

INDIRECT SOURCE REVIEW

What is it and how does it
affect you?

Superior California Chapter of AEP

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Overview

Indirect Source

What is an Indirect Source?

Why would Air Districts Regulate Indirect Sources?

SJVAPCD Rule 9510

Goal and Mechanics

Emission Reduction Requirements

The Lawsuit: NAHB v. SJVAPCD

SJVAPCD Rule 9510

Implementation and Lessons

Other Air Districts

Indirect Sources

Types of Emissions Sources:

- ❑ Stationary/Point Sources
- ❑ Area Sources
- ❑ Mobile Sources
- ❑ Natural Sources

Indirect Sources

Federal Clean Air Act Definition:

“a facility, building, structure, installation, real property, road or highway which attracts, or may attract mobile sources of emissions.”

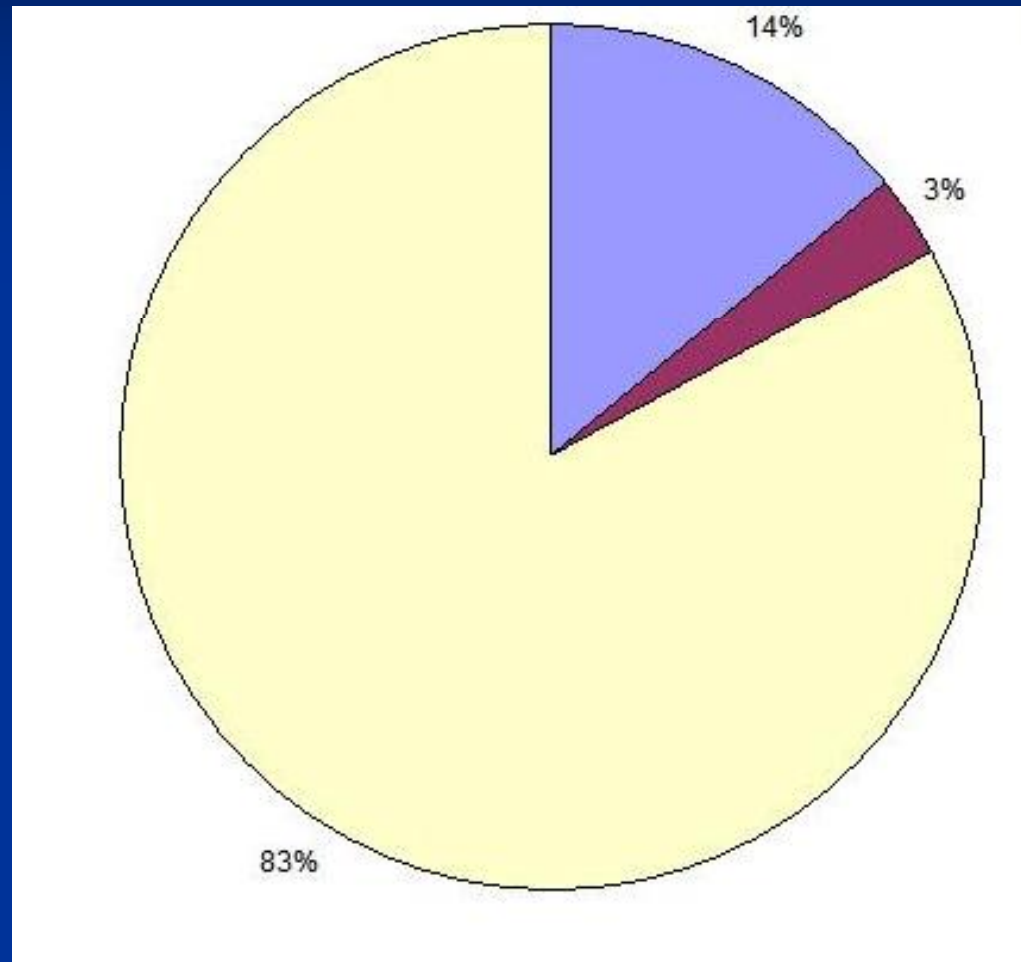
Indirect Sources

Why Regulate?

14% Stationary/Point

3% Area

83% Indirect/Mobile



Indirect Sources

Why Regulate?

Ozone and PM Nonattainment

Emissions Inventory Profile NO_x

San Joaquin Valley APCD = 83% of Inventory

Sacramento Metropolitan AQMD = 91% of Inventory

Bay Area AQMD = 86% of Inventory

South Coast AQMD = 91% of Inventory

SJVAPCD Rule 9510

Goal: Reduce Emissions from Growth

Mechanics

- ❑ **State Implementation Plan**
- ❑ **Coordination with CEQA**
- ❑ **Exemptions**
- ❑ **Emission Reduction Goals for Construction and Operation**

SJVAPCD Rule 9510

Emission Reduction Requirements

Construction:

- ❑ 20% of NO_x
- ❑ 45% of PM₁₀

Operation

- ❑ 33% of NO_x
- ❑ 50% of PM₁₀

Rule 9510 Lawsuit

NAHB v. SJVAPCD

2006-2008

- ❑ Petition US District Court, Eastern District

2009-2010

- ❑ 9th Circuit Court
- ❑ EPA Amicus Brief

2011

- ❑ U.S. Supreme Court Declines Appeal

Rule 9510 Lawsuit

NAHB v. SJVAPCD

Clean Air Act provision for direct emissions:

...Direct emissions sources or facilities at, within or associated with, an indirect source shall not be deemed indirect sources.

Construction Equipment subject to Rule 9510?

Rule 9510 targets **sites** rather than **equipment**.

Rule 9510 Lessons

- ❑ Compliance Tracking
 - Internal
 - External
- ❑ Specificity of Emissions Estimates
- ❑ Interpretations and Procedures
- ❑ Unforeseen Territory
- ❑ Applicant Knowledge

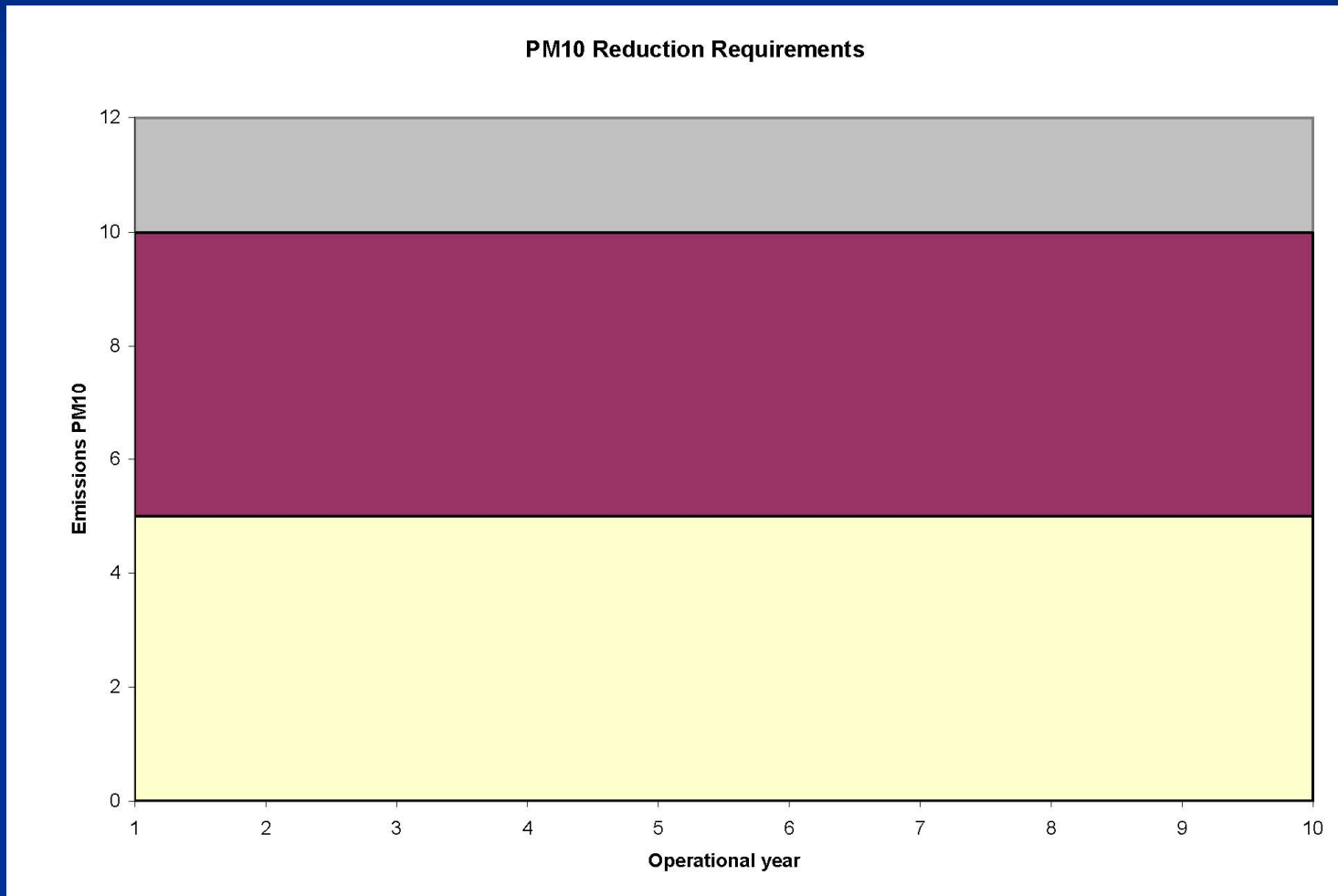
Other Air Districts

- ❑ Imperial County APCD
- ❑ South Coast AQMD
- ❑ Bay Area AQMD
- ❑ Sacramento Metropolitan AQMD

Questions and Answers?

SJVAPCD Rule 9510

Emission Reduction Requirements



SJVAPCD Rule 9510

Emission Reduction Requirements

