



# Western Regional Emergency Fuel Coordination Meeting



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Bay Area Air Quality Management District



# Bay Area Air Quality Management District

- Air District regulates stationary sources of air pollution in the nine counties that surround San Francisco Bay
- Governed by a 24-member Board of Directors composed of locally elected officials from each of the nine Bay Area counties





# District Regulatory Authority During Emergencies

## Regulation 9 Rule 8 Nitrogen Oxides and Carbon Monoxide From Stationary Internal Combustion Engines

- Stationary Internal Combustion Engines operated exclusively for Emergency Use are exempt from the rule.(Regulation 9-8-110.5)
  - Unlimited run-time, including standby engines operated by essential public services (Regulation 9-8-330.1 & 331)
- Definition of Emergency Use (Regulation 9-8-231)
  - Unforeseeable loss of Natural Gas or Electric Power
  - Mitigation or Prevention of imminent flood or overflow of sewage or waste water
  - Failure or imminent failure of primary motor or source of power
  - Prevention of fire or imminent release of hazardous material



# District Regulatory Authority During Emergencies

## Regulation 9 Rule 8 Nitrogen Oxides and Carbon Monoxide From Stationary Internal Combustion Engines (continued)

- Definition of Essential Public Service (Regulation 9-8-233)
  - Publicly Owner Sewage Treatment Facility (including collection system)
  - Water Treatment and Delivery Operations
  - Public Transit
  - Police or Fire Facility
  - Airport Runway Lights
  - Hospital or Other Medical Emergency Facility
- Records (Regulation 9-8-530)
  - Facility required to maintain a log of run-time and include the nature of emergency condition



# District Regulatory Authority During Emergencies

## Emergency Variances

- Granted for good cause without a public hearing of the Hearing Board
  - Non-compliance must be the result of an unforeseen emergency, such as:
    - Equipment failure
    - Power failure
    - Accidental fire
    - Natural disaster
- Emergency Variance cannot be granted for more than 30 days
- Application submitted to BAAQMD Clerk of the Boards
  - Application available online (<http://www.baaqmd.gov/rules-and-compliance/variances>)



# District Regulatory Authority During Emergencies

## Regulation 1: General Provisions & Definitions

- Exclusion: District Regulations shall not apply to the following:

Air contaminants, where purposely emitted for the sole purpose of a specific beneficial use, and where essentially all of the air contaminants are confined to the area in which such beneficial use is obtained. The quantity and nature of the air contaminants, and the proportion of air contaminants used in relation to amounts of other materials involved in the beneficial use of air contaminants, shall conform to accepted practice in type of use employed. (Regulation 1-110.8)



# District Regulatory Authority During Emergencies

## Cal OES – California Disaster and Civil Defense Master Mutual Aid Agreement

- Article 3 – Powers of the Governor

### Subsection 8567 – Orders and regulations

(a) The Governor may make, amend, and rescind orders and regulations necessary to carry out the provisions of this chapter. The orders and regulations shall have the force and effect of law. Due consideration shall be given to the plans of the federal government in preparing the orders and regulations. The Governor shall cause widespread publicity and notice to be given to all such orders and regulations, or amendments or rescissions thereof.

(b) Orders and regulations, or amendments or rescissions thereof, issued during a state of war emergency or state of emergency shall be in writing and shall take effect immediately upon their issuance. Whenever the state of war emergency or state of emergency has been terminated, the orders and regulations shall be of no further force or effect.



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