

Program Review of the San Diego Air Pollution Control District

Enforcement Division
November 12, 2020



Assembly Bill 423

- Signed into law in October 2019
- Reforms the San Diego Air Pollution Control District (SDAPCD)
 - Restructures District Governing Board to broaden representation
 - Expands air monitoring and incentive programs
 - Enhances public information, participation, and complaint programs
- Requires California Air Resources Board (CARB) to review SDAPCD programs by June 1, 2021

Outline

- *Regulation of Air Pollution*
- District Programs
- Proposed CARB Review
- Next Steps

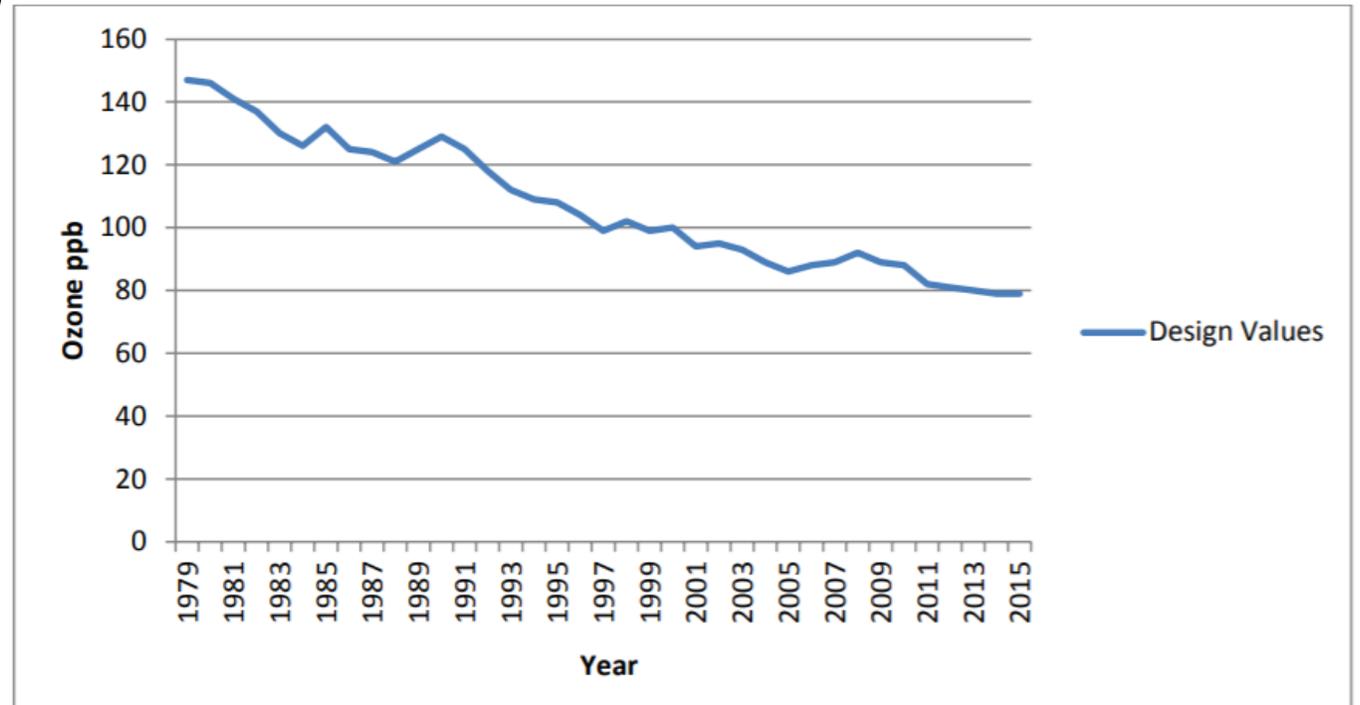
Air Pollution and Air Quality Standards

- Smog
 - Directly emitted pollutants: NO_x, SO_x, VOC, Particulate, CO
 - Ozone formed in atmosphere
- Air pollutants emitted by stationary and mobile sources
- Federal and state law establish air quality standards
- Areas that violate federal or state standards are referred to as "non-attainment" areas.

San Diego Air Quality

- Non-attainment for ozone and particulate
- Air quality is improving
 - But not as quickly in disadvantaged communities

Figure 1. Design Value in San Diego County, 1979-2015



Source: CARB Review of the 2008 8 hr O Attainment Plan for San Diego, February

Primary Jurisdiction Over Air Pollution Sources

Federal



U.S. EPA

Sets/enforces national air quality standards. Regulates interstate transportation.



Trains



Ships



Planes

State



CARB

Regulates mobile sources of air pollution, greenhouse gases, and consumer products.



Cars



Trucks



Buses

Local



Local Air Districts

Regulate stationary and local sources of air pollution.



Factories



Refineries



Residential woodstove

Outline

- Regulation of Air Pollution
- **District Programs**
- Proposed CARB Review
- Next Steps

District Programs

- Emission Inventory and Health Risk Assessment
- Stationary Source Permitting
 - New Source Review
 - Emission Control Requirements
 - Prohibitory Rule Adoption and Implementation
- Compliance/Enforcement
- Ambient Air Monitoring
- Incentives

Emission Inventory and Health Risk Assessment

- Emission quantification is fundamental
 - Criteria pollutants (NO_x, SO_x, particulate)
 - Toxics (ammonia, benzene, hexavalent chromium, etc)
- Emission inventory and health risk assessment used to support AB 2588 Air Toxics “Hot Spots” Program
 - Public Notification
 - Risk Reduction Requirements

Stationary Source Permitting

- All sources subject to permitting
- Permits establish rules under which a source may operate
 - Emission limits
 - Controls
- New or modified sources subject to New Source Review
 - Offset emission increases
 - Subject to control technology requirements (BACT)
 - Public notice requirements
- Prohibitory rules

Prohibitory Rules

- SDAPCD has over 150 “Prohibitory/Source Specific” Rules
- Apply to specific industries or equipment
- Achieve emission reductions by setting emission standards
- Emission Standards
 - RACT or reasonably available control technology (federal)
 - BARCT or best available retrofit control technology (State)

Enforcement

- The District conducts periodic facility inspections
 - Ensure sources are meeting regulatory requirements
- Recordkeeping, monitoring, testing and reporting
- Issuance of violations and imposition of fines for non-compliance

Ambient Air Monitoring

- The District operates a network of ambient air quality monitoring stations:
 - located throughout the county
 - track regional ambient air quality trends
- The monitors measure various air pollutants:
 - NO₂, CO, SO_x, ozone, and particulates
- Data is reported to CARB and the EPA, and is used to determine the District's progress towards meeting air quality goals.

Incentive Programs

- The District implements a number of incentive programs designed to help improve local air quality including:
 - The Carl Moyer program which provides funding for lower than required emission engines and equipment
 - Also included is the Community Air Protection program which provides funding for advanced lower emission technologies in heavily impacted communities

Comments

- We want to hear your questions, thoughts, and comments
 - Please press the Zoom “raise hand” button and staff will call on participants based on the order of who raised their hand first
 - We will prompt the telephone participants to comment after all Zoom participants’ comments have been received

Outline

- Regulation of Air Pollution
- District Programs
- **Proposed CARB Review**
- Next Steps

CARB Review

- Goal
 - Evaluate key District programs, policies, and practices to
 - Provide constructive feedback
 - Make recommendations for potential improvements
- Focus on the years 2013-2018
- Approach
 - Review rule, policy, and programmatic documents and compare across selected Districts
 - Review application of district programs to individual facilities
 - Permits and engineering evaluation
 - Inspections and enforcement

Evaluating District Programs at Facilities

- SDAPCD - 4,000 facilities have 7,000 permits
 - Approximately 30 of which are federally major (Title V) facilities
- CARB staff will review a diverse group of 50 facilities
 - Selected to be broadly representative
 - Particular attention will be paid to facilities located within Environmental Justice communities, and high emitting facilities.
- Focus is the District's program and its application to each facility to develop lessons learned.
 - Not the facility itself.

CARB Review Areas

- Permits and engineering evaluations
- Application of new source review for criteria and toxics
- Health risk assessment
- Enforcement
- Air monitoring
- Incentives

Emissions Inventory and Health Risk Assessment

- CARB staff will review facility files, district databases and documents, and interview District staff in an effort to address the following topics
 - Tools, frequency of inventory reporting
 - Compliance with AB2588 “Hot Spots” program requirements
 - CEQA participation

Permitting and Policies

- CARB staff will review district ATC and ERC engineering evaluations and facility permits, as well as district rules and policies, in an effort to address the following topics:
 - Accuracy, clarity, completeness, and transparency of engineering evaluations and permits
 - Compliance with legal requirements and consistency in application of rules, regulations, and policies
 - ERCs granted in accordance with all applicable regulations and policies
 - Application of BACT to both minor and major sources.
 - Public notice requirements.
 - Enforceability of permit conditions

Enforcement

- Review enforcement at a programmatic level by reviewing policies; and at a facility level by reviewing enforcement practice:
 - Compliance rates
 - Training and inspection / case documentation
 - Notice of violation and case resolution procedures
 - Consistent penalty assessment
 - Timeliness and effectiveness of actions to address complaints

Air Monitoring

- Because CARB has a regular air monitoring evaluation program, air monitoring will not be a focus of this review. However, CARB staff will write a summary of findings from previous reviews, and compare the District's results relative to that of other districts.

Incentives

- Staff will implement its regular fiscal and programmatic review procedures of the District, and publish results as part of its regular review program. A summary of those findings will be included in this report.

Outline

- Regulation of Air Pollution
- District Programs
- Proposed CARB Review
- **Next Steps**

Next Steps

- We are interested in your question, thoughts, comments, suggestions.
 - Respond now or submit comments electronically
- We are willing to meet with people / groups individually
- Upcoming public process
 - Draft report release – May 2021
 - Workshop – May 2021
 - Board meeting – June 2021
 - Issue report – June 2021

Contact Us

- Draft work plan is posted.
- Website: <https://ww2.arb.ca.gov/our-work/programs/san-diego-program-review>
- Email: SanDiegoReview@arb.ca.gov
- Contacts:
 - Thomas Andrews, Lead Staff, thomas.andrews@arb.ca.gov, Ph (916) 229-0353
 - Courtney Graham, Manager, courtney.graham@arb.ca.gov, Ph (916) 229-0783
 - Dave Mehl, Branch Chief, david.mehl@arb.ca.gov, Ph (916) 229-0745
 - Todd Sax, Division Chief, todd.sax@arb.ca.gov, Ph (916) 229-0884

Comments

- We want to hear your questions, thoughts, and comments
 - Please press the Zoom “raise hand” button and staff will call on participants based on the order of who raised their hand first
 - We will prompt the telephone participants to comment after all Zoom participants’ comments have been received