



## Legislation Text

File #: 20-1047, Version: 1

Air Quality Management District (AQMD) recommending the Board, acting as the AQMD Board of Directors:

- 1) Adopt and authorize the Chair to sign Resolution **132-2020**, approving proposed amendments to Rules 1000 Emissions Statement and 1000.1 Emission Statement Waiver; and
- 2) Direct staff to forward the rule to the California Air Resources Board for transmittal to the U.S. Environmental Protection Agency as a revision to the State Implementation Plan.

**FUNDING:** None required.

### **DISCUSSION / BACKGROUND**

El Dorado County (EDC) is in "nonattainment" of the federal 2015 8-hour ozone National Ambient Air Quality Standard (NAAQS). The Federal Clean Air Act (CAA), Section 182(a)(3)(B), requires all ozone non-attainment areas to have in place a program that requires stationary source operators to annually submit certified statements of NO<sub>x</sub> or VOC emissions to the State. The CAA allows states to waive the requirement for sources not considered major sources. A major source is that which annually emits 25 tons or more of Oxides of Nitrogen (NO<sub>x</sub>) or Volatile Organic Compounds (VOCs). Rule 1000 requires submittal of certified emission statements. Rule 1000.1 exempts all non-major sources from this requirement. Currently, there are no major sources operating in EDC.

In 1992, the AQMD Board of Directors adopted Rules 1000 and 1000.1 establishing this program and AQMD staff began implementation. In May 2020, US EPA Region 9 staff reviewed Rules 1000 and 1000.1 and concluded that they did not sufficiently meet the CAA Sections 182(a)(3)(B)(i) and 182(a)(3)(B)(ii) for the purpose of attaining the 2015 8-hour ozone NAAQS. EPA staff recommended amending the Rules to ensure that AQMD and sources operating in EDC remain in compliance with the CAA. If adopted by the Board, the revised Rules will not result in any new requirements for the sources currently operating in EDC.

All proposed revisions are discussed in the attached Staff Report and Rule 1000 and 1000.1 amendments in underline/strikeout format. In brief, the proposed amendments to Rule 1000 are:

- The statement giving the Air Pollution Control Officer discretion to collect or not collect the emission inventory information has been deleted.
- Sources will now have the option to submit operational data, such as fuel usage, instead of directly measured emissions.
- A reference to CARB's Emission Inventory Turn Around document has been deleted as it is no longer applicable.

Proposed amendments to Rule 1000.1 are:

- A 10 tons of emissions per year threshold was deleted as it is not applicable.
- Emission factors used in calculating emission totals must be those approved by EPA.

On 8/4/20, AQMD staff held a public workshop to discuss the proposed changes. There were no attendees.

AQMD recommends adoption of amendments to Rules 1000 and 1000.1 to more completely fulfill requirements of the Federal CAA for the reporting emissions from sources of NOx and VOCs in ozone non-attainment areas. If approved, the rule will be forwarded to CARB and the EPA for inclusion in the State Implementation Plan.

#### **ALTERNATIVES**

The Board of Directors may wholly approve, deny, or make further revisions to the proposed rules.

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel approved the Resolution

#### **CAO RECOMMENDATION**

Approve as recommended.

#### **FINANCIAL IMPACT**

No financial impact to AQMD, the County or sources operating in the County.

#### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk to obtain the Board Chair's signature on three (3) original Resolutions, and
- 2) Clerk to provide AQMD with two (2) signed copies of the Resolution to be forwarded to the California Air Resources Board.

#### **STRATEGIC PLAN COMPONENT**

Healthy Communities

#### **CONTACT**

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