

Handout

Agenda Item 7.3

Date August 1, 2019

Air Quality, Climate Change, & Energy (ACE) Workgroup Meeting

July 25, 2019 (10 am – Noon)

Conference Call

Dial-In: 605-472-5814

Passcode: 840 541 702 #



Legislative Update



2019 bills tracked by ACE Workgroup

■ Assembly Bills

- AB 56 (Clean Electricity)
- AB 293 (GHG Offset Protocols)
- AB 296 (Climate Innovation Grant)
- AB 552 (Coastal Resilience)
- AB 756 (Public Water, PFAS)
- AB 841 (Drinking Water, PFAS)

■ Senate Bills

- SB 210 (Heavy-Duty Inspection & Maintenance)
- SB 457 (Biomethane: Gas Corp.)
- SB 515 (RPS: Bioenergy Feed-in Tariff)
- SB 667 (GHG: Recycling Infrastructure & Facilities)



Priority Issues/ Action Items



1. Short-Lived Climate Pollutant (SLCP) Reduction Implementation

- 40% methane reduction by 2030 (relative to 2013 levels)
- Organic waste diversion from landfills (*includes biosolids, digestate, and sludges*)
 - 50% by 2020 (relative to 2014 levels)
 - 75% by 2025 (relative to 2014 levels)
- CEC/CPUC to incentivize biogas production/use
- Adoption by January 18, 2020
- State to start enforcement on Jurisdictions January 1, 2022
- Jurisdictions to start enforcement January 1, 2024



1. SLCP Reduction Implementation (cont'd)

- Workshop held June 18th and submitted comment letter July 17th
 - *"...local ordinances may still be adopted if they address health and safety issues..."*
- Met with CalRecycle July 24th regarding local ordinances – updates to regulatory language underway
- One more version expected in September 2019 before adoption in January (15-day comment period)



2. PFAS (PFOS and PFOA)

- Quick facts:
 - Ban on land application of biosolids in Maine due to PFAS concern
 - No confirmed effects
 - Sources: cookware, carpets, fire retardant foam, etc.
 - No federally approved method for analyzing, except for drinking water

- SWRCB investigation of PFAS started March 2019
 - Phase 1 – landfills/airports, drinking water wells (notified via letter)
 - Phase 2 – summer or fall start date
 - Phase 3 – will include WWTPs (notified via letter) & land application sites

- National and State Coalitions forming in response



3. Regional Hot Topic: BAAQMD Climate Pollutants

Rules and Regulations

	GHGs	Odors	VOCs	Toxics
Regulation 13: Climate Pollutants	N ₂ O, PCPs	n/a	n/a	n/a
Rule 13-1: Significant Methane Releases	CH ₄	Yes	Yes	Yes
Rule 13-2: Organic Material Handling	CH ₄	Yes	Yes	Yes
Rule 13-3: Composting Operations	CH₄	Yes	Yes	Yes
Rule 13-4: Wastewater Operations*	CH ₄ , N ₂ O	Yes	Yes	Yes
Rule 8-34: Solids Waste Disposal Sites*	CH ₄	Yes	Yes	Yes

* Future rule development efforts.



3. Regional Hot Topic: BAAQMD Climate Pollutants

Next Steps

- Rule 13-1 was to go to Board by end of 2019 – on hold
- Workshops on Rules 13-2 and 13-4
- Rule 13-2: Organic Material Handling and Composting Operations
 - Concept paper and draft regulation released
- Rule 13-4: Sewage Treatment and Anaerobic Digestion
 - Concept paper released
 - Draft regulation to be released end of 2019/early 2020

Comments submitted July 12th



3. Regional Hot Topic: BAAQMD Climate Pollutants

Comments included...

- Provided a reminder that composting and anaerobic digestion are viable paths to methane reduction
- Provided a definition of anaerobic digestion and biosolids
- Specified issues with the proposed composting regulations that threaten existing operations (e.g., in-vessel, organic material processing, biosolids storage, pile dimensions, moisture content test methods)
- Excluding biosolids from the definition of putrescible material
- Excluding anaerobic digestion from the definition of handling
- Requested access to the list of 70 sewage treatment facilities



4. AB 617: Community Air Protection Program

- CARB to harmonize community air monitoring, reporting, & local emissions reduction programs for CAPs and TACs (and GHGs).

- October 2018

- Assess community exposure
- Establish criteria for air monitoring
- Identify source contributions and strategies for emissions reduction

- October 2019

- Establish emission reduction targets, schedule, & enforcement programs
- Air Districts to submit annual progress reports to CARB in 2019 for 2018



4. AB 617: Stationary Source Applicability

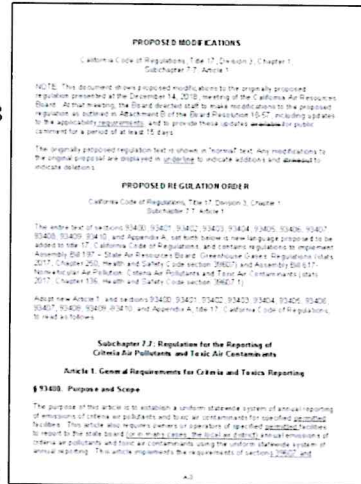
- Report GHGs to CARB
- Criteria air pollutant emissions >250 tpy of applicable nonattainment pollutant(s) or precursor(s)
- Elevated prioritization toxics applicability (categorized by air district)
- Additional applicability – facility with 1+ permits issued by air district with actual emissions or activity levels greater than or equal to:
 - a. ≥ 4 tpy of any criteria air pollutant (except CO)
 - b. ≥ 100 tpy of CO
 - c. Activity levels published in Appendix A, Table A-3 includes:
 - a. Open (primary) WWTPs >5 MGD, closed WWTPs >10 MGD
 - b. Combustion of crude, residual, distillate, or diesel oil

To go to the Board next year as proposed!



4. AB 617: Proposed Regulation Criteria Air Pollutant & Toxic Air Contaminant Reporting

- Comments submitted June 7th
- Dave Edwards/ARB stated:
 - CTR Reg to go to board next year
 - Recommended participation in update to AB 2588 Air Toxics Hot Spots Program – amendments necessary to update the Regulation including changes to the chemical list, test and modeling methods, and references
 - Expanded AB 2588 list of compounds to be distributed shortly
 - Open to adopt short list of Toxics for WW sector!
- **Second Modification released – Comments due August 1st**
- **Implementation delayed to next year!**
- **Next: work to update default emission factors**



Discussion/
Informational Items



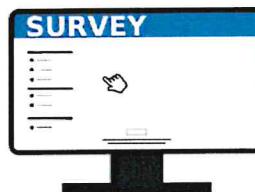
1. SCAQMD Rule 1118.1 – Control of emissions from non-refinery flares (NOx, CO, VOCs)

- Examining impacts of SB 1383 - two meetings on August 2nd focusing on:
 - Food Waste Diversion (9:30 am)
 - Beneficial Use Technology Assessment (1:30 pm)



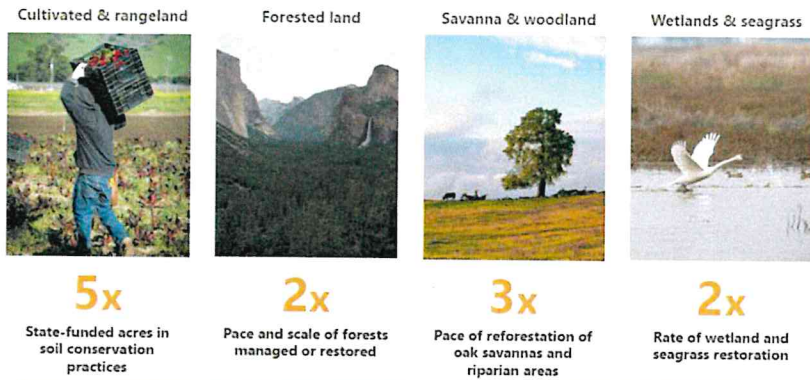
2. SWRCB Co-Digestion Capacity Analysis

- **Additional edits from extended team, addressing by end of July**
 1. Estimate organics generation in 2025 and 2030
 2. Assess existing capacity (without rehab/modifications)
 3. Assess future capacity in 2025 and 2030 (without & with rehab/modifications)
 4. Assess methane emissions
 5. Additional Topics:
 - Investigate opportunities and barriers at small- to medium- sized facilities
 - Examine pilot/demonstration facilities that have already operated
- **Release of report to the public expected by the end of the year**



3. California 2030 Natural & Working Lands Climate Change Implementation Plan

California strives to double the pace and scale of land restoration activities by 2030 and beyond.



Comparing program to Healthy Soils Initiative & Forest Carbon Plan!



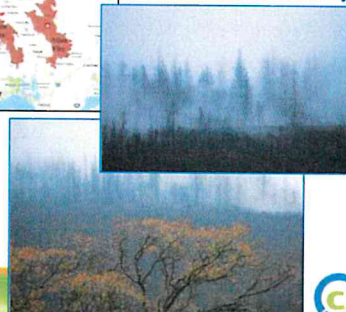
4. Biosolids and Fire Reclamation Efforts

- Received \$82,500 from agency contributions
- Working to get funding from legislature - \$200k
- Site secured in Las Virgenes/Calabasas (Phase 1) for Class B, Class A compost, & Class A dried pellets for land application – to kick-off August 20th
- Looking for a site in Bay Area (Phase 2) and back to Colorado (Phase 3)

Ventura County



Lake County

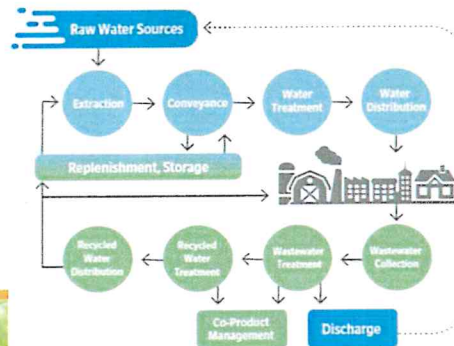


5. Water-Energy GHG Guidance Initiative, WEG 2.0

- Goal: Develop methodology to quantify, compare, and analyze the GHG emissions embedded in delivered water
- Cool Planet Project in partnership with SCE & The Climate Registry, began in 2015
- 2018 - include operations related to WW & RW, including emissions tracking

Voluntary Water-Energy Nexus (WEN) Registry

- Goal: Develop suite of protocols/guidance enabling measurement, reporting, & tracking of entity-wide emissions
- July 24th release of the Climate Registry Information System (CRIS)



6. Offset Protocol Development – ARB mandated efforts under AB 398

- Forming Compliance Offsets Protocol Task Force to establish new protocols for use in post-2020 Cap-and-Trade Program
- Looking for representatives from the following sectors:
 - Scientists
 - Air pollution control / air quality management districts
 - Carbon market experts
 - Tribal representatives
 - Environmental Justice advocates
 - Labor and Workforce representatives
 - Forestry experts
 - Agriculture experts
 - Environmental advocates
 - Conservation advocates
 - Dairy experts

First Meeting: October 24, 2019

Time: 10:00 am to 4:00 pm

Location:

Cal/EPA Headquarters Building
 Conference Room 550
 1001 I Street,
 Sacramento, California 95812



6. Offset Protocol Development – American Carbon Registry (ACR), Voluntary

- ACR serves as a resource to ARB for protocols
- New interest in municipal wastewater (Karen Fligger, EPA)
- Junior staff building excel-based tool based on Clean Development Mechanism *Large Scale Methodology: Treatment of Wastewater*
- No wastewater experience or exposure to a treatment plant

- Reached out to CASA to understand variables, specifically COD (Chemical Oxygen Demand), electricity consumption, and fossil fuel use onsite (not transportation).
- Resources regarding COD and work already done to date (including protocols)

- Reviewing preliminary spreadsheet tool



7. Biogas/Biomethane Management

- **EPA Renewable Fuel Standard RINs**
- CPUC Pipeline Biomethane
- Biogas Accidental Release Prevention & Risk Management impacts
- LCFS
- Utility-Specific Biomethane Specifications for Pipeline Injection



8. SWRCB Climate Change Resolution

- State Water Board seeks feedback on:
 - Permit modifications and other regulatory requirements to reduce vulnerability to flooding, storm surge, and sea level rise.
 - Use of U.S. EPA's Climate Resilience Evaluation and Awareness Tool (CREAT) or a comparable approach to identify vulnerabilities to climate change impacts at water and wastewater utilities.
- State Water Board to distribute revised survey, but pushback from RWQCBs
- RWQCBs going forward

REVIEW DRAFT

Questions for Waterboards Collection, Commission and Treatment Agencies
CALIFORNIA WASTEWATER DEFICIENCY

Name: _____
 Title: _____
 Agency: _____
 Phone: _____
 Email: _____

PLEASE NOTE THIS SURVEY DOES NOT ALTER EXISTING REGULATIONS, USES, OR REQUIREMENTS OF PERMITS, AND IS NOT A COMPONENT OF PERMITS.

1. The state agency conducted a recent or scheduled vulnerability assessment for climate change impact on water utility service area (e.g. sea level rise, storm surge, drought, high stream precipitation, flooding, or water loss)? Yes No

2. If not, or if a previous assessment is outdated, please describe the assessment process, including the assessment tool used, the assessment date, and the assessment results. (Please attach a copy of the assessment report, if available.)

3. If the assessment was completed in the last 12 months, please check all that apply:

<input type="checkbox"/> California Climate Change Center	<input type="checkbox"/> California State Water Resources Control Board
<input type="checkbox"/> California State Water Resources Control Board	<input type="checkbox"/> California State Water Resources Control Board
<input type="checkbox"/> California State Water Resources Control Board	<input type="checkbox"/> California State Water Resources Control Board
<input type="checkbox"/> California State Water Resources Control Board	<input type="checkbox"/> California State Water Resources Control Board

4. Are any of the assessment results in the water? Yes No

5. If the answer is "Yes", please provide the water utility.

6. Select one or more of the assessment results of your facility to update survey reports. The survey results in your facility are the most complete. For all projects and permit holders, indicate the frequency of completion.

Assessment	Status of Assessment			
	Not Done	In Progress	Completed	Not Applicable
Climate Change Vulnerability Assessment				
Climate Change Vulnerability Assessment				
Climate Change Vulnerability Assessment				
Climate Change Vulnerability Assessment				



8. Coastal Commission: Critical Coastal Infrastructure & Climate Change

- Seeking input on local planning needs with regard to built community assets along the coast:
 - Roads
 - Utility lines
 - Water supply storage/conveyance
 - Wastewater treatment systems
- Various smaller coastal WWTPs in discussions regarding “managed retreat” and permit negotiations



9. America’s Water Infrastructure Act 2018

- Signed into law Oct 23, 2018
- Statutory requirements for “community water systems”, not wastewater at this time
- Requires community water systems conduct:
 - Risk & Resilience Assessment
 - Prepare/Revise an Emergency Response Plan
- Malevolent acts and natural hazards in the context of physical security and cybersecurity
- Utility must submit letter to US EPA certifying both are complete, every five years thereafter
- Failure to submit results in enforcement & penalty up to \$25,000/day



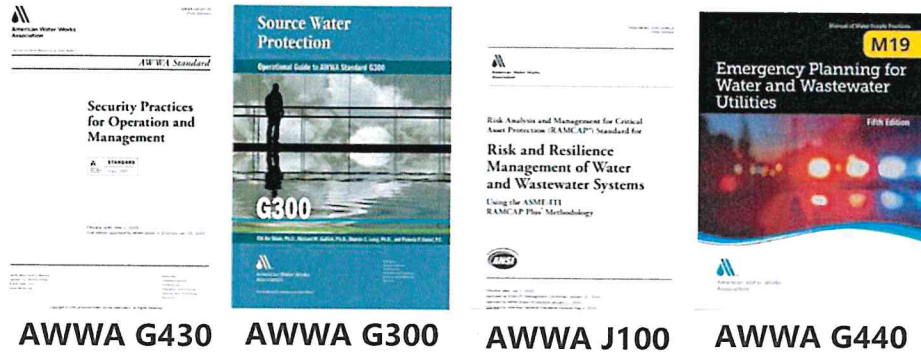
9. America’s Water Infrastructure Act 2018

Community Water System (population served)	Risk & Resilience Assessment	Emergency Response Plan
>100,000	Mar 31, 2020	Sept 30, 2020
50,000–100,000	Dec 31, 2020	June 30, 2021
3,300–50,000	June 30, 2021	Dec 30, 2021

- No definition or guidance for how a utility must complete the RRA or ERP, supports use of voluntary consensus standards recognized by USEPA for purposes of compliance
- AWWA is offering online training for their standards
- EPA planned to release guidance document in August 2019, BUT this is being delayed (folks must still submit on time)



9. Guidance documents & standards provide compliance framework for RRAs & ERPs



Upcoming Conferences/Events

- **CASA Annual Conference**
August 21 - 23, San Diego
- **CASA-CWEA Innovative Technology Seminars**
September 11, Oakland
September 17, Los Angeles
- **WEFTEC**
September 21 - 25, Chicago
- **California Bioresources Symposium**
November 14 - 15, Sacramento



Next Meeting

- **CASA's Annual Conference**
Regulatory Hot Topics & Deep Dives Session
August 21st, 3 – 4 pm
- **September 12th (to avoid WEFTEC)**
Carollo Offices, Noon – 3 pm (lunch included)
In-person Meeting

Thanks for Joining!

