

Proposed Amended Rule 1138
Control of Emissions from
Restaurant Operations
Working Group Meeting

from PC or Laptop

https://scaqmd.zoom.us/j/91419201889

Zoom Webinar ID: 914 1920 1889

Teleconference Dial In +1 (669) 900 6833

April 17, 2025

AGENDA

Background

Exemption Threshold Amendments

Administrative Amendments

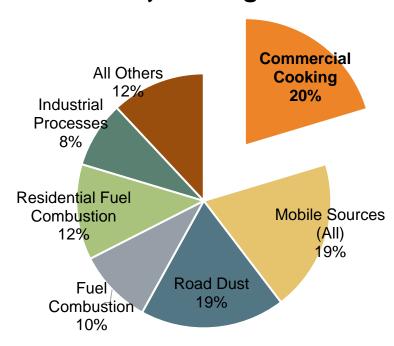
Next Steps

Staff Contacts

BACKGROUND

- South Coast Air Basin is in serious nonattainment for the federal clean air standard for PM2.5
 - Direct PM2.5 emissions must be reduced
 - 20% of direct PM2.5 is from commercial cooking
- 2024 PM2.5 Plan
 - Blueprint to attain the federal 2012 Annual PM2.5 Standard
 - Seeking attainment deadline extension to 2030 from 2025
 - EPA failed to take timely action on the previously submitted plan
 - Implementation of most stringent measures (MSMs) key to deadline extension

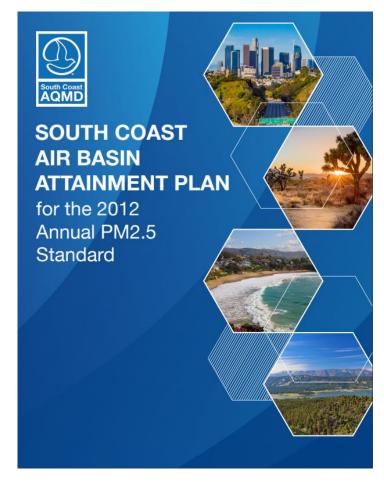
Direct PM 2.5 Emissions – Major Categories*+



^{* 2024} PM 2.5 Plan, Table 3-3: Summary of Emissions by Major Source Category: 2018 Base Year in PM 2.5 Plan, Pg 61: https://www.agmd.gov/docs/default-source/clean-air-plans/pm2.5-plans/final-pm2.5-plan/2012-annual-pm2-5-plan.pdf

MOST STRINGENT MEASURE

- □ South Coast AQMD rules can be no less stringent than the MSM from any other non-attainment or maintenance area in the nation
- ☐ Four rules identified for MSM implementation in 2024 PM2.5 Plan:
 - PAR 1138 Control of Emissions from Restaurant Operations
 - 3 other rules applicable to greenwaste composting, large confined animal facilities, and wood burning devices (not at restaurants)
- Importance of MSM implementation:
 - Allows for attainment deadline extension
 - Must be implemented in 2025
 - Extension up to 5 years (to 2030)
 - Potential federal sanctions if deadline is not extended



PAR 1138: MSM IMPLEMENTATION

- Current Rule 1138:
 - Applies to chain-driven charbroilers used in restaurant operations
 - o Includes an exemption threshold higher than other California air districts (i.e., less stringent)
- Proposed amendments focus on lowering the exemption threshold

Air District	Rule	Adopted/ Amended	Exemption upper limit (chain-driven)
South Coast AQMD	1138	11/14/1997	<875 lbs/week
Bay Area AQMD	Regulation 6 Rule 2	12/05/2007	<400 lbs/week (beef)
San Joaquin APCD	4692	06/21/2018	<400 lbs/week; or ≤10,800 pounds over 12 months and <875 lbs/week

PROPOSED AMENDMENTS

Rule 1138

Subdivision (a) - Applicability

Subdivision (b) - Definition

Subdivision (c) - Requirements

Subdivision (d) - Recordkeeping

Subdivision (e) - Exemption

Subdivision (f) - Evaluations

Subdivision (g) – Test Methods

PAR 1138

Subdivision (a) - Applicability

Subdivision (b) - Definition

Subdivision (c) - Requirements

Subdivision (d) - Recordkeeping

Subdivision (e) - Exemption

Subdivision (f) - Evaluations

Subdivision (g) – Test Methods

Proposed amendments to subdivisions (b), (c), and (f) are administrative in nature

Focus of Proposed

Amendments

Subdivision (e): Exemption

- Keep 875 pound per week of meat cooked exemption limit for one year after proposed adoption date
 - Provides grace period for registration renewal
- Lower exemption threshold from September 5, 2026
 - Alignment with MSMs identified in other CA air districts:
 - o 400 pounds per week, or
 - 10,800 pounds per 12-months and less than
 875 pounds per week
- Explicitly reference Rule 222 registration requirements

(e) Exemption

An owner or operator of a chain-driven charbroiler is may apply for an exemption from the provisions of paragraphs (c)(1), through (c)(24), and (d)(1) provided that either paragraphs (e)(1) through (e)(3), or alternatively, paragraph (e)(4) is met:

- (1) based on accepting a permit condition limiting tThe amount of meat cooked on the chain-driven charbroiler before September 5, 2026, is to-less than 875 pounds per-weekly; or
- (2) The amount of meat cooked on the chain-driven charbroiler on and after September 5, 2026, is less than:
 - (A) 400 pounds weekly, or
 - (B) 10,800 pounds in any continuous 12-month period and less than 875 pounds weekly; and
- (3) A filing pursuant to Rule 222 is submitted to the Executive Officer that includes either of the limits specified in paragraph (e)(1) or (e)(2), whichever is applicable.

POTENTIALLY AFFECTED FACILITIES

- Minimal newly affected facilities anticipated
 - Ongoing verifications with Rule 222 registrations
- □ Catalytic oxidizer retrofit cost ~\$1900
 - Full charbroiler replacement not required
- Catalyst maintenance
 - Lasting for the useful life of charbroiler with proper maintenance
 - Monthly maintenance with soap + water



ADMINISTRATIVE AMENDMENTS

Subdivision (b): Definitions - Deletions

- (4) EXISTING CHAIN-DRIVEN CHARBROILER means any chain-driven charbroiler operating on or before November 14, 1997.
- (6) NEW CHAIN-DRIVEN CHARBROILER means any chain-driven charbroiler initially installed and operated after November 14, 1997.

Terms associated with now irrelevant "grandfather" language

Subdivision (c): Requirements - Deletions

(c)(1) and (c)(2) concern "grandfathering" and "grace periods" for units that were unregulated at the time of initial adoption in 1997, now no longer relevant

- (1) No person shall operate an existing chain-driven charbroiler on and after November 14, 1999 unless it is equipped and operated with a catalytic oxidizer control device, and the combination charbroiler/catalyst has been tested in accordance with the test method specified in subdivision (g) and certified by the Executive Officer. Other control devices or methods may be used, if found, in accordance with the test method specified in subdivision (g), to be as or more effective than the catalytic oxidizer in reducing particulate matter (PM) and volatile organic compounds (VOC) (as defined in Rule 102) emissions and certified by the Executive Officer.
- Notwithstanding provisions of paragraph (c)(1) of this rule, persons operating an existing chain-driven charbroiler with permitted control equipment may elect to maintain that equipment for the duration of its functional life not to exceed 10 years from November 14, 1997. At such time, such persons may elect to either replace the existing control equipment with a catalytic oxidizer control device which in combination with the chain-driven charbroiler has been tested in accordance with the test method specified in subdivision (g) and certified by the Executive Officer, or other control device or method found to be as or more effective than the catalytic oxidizer in reducing PM and VOC emissions in accordance with the test method specified in subdivision (g) and certified by the Executive Officer.

Subdivision (f): Evaluations – Deletions

(f) Evaluations

The Executive Officer will evaluate Rule 1138 and report to the Governing Board, no later than 18 months from the date of its adoption, to assess the feasibility of emission reductions and whether cost-effective control devices or other methods are available for the control of emissions from under-fired charbroilers and potentially other commercial restaurant cooking equipment.

- Subdivision past relevance
 - Referring to actions to be taken by 1999

NEXT STEPS

Ongoing

Reach Out for Stakeholder Feedback

May/June

- Release Preliminary Draft Rule Language and Staff Report
- Stationary Source Committee

July

Public Workshop

August

- Release Draft Rule Language and Staff Report
- Set Public Hearing

September

Public Hearing

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Sign up for the mailing list at: https://www.aqmd.gov/sign-up (select "Rule 1138 – Control of Emissions from Restaurant Operations")

For more information, visit the <u>Proposed Amended Rule 1138 webpage</u>