

Agenda Date: October 21, 2004
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Board Agenda Item

TO: Air Pollution Control District Board
FROM: Terry Dressler, Air Pollution Control Officer
CONTACT: Brian Shafritz 961-8823
SUBJECT: Senate Bill 700 (SB 700) Implementation

RECOMMENDATION:

1. Receive a status update on APCD's implementation of SB700 permitting requirements and outreach with the agricultural community.

DISCUSSION:

In September, 2003, state Senate Bill 700 (SB 700) was signed into law. The bill took effect January 1, 2004, and repealed the permit exemption for all agricultural sources (except motor vehicles) which had existed in the California Health & Safety Code. The San Joaquin Valley APCD has taken a lead role on SB 700 implementation, and we have been monitoring closely how they are proceeding with implementation. The Santa Barbara County, San Luis Obispo County, and Ventura APCD's are coordinating to implement SB 700 in the three Counties as consistently as possible.

In March 2004, we initiated an outreach effort with the Santa Barbara County agricultural community to inform them of SB 700 requirements, and more specifically to assist them in determining what operations may require permits.

Our outreach efforts to date are summarized below:

- Monthly meetings with the Santa Barbara Agricultural Air Quality Coalition that include representatives from the following associations: Santa Barbara Flower and Nursery Growers Association, Santa Barbara County Cattleman's Association, Central Coast Wine Growers, Santa Barbara County Farm Bureau, Grower-Shipper Vegetable Association.

- Development of an SB700 brochure and other supplemental materials, and distribution of information via agricultural association newsletters.
- Development of informational materials on the APCD Website, including an interactive tool to help determine federal operating permit applicability.
- Participation in a workshop scheduled for October 20, 2004, hosted by the Grower-Shipper Vegetable Association.

Our outreach efforts have been very successful, and we have developed a good working relationship with the Agricultural Coalition. We will hold additional workshops as necessary.

We are implementing SB 700 in two phases. The first phase is focused on assisting agricultural operators in determining if their facilities qualify as major sources (greater than 100 tons per year potential to emit of a single pollutant) and therefore must obtain federal operating permits. The deadline to submit federal operating permit applications to the APCD is December 31, 2004. The second phase will involve working with the agricultural community to compile information on actual pollutant emissions, and to determine operations that may be subject to local permit requirements. We will work actively on this phase with the Agricultural Coalition starting in January 2005.

In the next phase we will address two types of agricultural sources. The first category includes those sources that have actual emissions equal to or above 50 tons per year. The second category will be all of those agricultural sources with emissions less than 50 tons per year. Your Board is required to make certain findings regarding the smaller category of sources prior to requiring them to apply for permits.

In summary, by January 1, 2005, we will know how many federal operating permit applications will need to be processed. Currently, we expect no more than five. We will begin processing these permits, and take final action on all applications received within three years. In 2005, we will be implementing the second phase described above. Lastly, we will be reviewing farming activities and emissions and evaluating whether any new or modified permitting, fee, prohibitory or exemption rules may need to be proposed for agricultural sources.