine the clearinghouse. Staff is also examining the sources that would be subject to BARCT under AB 617, and potential rule revisions to address this new requirement. Pursuant to AB 617, the District plans to develop a BARCT Implementation Schedule, bring it to the CAC for consideration in the fall, and bring it to the District Board for action in January 2019.

Revisions to District Rules 361 and 342

The District's 2016 Ozone Plan includes a commitment to revise Rules 361 and 342 to reduce oxides of nitrogen (NOx) emissions from boilers, steam generators and process heaters (units rated between 2 and 5 million Btu/hr for Rule 361, and units rated at 5 million Btu/hr and greater for Rule 342). The AB 617 BARCT requirements, discussed above, also have implications for facilities subject to these rules. Staff has prepared draft revisions to these rules that incorporate additional requirements for facilities subject to the AB 617 BARCT. The District plans to conduct a public workshop on these rule revisions in the fall. Based on input received at the public workshop, we anticipate the CAC will tentatively discuss and consider revisions to Rules 361 and 342 at an October or November meeting. As we get closer to a planned date, we will contact CAC members to confirm the schedule. District Board action on this item is planned for March 2019.

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The CAC's charter is to consider issues related to air pollution planning and rulemaking for which the District has jurisdiction, and to render advice to the District Board and the APCO. The CAC serves an important function by providing expertise and representation of community interests during planning and rulemaking. The CAC's advice has helped the District Board adopt plans and rules, which have contributed to improving air quality in our county, and District staff appreciate the care and consideration you show in carrying out your service. These updates will also be posted to our website at www.ourair.org/community-advisory-council-info.