

Air & Waste Management Association – West Coast Section: GHG Emissions and CEQA

Steve Smith, Ph.D.

April 23, 2009

SCAQMD

Diamond Bar, California

Background

- Attorney General lawsuits/settlements
 - ✓ San Bernardino County General Plan Lawsuit – failure to analyze GHGs
 - ✓ ConocoPhillips Bay Area Refinery Settlement – failure to conclude whether or not GHGs significant
 - ✓ Great Valley Ethanol Project (Hanford) Settlement – failure to adequately mitigate GHG emissions
- Is prudent to use GHG significance threshold (ST) adopted by Board Resolution via a public process (§15064.7)

Background (cont.)

- SCAQMD Working Group (4/04 - 3/09, 9 meetings to date)
 - ✓ State agencies (AG office, OPR, CARB)
 - ✓ Other air districts' staff
 - ✓ Local governments
 - ✓ Environmental community
 - ✓ Business community
- OPR process
 - ✓ CEQA & Climate Change Technical Advisory (8/08)
 - ✓ CEQA Guidelines and GHGs – preliminary draft released 1/09 & revised draft submitted to Secretary for Natural Resources 4/09
- CARB staff's draft GHG threshold proposal (10/08)
- CEC process to develop GHG thresholds for power plants (10/08)

Staff's Interim GHG Proposal (Cont.)

- Determining significance using a tiered approach
 - ✓ Tier 1: Applicable CEQA Exemptions
 - E.g., SB 97, categorical & statutory exemptions
 - ✓ Tier 2: Consistent with GHG reduction plan (§§15064(h)(3), 15125(d), or 15152(a))
 - ✓ Tier 3: < or mitigated to < 10,000 MTCO₂eq/yr (only for industrial projects)
 - ✓ Tier 4: Performance standard control options - not recommended at this time
 - ✓ Tier 5: Off-site mitigation for life of project (30 years)

Staff's Interim GHG Proposal – Methodology

- Capture 90% of GHG emissions from district-wide new/modified stationary/industrial projects
 - ✓ Surveyed AERs for 1,297 existing facilities
 - ✓ Natural gas combustion sources
 - ✓ 10% of facilities responsible for ~ 90% of emissions emitting 10,000 mty or more of CO₂E
- Threshold applies to both emissions from construction & operational phases plus indirect emissions (electricity, water use, etc.)

Staff's Interim GHG ST Proposal

- Adopted by the Governing Board 12/5/08
- Applicability – industrial (stationary source) projects
 - ✓ Only when AQMD assumes lead agency role
 - SCAQMD rules, regulations or Plans, e.g., AQMP
 - Discretionary permit projects where SCAQMD has primary approval authority
 - ✓ Not recommended at this time for use by other agencies for land use projects (residential/commercial)
- Governing Board directed staff to continue working on a GHG ST for residential/commercial projects

GHG Activities in 2009

- At the working group meeting in 1/09, staff identified the following near-term goals for the working group which include:
 - ✓ Further develop interim GHG ST for residential & commercial projects
 - ✓ Develop calculation/inventory methodologies
 - ✓ Identify GHG mitigation measures & control efficiencies
 - ✓ Further evaluate Tier 4 performance standards

Current Activities to Develop A Residential & Commercial GHG ST

- Residential & commercial work plan developed to identify 90% GHG emissions capture rate level, includes:
 - ✓ Obtain and review CEQA documents
 - ✓ Log each project into an Excel spreadsheet
 - ✓ Information logged includes:
 - Project description
 - GHG emissions for construction & operation

Residential & Commercial GHG ST Work Plan (Cont.)

- ✓ GHG residential & commercial work plan (cont.):
 - If GHG emissions not provided, will quantify using URBEMIS2007 based on land use type, size, etc.
 - GHG emissions will be calculated for electricity use using information from document, if no energy information provided use CAR protocol
 - Once data collected, a GHG emissions distribution curve will be generated & 90th percentile identified
 - Report will be prepared summarizing data collected & 90th percentile

Conclusion

- For further information contact:
 - ✓ Steve Smith – ssmith@aqmd.gov or 909.396.3054
 - ✓ GHG significance threshold webpage – <http://www.aqmd.gov/ceqa/handbook/GHG/GHG.html>
 - ✓ GHG ST board adoption agenda item #31 – <http://www.aqmd.gov/hb/2008/December/081231a.htm>