



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS  
STATIONARY SOURCE SPECIAL COMMITTEE MEETING

COMMITTEE MEMBERS

ROD SINKS - CHAIR  
JOHN BAUTERS  
JOHN GIOIA  
NATE MILEY  
JIM SPERING

KAREN MITCHOFF – VICE CHAIR  
DAVID CANEPA  
CAROLE GROOM  
MARK ROSS  
BRAD WAGENKNECHT

MONDAY  
SEPTEMBER 16, 2019  
10:00 A.M.

MILPITAS CITY HALL  
COUNCIL CHAMBERS  
455 E. CALAVERAS BLVD.  
MILPITAS, CA 95035

AGENDA

1. **CALL TO ORDER - ROLL CALL**  
**PLEDGE OF ALLEGIANCE**  
**PUBLIC MEETING PROCEDURE**

*The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members. The Committee Chair shall lead the Pledge of Allegiance.*

*This meeting will be webcast. To see the webcast, please visit [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas) at the time of the meeting. Closed captioning may contain errors and omissions, and are not certified for their content or form.*

**Public Comment on Agenda Items** *The public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.*

2. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

**Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3** *For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have two minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.*

Staff/Phone (415) 749-

3. **APPROVAL OF THE MINUTES OF JULY 8, 2019**

Clerk of the Boards/5073

*The Committee will consider approving the draft minutes of the Stationary Source Committee meeting of July 8, 2019.*

4. **UPDATE ON SOUTH BAY ODOR SOURCES AND AIR DISTRICT ODOR ATTRIBUTION STUDY**

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will receive an update on the ongoing South Bay Odor Study.*

5. **UPDATE ON IMPLEMENTATION OF NEW REGULATION 6 RULES**

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will receive an update on implementation and outreach for the new Regulation 6 Rules and provide examples of how industrial and commercial facilities are complying with their requirements.*

6. **UPDATE ON PROPOSED REGULATION 13, RULE 2 (RULE 13-2): ORGANIC MATERIAL HANDLING AND DRAFT REGULATION 13, RULE 3 (RULE 13-3): COMPOSTING OPERATIONS**

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will receive an update on draft rule development efforts for Proposed Rule 13-2: Organic Material Handling and Draft Rule 13-3: Composting Operations.*

7. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

*Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed two minutes each to address the Board on non-agenda matters.*

8. **COMMITTEE MEMBER COMMENTS**

*Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

9. **TIME AND PLACE OF NEXT MEETING**

*Monday, November 18, 2019, Bay Area Air Quality Management District Office, 375 Beale Street, San Francisco, California 94105 at 9:30 a.m.*

10. **ADJOURNMENT**

*The Committee meeting shall be adjourned by the Committee Chair.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**

[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Stationary Source Committee” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

**Accessibility and Non-Discrimination Policy**

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at [www.baaqmd.gov/accessibility](http://www.baaqmd.gov/accessibility) to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at [rsanders@baaqmd.gov](mailto:rsanders@baaqmd.gov).

# BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

## EXECUTIVE OFFICE:

### MONTHLY CALENDAR OF AIR DISTRICT ANTICIPATED MEETINGS

#### SEPTEMBER 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Meeting - CANCELLED AND RESCHEDULED TO DECEMBER 9, 2019	Monday	9	10:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Community & Public Health Committee	Thursday	12	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Stationary Source Committee	Monday	16	10:00 a.m.	Milpitas City Hall Council Chambers 455 E. Calaveras Blvd. Milpitas, CA 95035
Board of Directors Executive Committee - CANCELLED	Wednesday	18	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Ad Hoc Building Oversight Committee	Wednesday	18	9:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Regular Meeting	Wednesday	18	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Climate Protection Committee	Thursday	19	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Budget & Finance Committee - CANCELLED	Wednesday	25	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	26	9:30 a.m.	1 <sup>st</sup> Floor Board Room

## OCTOBER 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting	Wednesday	2	9:30 a.m.	The Waterfront Hotel Spinnaker Room 10 Washington St. Oakland, CA 94607
Board of Directors Technology Implementation Office (TIO) Steering Committee	Friday	4	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Legislative Committee	Wednesday	9	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Executive Committee	Wednesday	16	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Budget & Finance Committee	Wednesday	23	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	24	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Advisory Council Meeting	Monday	28	10:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Community & Public Health Committee	Wednesday	30	9:30 a.m.	1 <sup>st</sup> Floor Board Room

HL – 9/6/2019 – 1:05 p.m.

G/Board/Executive Office/Moncal

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: August 29, 2019

Re: Approval of the Minutes of July 8, 2019

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RECOMMENDED ACTION

Approve the attached draft minutes of the Stationary Source Committee (Committee) meeting of July 8, 2019.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of July 8, 2019.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 3A: Draft Minutes of the Committee Meeting of July 8, 2019

## AGENDA: 3A – ATTACHMENT

Draft Minutes – Stationary Source Committee Meeting of July 8, 2019

Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, California 94105  
(415) 749-5073

Video Conference Location  
Santa Rosa Junior College  
Doyle Library, Room 4248  
1501 Mendocino Avenue  
Santa Rosa, Ca 95401

### **DRAFT MINUTES**

Summary of Board of Directors  
Stationary Source Committee Meeting  
Monday, July 8, 2019

#### **1. CALL TO ORDER – ROLL CALL**

Stationary Source Committee (Committee) Chairperson Rod Sinks called the meeting to order at 9:32 a.m., and Director Zane was participating via videoconference from Santa Rosa Junior College.

Present: Committee Chairperson Rod Sinks; Vice Chairperson Karen Mitchoff; and Directors David Canepa, John Gioia, Mark Ross, Jim Spering, Brad Wagenknecht, and Shirlee Zane (remote).

Absent: Directors John J. Bauters, Carole Groom, and Nate Miley.

Also Present: None.

#### **PUBLIC COMMENT ON NON-AGENDA MATTERS**

#### **2. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

Public comments were given by Pittsburg resident, Joanne Fanucchi.

#### **3. APPROVAL OF THE MINUTES OF APRIL 29, 2019**

##### Public Comments

No requests received.



Committee Comments

None.

Committee Action

Vice Chair Mitchoff made a motion, seconded by Director Canepa, to approve the Minutes of April 29, 2019; and the motion carried by the following vote of the Committee:

AYES: Canepa, Gioia, Mitchoff, Sinks, Spring, Wagenknecht.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Bauters, Groom, Miley, Ross, Zane.

**4. UPDATE ON REGIONAL AND LOCAL ASSESSMENTS OF PARTICULATE MATTER**

NOTED PRESENT: Director Zane was noted present at 9:36 a.m., and Director Ross was noted present at 9:40 a.m.

Henry Hilken, Director of Planning and Climate Protection, introduced Drs. Judith Cutino, Health Officer, and Phil Martien, Director of the Assessment, Inventory, and Modeling, who gave the staff presentation *Fine Particulate Matter (PM) in the San Francisco Bay Area*, including:

Public Comments

Public comments were given by Richard Gray, 350 Bay Area.

Committee Comments

The Committee and staff discussed the Air District’s Advisory Council’s views on the United States Environmental Protection Agency’s (EPA) conclusion of its 2018 Draft Integrated Science Assessment (ISA) for Particulate Matter, and the status of the EPA’s Clean Air Scientific Advisory Committee; who helps to advise them on the ISA; the request for publications from other reputable health organizations that offer data or conclusions regarding PM; how much residential wood combustion increases in the Bay Area during winter months; concerns regarding localized impacts, which result from PM (in addition to regional impacts); how much cement plants contribute to PM emissions in the Bay Area; how the Air District will utilize rule development to address the most critical stationary sources of PM; the new approach that is being designed by the Air District, its Advisory Council, the EPA, and California’s Office of Environmental Health Hazard Assessment to assess health risks from facility PM<sub>2.5</sub> releases, and whether other Air Districts are doing same; what an achievable PM target emissions reduction might be in the Bay Area, and the request that the Air District assesses how such a target can be achieved; whether the Air District measures dust and silt loading on roads; the request for PM<sub>2.5</sub> emissions summaries for individual communities (pie charts of local impacts), versus for the entire Bay Area; the anticipated accuracy of Aclima’s PM<sub>2.5</sub> readings (by community), as Aclima deploys its Bay Area-wide mobile monitoring/modeling project per its Master Services Agreement with the Air District; the use of community-scale modeling with enhanced emissions estimates to assess potential impacts from

many smaller sources on nearby residents; the importance of including housing and schools when mapping local impacts in individual communities, and the need to remember social equity across all Bay Area communities when addressing PM emissions reduction goals; the difference between PM emissions from standard diesel fuel and biodiesel fuel, and the drawbacks of using biodiesel; the request for a pie chart to show a summary of secondary PM<sub>2.5</sub> Bay Area emissions; whether the Air District has a monetary/economic value for road dust concentration, and the suggestion that the Air District encourages local jurisdictions and Caltrans to do more to mitigate trackout and road dust; which air district in California currently has the most progressive methods of PM source-apportionment (especially in Assembly Bill 617 communities); and details of the Advisory Council's PM Symposia that will occur over the next six months.

#### Committee Action

None; receive and file.

#### **5. UPDATE ON THE IMPLEMENTATION OF REGULATION 11, RULE 18 (RULE 11-18): REDUCTION OF RISK FROM AIR TOXIC EMISSIONS AT EXISTING FACILITIES**

Damian Breen, Deputy Air Pollution Control Officer of Technology, introduced Irma Salinas, Principal Air Quality Engineer, who gave the staff presentation *Update on the Implementation of Regulation 11, Rule 18 (Rule 11-18); Reduction of Risk from Air Toxic Emissions at Existing Facilities*, including: outline; Rule 11-18 requirements; implementation process and status; schedule for Phase I sites; actions to date; and next steps.

#### Public Comments

Public comments were given by Pittsburg resident, Joanne Fanucchi.

#### Committee Comments

The Committee and staff discussed why seven facilities were delayed in submitting their data by to the Air District by the deadline; the request for a list of currently affected facilities by geographic area/county; when the Health Risk Assessments (for each facility) will be available to the public online, and the importance of giving the public access to those documents; and facilities' ability to employ Best Available Retrofit Control Technology for Toxics (TBARCT) on all significant sources of health risks in lieu of achieving health risks for the maximally exposed individual that are less than the risk action levels.

#### Committee Action

None; receive and file.

**6. UPDATE ON RULDE DEVELOPMENT FOR AMENDMENTS TO REGULATION 12, RULE 15 (RULE 12-15): PETROLEUM REFINERY EMISSIONS TRACKING RULE**

Mr. Breen introduced Mark Gage, Air Quality Engineer, gave the staff presentation *Update on Rule Development for Amendments to Regulation 12, Rule 15 (Rule 12-15): Petroleum Refinery Emissions Tracking Rule*, including: annual emissions inventories; current reporting requirements; California Air Resources Board (CARB) adopts criteria air pollution and toxic air contaminants (CTR regulation) in December 2018; CARB’s mandatory reporting regulation (MRR) for greenhouse gasses amended in 2018; proposed rule; why January 15; and publication status.

Public Comments

Public comments were given by Pittsburg resident, Joanne Fanucchi.

Committee Comments

The Committee and staff discussed how the Air District revised Rule 12-15’s reporting deadline requirements to coordinate with the California Air Resources Board’s (CARB) Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants and Mandatory Reporting Regulation for Greenhouse Gases deadlines; whether facilities that are affected by Rule 12-15 have complained (or are expected to complain) to the Air District of the schedule change and potential increase in fees to expedite the intake of facilities’ annual emissions inventories; reasons to have different reporting requirements for each pollutant type, versus requiring all emissions inventories for all pollutant types to be due at the same time; the need to shorten the Air District’s annual emissions inventories review process, and the need for feedback from the facilities on the feasibility of the Air District’s proposed methods to do so; why CARB is requesting that facilities’ annual report be submitted in *August* and the Air District requests them in *January*; how frequently the Air District collects crude slate information at the refineries; and the request for an update on crude slate information that can be publicly disclosed in the future.

Committee Action

None; receive and file.

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

**7. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

No requests received.

**8. COMMITTEE MEMBER COMMENTS**

Director Gioia recognized the success of the Air District’s partnership with the Richmond-San Pablo Area Community Air Monitoring Plan Steering Committee and remarked on the emissions reductions he has observed in the Bay Area, as well as improvements that still need to be made regarding multiple types and sources of air pollution.

Chair Sinks thanked Air District staff for carrying out the implementation of Rule 11-18.

Director Canepa acknowledged Chair Sinks’ enthusiasm, leadership, and aptitude for the technical language of Rule 11-18.

**9. TIME AND PLACE OF NEXT MEETING**

Monday, September 16, 2019, Milpitas City Hall, Council Chambers, 455 E. Calaveras Blvd., Milpitas, CA 95035, at 10:00 a.m.

**10. ADJOURNMENT**

The meeting adjourned at 11:47 a.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: August 29, 2019

Re: Update on South Bay Odor Sources and Air District Odor Attribution Study

**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

Population density and proximity of residential housing and public spaces to the landfill, transfer station, sewage treatment plant, compost and organic waste processing operations have affected air quality in Milpitas and surrounding communities in the South Bay for many years. While there have been improvements to air quality in Milpitas due to Air District actions with assistance from the community, odors continue to be a concern.

Since 2015, Air District staff have been active participants in the South Bay Odor Stakeholder Group (SBOSG) meetings intended to address odors that affect the Milpitas community and provide an open and transparent forum to discuss enforcement activities, permit and regulatory requirements, and odor mitigation and controls measures. Quarterly meetings are attended by community and industry stakeholders, City of Fremont, Milpitas and San Jose representatives, staff representing Assembly Member Kansen Chu, Congressman Ro Khanna and Senator Bob Wieckowski, and Stationary Source Committee Chair, Rod Sinks representing Santa Clara County. Over the last year, a priority of the SBOSG has been to develop an odor study to better understand odor contribution from sources impacting the Milpitas community.

In January 2019, the Air District committed to conducting an Odor Attribution Study intended to identify compounds that may impact the local community by three closely located facilities with similar odor profiles (landfill and associated composting facility, sewage treatment plant and a dry anaerobic food waste digester facility). The goal of the project is to determine the contribution and variability of odors from these facilities and develop a strategy for measuring how often and at what concentration these odors may be passing into the local community.

**DISCUSSION**

Staff will present an update on South Bay odor sources, the Request for Proposal (RFP) process and the intended scope and timeline of the odor study.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Tracy Lee  
Reviewed by: Wayne Kino

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: August 29, 2019

Re: Update on Implementation of New Regulation 6 Rules

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**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

On August 1, 2018, the Board of Directors adopted:

- Regulation 6, Particulate Matter – Common Definitions and Test Methods;
- Regulation 6, Particulate Matter, Rule 1: General Requirements; and
- Regulation 6, Rule 6: Prohibition of Trackout.

These rules were targeted to address particulate matter emissions from commercial and industrial sources across the Bay Area. Particulate matter emissions are an environmental and public health concern because small dust particles cause or contribute to a wide variety of serious health problems, including asthma, bronchitis, cardiovascular diseases, and cancer. Also, certain bulk materials handling operations covered by these rules emit particulates that absorb sunlight and thus impact climate.

**DISCUSSION**

Regulation 6 is an umbrella regulation that provides a consistent set of definitions and test methods across all Bay Area Air Quality Management District (Air District) particulate matter rules.

Regulation 6, Rule 1, strengthened the general particulate matter emissions limitations to equal the most stringent requirements in California, and also addresses particulate emissions from storage and handling of significant quantities of bulk materials, including petroleum coke and coal. Bulk materials are unpackaged solids less than two inches in length or diameter, such as soil, sand, gravel, aggregate, construction materials, coke and coal. Wind erosion from storage and handling of these materials can contribute to fine particulate matter pollution when bulk material dust gets carried into the atmosphere by the wind or by being handled in the open air. Coke or coal dust also absorbs sunlight which impacts climate.

Regulation 6, Rule 6, focuses on road dust, a large source of fine particulates. Road dust is composed in part of particles from vehicles driving over and pulverizing solid materials that may have been deposited on the road. This rule addresses mud and dirt that can be “tracked out” onto a paved road from a construction site, quarry, landfill or other disturbed surface.

As part of the presentation for this agenda item, staff will update the Committee on implementation and outreach for these regulations and give examples of how industrial and commercial facilities are complying with their requirements.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Davis Zhu  
Reviewed by: Pamela Leong



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: August 29, 2019

Re: Update on Proposed Regulation 13, Rule 2 (Rule 13-2): Organic Material Handling and  
Draft Regulation 13, Rule 3 (Rule 13-3): Composting Operations

**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

A recent series of legislative actions (Senate Bill (SB) 32, SB 605, SB 1383) requires the State of California to reduce the statewide disposal of organic waste by 50 percent of 2014 levels by 2020, and 75 percent of 2014 levels by 2025. This mandated diversion of organic material from landfills will likely result in an increased throughput of organic material at compost operations and other organic material handling facilities throughout California, particularly in the more populated areas of the state. Draft Rules 13-2: Organic Material Handling and 13-3: Composting Operations seek to address the anticipated increase in organic material at composting and other organic material handling operations.

**DISCUSSION**

Composting is a controlled biological process of converting organic matter under aerobic conditions (in the presence of oxygen) into simple stable compounds in a solid substrate. The end-product (compost) is a useful soil amendment that increases nutrients, soil structure, and reduces phytotoxicity (the poisoning of plants). Microorganisms use oxygen to convert organic matter into compost while also producing carbon dioxide, water, nitrate, sulfate and heat.

In real world conditions, volatile organic compounds, including odor-causing compounds, may be released during the composting process. Organic material may be converted to methane due to anaerobic (in the absence of oxygen) conditions, which occurs mainly when aeration is insufficient. Well-run composting and organic material handling operations minimize emissions of methane, volatile organic compounds, and related odors through facility planning, adoption of best management practices, odor impact monitoring, and installation of biofiltration systems.

The California Department of Resources Recycling and Recovery (CalRecycle) estimates that 12 to 15 new composting facilities will be needed in the Air District to process an additional 700 to 900 thousand tons per year of organic feedstock. Currently, there are 10-15 permitted composting facilities in the Air District. With the anticipation of an approximately doubling of organic material processed in the Air District, a significant number of new facilities will be needed to accommodate the additional material.

These draft rules are being developed for the purposes of minimizing excess emissions of methane and odor-causing compounds, controlling volatile organic compound emissions, and to create consistency in the compliance and permitting of facilities handling and processing organic material.

In June 2019, Air District staff introduced draft rule language and a Workshop Report for proposed Rule 13-2: Organic Material Handling and Composting Operations at a series of public workshops. Workshops were held in San Francisco, Richmond, and Milpitas, respectively, to solicit public comment on the draft Rule language and accompanying Workshop Report.

The Air District received approximately 75 comment letters from various entities (*e.g.* compost facilities, material recovery and transfer station operators, industry advocacy groups, etc.), that expressed concern with various sections of the proposed Rule. Air District staff took the comments under consideration and determined that proposed Rule 13-2 should be bifurcated into the original two draft rules: Rule 13-2: Organic Material Handling and Rule 13-3: Composting Operations.

In this report, staff will provide the Committee with information on:

- Rule development efforts;
- Timeline for both Rules; and
- Next steps in the rule development process.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Misha Nishiki  
Reviewed by: Elizabeth Yura, Victor Douglas