

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT

MEMORANDUM

04/06/2020

TO: FRAQMD BOARD OF DIRECTORS

FROM: Christopher D. Brown, AICP, APCO

SUBJECT: Approve Resolution #2020-03 authorizing participation in the California Air Resources Board Community Air Protection Program, a grant award up to \$100,000, and authorize the APCO to execute related documents.

---

RECOMMENDATION:

Approve Resolution #2020-03 authorizing participation in the California Air Resources Board Community Air Protection Program, a grant award up to \$100,000, and authorize the APCO to execute related documents.

ALTERNATIVES:

Not approve Resolution #2020-03.

BACKGROUND:

The State of California adopted Assembly Bill (AB) 617 (Chapter 136, Statutes of 2017) with the intent to identify and reduce exposure in communities most impacted by air pollution. The bill mandated several things:

1. That the California Air Resources Board (CARB) to develop a uniform statewide system of annual reporting of emissions of criteria air pollutants and toxic air contaminants (TAC) for use by certain categories of stationary sources. The bill required those stationary sources to report their emissions annually.
2. By October 1, 2018, CARB must prepare a monitoring plan for monitoring criteria pollutants and TACs and the need for any additional community monitoring systems. The plan would identify the highest priority locations for deployment of community monitoring systems, which would need to be deployed by July 1, 2019 by the air district. Fence line monitoring at stationary sources can also be required in the communities by

the air districts. The CARB must annually update the plan. The data collected by the monitoring systems must be published on CARB's website.

3. By October 1, 2018, and at least every 5 years after, CARB must develop a statewide strategy to reduce emissions of TACs and criteria pollutants in communities affected by a high cumulative exposure burden. The CARB must offer grants to those communities for technical assistance and to support community participation. For air districts containing a selected location, within one year of CARB's selection must adopt a community emissions reduction program.
4. Air districts that are nonattainment for one or more air pollutants must adopt an expedited schedule for the implementation of best available retrofit technology (BARCT) for each industrial source that, as of January 1, 2017, was subject to a specified market-based compliance mechanism, and give highest priority to those permitted units that have not modified emissions-related permit conditions for the greatest period of time.
5. The CARB must establish and maintain a statewide clearinghouse that identifies the best available control technology (BACT), BARCT for criteria air pollutants, and related technologies for the control to TACs (T-BACT).
6. The maximum generally applicable criminal and civil penalties for violations of air pollution laws from non-vehicular sources was increased to \$5,000, which will now annually adjust based on California Consumer Price Index.

The District has undertaken many efforts mandated by AB 617. On December 4, 2017, the District Board of Directors adopted Resolution #2017-11 to amend Policy 3.3.1 – Mutual Settlement Policy to incorporate the changes to the maximum generally applicable criminal and civil penalties in regard to the mandates of AB 617. The District has adopted an expedited BARCT schedule and is reviewing amendments to Rule 3.22 Stationary Internal Combustion Engines in accordance with AB 617. The District staff are also working with CARB on the uniform statewide system of emissions reporting and clearinghouse for BACT, BARCT, and T-BACT.

The District was allocated \$28,961 through ARB grant agreement G17-CAPP-9 to implement the mandates of AB 617 in 2018, which has become the Community Air Protection Program. The District was allocated \$90,634 through ARB grant agreement G18-CAPP-9 to implement the Community Air Protection Program in 2019.

#### DISCUSSION:

The District has been informed that it will receive another grant award to implement the Community Air Protection Program in 2020. The District has not yet received the grant agreement from CARB with the final amount, so staff are requesting authorization to accept up to \$100,000. The tentative grant amount is \$45,000.

Acceptance of the grant award would require additional reporting to CARB every year after grant execution until the funds are fully expended.

**FISCAL IMPACT:**

The Resolution would authorize the APCO to accept up to \$100,000 from CARB to offset the cost to implement the mandates of AB 617.

**ATTACHMENTS:**

Resolution #2020-03

ATTACHMENT  
Resolution #2020-03