

NOTICE PRELIMINARY DECISION OF PART 4, & PART 5, *OFFSETS*, OF DISTRICT RULE 207,
REVIEW OF NEW OR MODIFIED SOURCES (NSR)

Pursuant to District Rule 207, Section 6.9, the Monterey Bay Air Resources District (MBARD) solicits written comments to the preliminary decision to approve the issuance of Authority to Construct (ATC) GNR-018471 to the Monterey Regional Waste Management District dba ReGen Monterey (MRWMD or ReGen Monterey) for the conversion of the existing windrow composting operations to a covered aerated static pile (CASP) operation located at the Monterey Peninsula Landfill at 14201 Del Monte Blvd in Monterey County.

MBARD Rule 207, *Review or New of Modified Sources (NSR)* shall apply to all new stationary sources and all modifications to existing stationary sources which, after construction or modification, emit or have the potential to emit any affected pollutants. The proposed modification for the conversion of the existing windrow composting operations to a CASP operation is subject to NSR.

The facility-wide nitrogen oxides, (NO_x), volatile organic compound (VOC), carbon monoxide (CO), and particulate matter with diameters of 10 micrometers or smaller (PM₁₀) emissions are greater than or equal to the Offset threshold limits listed for Sections 4.2 and 5.3. As demonstrated in MBARD's Evaluation Report, the conversion of the existing windrow composting operations to a CASP operation meets the requirements of Part 4 and Part 5 of Rule 207. Hence, MBARD's preliminary decision to approve the project being proposed because the facility has the capability of complying with all applicable MBARD rules and regulations.

The permit application and MBARD's Evaluation Report are available for public inspection at MBARD's office at 24580 Silver Cloud Court in Monterey. A copy of the evaluation report can be found on MBARD's website at www.mbard.org.

The public has an opportunity to review and comment on the proposed project. Under special circumstances, MBARD may hold a public hearing. Written comments must be submitted to the address below and be postmarked by Friday, January 16, 2026.

Monterey Bay
Air Resources District
24580 Silver Cloud Court
Monterey, CA 93940
(831) 647-9411
ajimenez@mbard.org
Attention: Armando Jimenez

AVISO DE DECISIÓN PRELIMINAR DE LA PARTE 4 Y PARTE 5, *COMPENSACIONES*, DE LA REGLA DEL
DISTRITO 207,
REVISIÓN DE FUENTES NUEVAS O MODIFICADAS (NSR)

De conformidad con la Regla 207 del Distrito, Sección 6.9, el Distrito de Recursos del Aire de la Bahía de Monterey (MBARD) solicita comentarios por escrito sobre la decisión preliminar de aprobar la emisión de la Autorización para Construir (ATC) GNR-018471 al Monterey Regional Waste Management District dba ReGen Monterey (MRWMD or ReGen Monterey) para la conversión de las operaciones de compostaje en hileras existentes a una operación de pila estática aireada cubierta (CASP) ubicada en el vertedero de la península de Monterey en 14201 Del Monte Blvd en el condado de Monterey.

La Regla 207 de MBARD, *Revisión o Nuevas Fuentes Modificadas (NSR)*, se aplicará a todas las fuentes estacionarias nuevas y a todas las modificaciones de las fuentes estacionarias existentes que, tras su construcción o modificación, emitan o puedan emitir contaminantes afectados. La modificación propuesta para la conversión de las operaciones de compostaje en pilas existentes a una operación CASP está sujeta a la NSR.

Las emisiones de óxidos de nitrógeno (NO_x), compuestos orgánicos volátiles (COV), monóxido de carbono (CO) y material particulado con diámetros de 10 micrómetros o menores (PM₁₀) en toda la instalación son mayores o iguales a los límites de compensación indicados en las Secciones 4.2 y 5.3. Como se demuestra en el Informe de Evaluación de MBARD, la conversión de las operaciones existentes de compostaje en pilas a una operación CASP cumple con los requisitos de las Partes 4 y 5 de la Regla 207. Por lo tanto, la decisión preliminar de MBARD de aprobar el proyecto propuesto se debe a que la instalación tiene la capacidad de cumplir con todas las normas y regulaciones aplicables de MBARD.

La solicitud de permiso y el Informe de Evaluación de MBARD están disponibles para consulta pública en la oficina de MBARD, ubicada en Silver Cloud Court 24580, Monterey. Puede encontrar una copia del informe de evaluación en el sitio web de MBARD: www.mbard.org.

El público tiene la oportunidad de revisar y comentar el proyecto propuesto. En circunstancias especiales, MBARD podrá celebrar una audiencia pública. Los comentarios por escrito deben enviarse a la dirección que figura a continuación y tener matasellos del viernes 16 de enero de 2026.

Monterey Bay Air Resources District
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Atención: Armando Jiménez

**ENGINEERING EVALUATION
AUTHORITY TO CONSTRUCT APPLICATION**

Company: Monterey Regional Waste Management District
dba ReGen Monterey

Mailing Address: PO Box 1670
Marina, CA 93933

Contact Person: David I. Ramirez, PE
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Associate Engineer
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Project Location: Adjacent to Monterey Peninsula Landfill
14201 Del Monte Blvd. Monterey County, Salinas, CA 93908

Authority to Construct: GNR-018471 (will replace permit PTO-25-00043)
Renewal Date: September 30 (AEC-2200)

UTM Coordinates: 609646 m E Latitude °N: 36.710525
4063463 m N Longitude °E: -121.772356

SIC NO.: 4953 (Refuse Systems)
NAICS: 562219 (Dumps, Compost)
SCC No. 2680002000 (Waste Disposal Treatment and Recovery – Composting – Mixed Waste (e.g., a 50-50 mixture of biosolids and green wastes))

Engineer: Armando Jimenez
Evaluation Date: October 2025

I. PROPOSAL: CONVERSION OF EXISTING WINDROW COMPOST OPERATION TO COVERED AERATED STATIC PILE SYSTEM:

On July 13, 2023, the Monterey Regional Waste Management District dba ReGen Monterey (MRWMD or ReGen) submitted a permit application for the transfer of ownership of the permit application for the conversion of the existing windrow composting operations to a covered aerated static pile (CASP) operation. The initial applicant was the operator of the windrow composting operation, Keith Day Company Inc. dba Gabilan Ag Services and the initial application was submitted on March 2, 2020. These applications did not include a final design of the new CASP system.

On July 7, 2025, Tetra Tech on behalf of ReGen Monterey submitted an application with the final design of the new CASP system. The existing windrow composting facility operates under Monterey Bay Air Resources District (MBARD) Permit to Operate (PTO) PTO-25-00043 and Solid Waste Facility Permit (SWFP) Number 27-AA-0085. Both permits limit the composting acceptance rates to 500 tons per day. ReGen Monterey intends to convert all of the existing windrow composting operations to CASP operations.

The existing composting facility is located adjacent to the Monterey Peninsula Landfill, a Class III non-hazardous waste landfill. The majority of the feedstock accepted by the facility are green materials, agricultural materials, food waste and gypsum wallboards. The materials primarily come from MRWMD, nearby farms and homeowners. The designed compost capacity is 500 tons per day, which is the facility's SWFP permit daily throughput limit. The operations at the facility comprise of five distinct processing steps: material receiving, processing, composting, post-processing, and monitoring and testing.

II. APPLICABLE RULES:

Rule 200: Permits Required
Rule 207: Review of New and Modified Stationary Sources
Rule 218: Title V Operating Permits
Rule 221: Federal Prevention of Significant Deterioration
Rule 222: Federal Minor New Source Review
Rule 300: District Fees
Rule 400: Visible Emissions
Rule 402: Nuisance
Rule 403: Particulate Matter
Rule 436: Title V: General Prohibitory Rule
Rule 437: Municipal Solid Waste Landfills
Rule 1000: Toxic Air Contaminants
Health and Safety Code 42301.6 – School/Public Notification

III. EQUIPMENT DESCRIPTION:

CONVERSION OF EXISTING WINDROW COMPOST OPERATION TO COVERED AERATED STATIC PILE SYSTEM:

Conversion Of Windrow Compost Operations To Covered Aerated Static Pile System. Composting Of Greenwaste And Foodwaste, With A Daily Maximum Throughput Of 500 Tons Per Day.

Greenwaste And Foodwaste Composting Facility, With A Daily Maximum Throughput Of 182,500 Tons Per Year. Composting Operation Using Covered Aerated Static Pile (CASP) Method Providing Positive Aeration And Abated By Biofilter Cover.

IV. DESIGN REVIEW:

The facility has provided the following description of the design of the CASP system:

A CASP composting operation involves the placement of processed, ground or chipped, greenwaste, clean dimensional lumber, agricultural materials (such as grape pomace and animal manures), residential and commercial food waste, mixed solid waste organics diverted from MSW recycling, and/or digestate from anaerobic organics processing facilities, over perforated pipes that are connected to a central blower system. The piping allows for forced positive aeration (into the piles). Decomposition of the material is maintained through the positive aeration of ambient air which creates a suitable environment for the aerobic decomposition to occur without requiring

material turning, like windrow composting.

The ReGen CASP is designed to process up to 26,700 cubic yards (CY) of compost feedstock materials at any time, and will receive no more than 500 tons of feedstock per day, seven days per week. The proposed design includes 30 active compost piles, with each containing approximately 890 CY of feedstock. The piles will be constructed using a front-end loader to a width of approximately 40 feet, a length of approximately 75 feet, and a maximum height of approximately 10 feet, which includes the approximate 6-inch biofilter cover.

The piles will be arranged into three (3) groups, each containing one (1) fan and 10 aeration zones. A total of three (3) fans will be used to supply aeration to the thirty (30) active aeration zones. The fans and associated equipment will be contained on the backside of a block wall meant to separate and protect the equipment from compost operation activities. The fans required for the positive pressure CASP systems should be considered as necessary components of the proposed CASP Composting Facility and should be included in the permit with the issuance of the ATC.

Each compost pile will be in the active aeration phase for approximately 21 to 28 days. The required retention time in the active phase may be further dictated by regulatory conditions and operational preference and performance. Based on typical aeration requirements for active composting operations, with similar feedstock recipes and design criteria, the blower system will be sized to supply approximately four (4.0) standard cubic feet per minute (scfm) of air flow per CY of compost for a specified duration.

V. EMISSIONS CALCULATIONS:

The evaluation will only consider the emissions from the composting operations and will not include emissions from the supporting equipment. Supporting equipment at the facility has been permitted separately. Composting operations are a source of volatile organic compound (VOC) and ammonia (NH₃) emissions. MBARD will estimate the composting emissions using the San Joaquin Valley Air Pollution Control District’s (SJVAPCD) emission factors for composting, “Compost Emission Factor Report” published on September 15, 2010, and revised on March 21, 2023¹. The report addresses composting facilities with feedstocks that include greenwaste, co-composting (greenwaste combined with biosolids and/or manure) and foodwaste with greenwaste. The report’s recommended emission factors for the organic material composting process are listed in Table 1.

Table 1. SJVAPCD composting emission factors for greenwaste and foodwaste.

Operation type	VOC	NH ₃
Organic material stockpile ¹	0.20 (lbs/wet ton/day)	0.02 (lb/wet ton/day)
Organic material composting ²	3.58 (lb/wet ton)	0.78 (lb/wet ton)

¹ Stockpile emission factor shall be used for the following types of organic material stockpiles: green waste, food waste, and grape pomace.

² Emission Factors represent the entirety of the composting cycle, i.e. start of the active phase through completion of the curing phase.

Note that the SJVAPCD emission factors and control techniques are summarized in the California Air

¹ San Joaquin Valley Air Pollution Control District “Compost Emission Factor Report” published 9/15/2010 and revised on 3/21/2023. Available on line at the following link: <https://ww2.valleyair.org/media/hdsoobtp/criteria-compost-emission-factors-report-final-voc-nh3-3-21-23.pdf>

Resources Board (CARB) report on estimating emissions from composting facilities, “ARB Emissions Inventory Methodology for Composting Facilities” dated 3/2/2015². CARB’s report addresses composting facilities with feedstocks that include greenwaste, co-composting (greenwaste combined with biosolids and/or manure) and foodwaste with greenwaste. Table 2 shows the control techniques and the corresponding control efficiencies listed in CARB’s report.

Table 2. Composting control techniques and control efficiencies.

Control technique	VOC control efficiency	NH ₃ control efficiency
Watering system	19%	19%
Aerated Static Pile (ASP): positive ASP with biofilter cover	80-98%	53%

New Proposed (Post-Project) Potential to Emit (PTE) Emissions

The emissions from the new cover aerated static pile system are based on an annual throughput of 182,500 tons per year and 500 tons per day and the control efficiency of 80% for the positive aerated static pile with biofilter cover. The facility is expected to operate the entire year.

The CASP system potential to emit (PTE) emissions are shown in Table 3.

Table 3. CASP composting PTE emissions.

Pollutant	Composting Process EF (lbs/wet ton)	Compost Control Efficiency	Daily Throughput (ton/day)	Yearly Throughput (ton/yr)	Daily Emissions (lb/day)	Yearly Emissions (lb/yr)	Yearly Emissions (ton/yr)
VOC	3.58	80%	500	182,500	358.00	130,670.00	65.34
NH ₃	0.78	53%	500	182,500	183.30	66,904.50	33.45

Example: daily VOC emissions (lb/day) = (3.58 lb/wet ton) (500 wet ton/day) (1-0.8) = 358 lb/day.

The stockpile emissions are based on a stockpile time of 3 days and it excludes wood waste. As noted in the SJVAPCD’s Compost Emission Factor Report, the stockpile emission factor applies to green waste, food waste, and grape pomace. Wood waste accounts for 60% of the compost feedstock for the facility.

The stockpile PTE emissions for the new CASP system are shown in Table 4.

Table 4. Stockpile PTE emissions (excluding wood waste) for new CASP operations.

Pollutant	Stockpile Process EF (lbs/wet ton-day)	Daily Throughput (ton/day)	Yearly Throughput (ton/yr)	Wood Waste Percent (%)	Daily Emissions (lb/day)	Yearly Emissions (lb/yr)	Yearly Emissions (ton/yr)
VOC	0.20	500	182,500	60%	120.00	43,800.00	21.90
NH ₃	0.02	500	182,500	60%	12.00	4,380.00	2.19

Example: daily VOC emissions (lb/day) = (500 wet ton/day) (0.2 lb/wet ton-day) (3 day) (1-0.6) = 120 lb/day.

Table 5 shows the emissions from the proposed CASP PTE system including composting and stockpile emissions.

² California Air Resources Board. “ARB Emissions Inventory Methodology for Composting Facilities. Dated 3/2/2015. Available online at the following link:
https://ww3.arb.ca.gov/ei/areasrc/composting_emissions_inventory_methodology_final_combined.pdf

Table 5. Total PTE emissions for proposed CASP system including composting & stockpile operations.

Pollutant	Daily Emissions (lb/day)	Yearly Emissions (lb/yr)	Yearly Emissions (ton/yr)
VOC	478	174,470.00	87.24
NH ₃	195.30	71,284.50	35.64

Table 6 shows the new post-project potential emissions broken down by quarter in tons per quarter (ton/qtr). The emissions are based on the operations occurring every day in each quarter, which is assessed to be 90 days for quarter 1, 91 days for quarter 2, 92 days for quarter 3, and 92 days for quarter 4.

Table 6. Post-project CASP PTE emissions in tons/qtr.

Pollutant	Quarter 1 (ton/qtr)	Quarter 2 (ton/qtr)	Quarter 3 (ton/qtr)	Quarter 4 (ton/qtr)
VOC	21.51	21.75	21.99	21.99
NH ₃	8.79	8.89	8.98	8.98

Example: Quarter 1 NO_x = (87.24 ton/yr) (yr/365 day) (90 day/Q1) = 21.51 ton/Q1.

Existing (pre-project) PTE Emissions

Existing Windrow Composting With Water Management

The composting emissions are based on an annual throughput of 182,500 tons per year and 500 tons per day and the control efficiency of 19% based on the use of the water management control measure. The pre-project composting emissions are shown in Table 7.

Table 7. Pre-project windrow composting PTE emissions.

Pollutant	Composting Process EF (lbs/wet ton)	Compost Control Efficiency	Daily Throughput (ton/day)	Yearly Throughput (ton/yr)	Daily Emissions (lb/day)	Yearly Emissions (lb/yr)	Yearly Emissions (ton/yr)
VOC	3.58	19%	500	182,500	1,449.90	529,213.50	264.61
NH ₃	0.78	19%	500	182,500	315.90	115,303.50	57.65

Example: yearly emissions (lb/yr) = (3.58 lbs/wet ton) (182,500 ton/yr) (1-0.19) = 529,213.5 lb/yr.

Existing Windrow Stockpile Emissions (Excludes Wood Waste)

The stockpile PTE emissions are based on a stockpile time of 5 days and it excludes wood waste. As noted in the SJVAPCD’s Compost Emission Factor Report, the stockpile emission factor applies to green waste, food waste, and grape pomace. Wood waste accounts for 60% of the compost feedstock for the facility. The stockpile emissions are shown in Table 8.

Table 8. Pre-project stockpile (excluding wood waste) PTE emissions.

Pollutant	Stockpile Process EF (lbs/wet ton-day)	Daily Throughput (ton/day)	Yearly Throughput (ton/yr)	Wood Waste Percent (%)	Daily Emissions (lb/day)	Yearly Emissions (lb/yr)	Yearly Emissions (ton/yr)
VOC	0.20	500	182,500	60%	200.00	73,000.00	36.50
NH ₃	0.02	500	182,500	60%	20.00	7,300.00	3.65

Table 9 shows the total PTE emissions from the windrow composting operations including composting and stockpile operations.

Table 9. Pre-project total (compost + stockpile) PTE emissions for existing windrow operations.

Pollutant	Daily Emissions (lb/day)	Yearly Emissions (lb/yr)	Yearly Emissions (ton/yr)
VOC	1,649.90	602,213.50	301.11
NH ₃	335.90	122,603.50	61.30

Table 10 shows the existing pre-project PTE emissions broken down by quarter in tons per quarter. The emissions are based on the operations occurring every day in each quarter, which is assessed to be 90 days for quarter 1, 91 days for quarter 2, 92 days for quarter 3, and 92 days for quarter 4.

Table 10. Pre-project windrow composting PTE emissions in tons per quarter.

Pollutant	Quarter 1 (ton/qtr)	Quarter 2 (ton/qtr)	Quarter 3 (ton/qtr)	Quarter 4 (ton/qtr)
VOC	74.25	75.07	75.9	75.9
NH ₃	15.12	15.28	15.45	15.45

Actual Historic Emissions (AHE) Windrow Composting

The facility has provided historical throughput data for the past three years, 2022 through 2024, for their windrow compost operations. In addition to the windrow compost throughputs, the facility has noted that the windrow compost operator did not keep stockpile time records, as they were not a regulated facility at the time. However, the operator estimated the stockpile time to be between 4 and 5 days. This is the best estimation based on contractor experience. MBARD will use 4 days as the average stockpile time.

Table 11 shows the historical composting throughputs broken down by quarter submitted by the facility for the past three years for the existing windrow composting operations.

Table 11. Historical windrow compost throughput broken by quarter.

Year	Quarter 1 (tons)	Quarter 2 (tons)	Quarter 3 (tons)	Quarter 4 (tons)
2024	29,453	30,940	28,841	31,933
2023	29,957	34,512	29,496	22,300
2022	17,992	17,319	27,019	32,533
Average	25,801	27,590	28,452	28,922

Table 12 shows the composting AHE on a quarterly basis based on the average historic compost throughput in pounds per quarter.

Table 12. AHE compost emissions on quarterly basis for the windrow composting.

Pollutant	Quarter 1 (lbs/qtr)	Quarter 2 (lbs/qtr)	Quarter 3 (lbs/qtr)	Quarter 4 (lbs/qtr)
VOC	74,816.77	80,006.45	82,505.11	83,868.02
NH ₃	16,300.86	17,431.57	17,975.97	18,272.92

Table 13 shows the stockpile AHE on a quarterly basis based on the average historic compost throughput in pounds per quarter, the average stockpile time of 4 days, and the wood waste composition of 60% for the compost feedstock.

Table 13. AHE stockpile emissions on quarterly basis.

Pollutant	Quarter 1 (lbs/qtr)	Quarter 2 (lbs/qtr)	Quarter 3 (lbs/qtr)	Quarter 4 (lbs/qtr)
VOC	8,256.21	8,828.91	9,104.64	9,255.04
NH ₃	825.62	882.89	910.46	925.50

Example: quarter 1 VOC emissions (lb/qtr 1) = (25,801 wet ton/qtr 1) (0.2 lb/wet ton-day) (4 day) (1-0.6) = 8,256.32 lb/qtr 1.

Table 14 shows the total, windrow composting + stockpile, AHE on a quarterly basis based on the average historic compost throughput in pounds per quarter.

Table 14. Total (composting + stockpile) AHE emissions in pounds per quarter.

Pollutant	Quarter 1 (lbs/qtr)	Quarter 2 (lbs/qtr)	Quarter 3 (lbs/qtr)	Quarter 4 (lbs/qtr)
VOC	83,072.98	88,835.36	91,609.75	93,123.06
NH ₃	17,126.48	18,314.46	18,886.43	19,198.42

Table 15 shows the existing pre-project AHE emissions broken down by quarter in tons per quarter. The emissions are based on the operations occurring every day in each quarter, which is assessed to be 90 days for quarter 1, 91 days for quarter 2, 92 days for quarter 3, and 92 days for quarter 4.

Table 15. Total (composting + stockpile) AHE emissions in tons per quarter.

Pollutant	Quarter 1 (ton/qtr)	Quarter 2 (ton/qtr)	Quarter 3 (ton/qtr)	Quarter 4 (ton/qtr)
VOC	41.54	44.42	45.80	46.56
NH ₃	8.56	9.16	9.44	9.60

New (post-project) PTE emissions vs existing (pre-project) PTE emissions

Table 16 shows the new post-project potential emissions, as shown in Table 6, minus the pre-project potential emissions, as shown in Table 10, in tons/qtr. The table shows that there is a decrease in potential emissions for all pollutants.

Table 16. Post-project PTE emissions – Pre-project PTE emissions in tons/qtr.

Pollutant	Quarter 1 (ton/qtr)	Quarter 2 (ton/qtr)	Quarter 3 (ton/qtr)	Quarter 4 (ton/qtr)
VOC	-52.74	-53.32	-53.91	-53.91
NH ₃	-6.33	-6.39	-6.47	-6.47

New Post-Project Potential Emissions vs Actual Historic Emissions

Table 17 shows the difference between the post project PTE emissions, as shown in Table 6, compared to the AHE emissions, as shown in Table 15. The table shows that the project will result in an overall annual actual emissions decrease for all pollutants. For ammonia it is noted that the new post-project PTE emissions versus the AHE PTE emissions result in an emissions increase of 0.23 tons for quarter 1 and emissions decreases for quarters 2 through 4 with an overall annual emissions decrease of -1.12 tons.

Table 17. Post-project PTE emissions - AHE emissions in tons/qtr.

Pollutant	Quarter 1 (ton/qtr)	Quarter 2 (ton/qtr)	Quarter 3 (ton/qtr)	Quarter 4 (ton/qtr)
VOC	-20.03	-22.67	-23.81	-24.57
NH ₃	0.23	-0.27	-0.46	-0.62

As noted in Table 16 and Table 17, the proposed project to convert the current windrow composting operations to a CASP system will result in potential emissions decrease and actual emission decrease.

VI. RULE COMPLIANCE:

The following MBARD rules apply to the operations as specified:

Rule 200 – Permits Required

The purpose of this Rule is to identify when MBARD permits are issued. The provisions of this Rule shall apply to any person who builds, erects, alters, or replaces any article, machine, equipment or other contrivance which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants.

Pursuant to Section 3.1, person shall build, erect, alter, or replace any article, machine, equipment or other contrivance which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants unless the facility owner or operator has obtained a separate written Authority to Construct for each permit unit from the Air Pollution Control Officer. An Authority to Construct shall remain in effect until the Permit to Operate the equipment for which the application was filed is granted or denied or the application is cancelled.

Rule 207 – Review of New or Modified Sources (as adopted on 4/20/11)

This Rule provides for the review of new and modified stationary air pollution sources to meet requirements for the review of new and modified stationary sources (NSR) and for the Prevention of Significant Deterioration (PSD), under the provisions of the federal Clean Air Act; and requirements for NSR under the provisions of the California Clean Air Act. The intent of this Rule is to ensure that the most stringent requirements of these programs shall be applied.

This Rule shall apply to all new stationary sources and all modifications to existing stationary sources which, after construction or modification, emit or have the potential to emit any affected pollutants. The proposed project is subject to the requirements of this Rule.

Rule 207 does not include emission thresholds for Best Available Control Technology (BACT) requirements or Offsets for ammonia. Also, ammonia is not identified as a precursor pollutant under the precursor definition of 2.51.

Federal BACT Analysis:

Pursuant to Section 4.1.1, an applicant shall apply BACT to a new stationary source or modification of an existing source, which has the potential to emit greater than or equal to any one of the affected pollutant levels listed in Table 4.1.1 or a modification of an existing stationary source which has the potential to result in a new emissions increase, as defined in Section 2.37, occurring after October 20, 2010 for PM_{2.5} or after August 19, 1983 for PM₁₀ or after July 15, 1976 for any other affected pollutant.

Table 18 shows the emissions from the proposed project, the facility-wide new emissions and the Federal BACT thresholds of Table 4.1.1.

Table 18. Facility-wide PTE emissions.

Application no.:	NO _x (lb/day)	VOC (lb/day)	CO (lb/day)	SO _x (lb/day)	PM (lb/day)	PM ₁₀ (lb/day)	PM _{2.5} (lb/day)
GNR-018139 – Permanent H ₂ S control system (2021) ¹							
GNR-018291 – BioCNG gas skid (2020) ¹							
PTO-25-00043 Windrow composting (2019) ²							

Application no.:	NO _x (lb/day)	VOC (lb/day)	CO (lb/day)	SO _x (lb/day)	PM (lb/day)	PM ₁₀ (lb/day)	PM _{2.5} (lb/day)
GNR-018471 Covered Aerated Static Pile composting (2025)³		478.00					
14976A LFG eng-gen set #1 – 2,233 HP (2007) ^{4,5,6,7}	70.80	70.80	354.10	<150	18.89	18.89	N/A
AMD-23-0079/15561 Aboveground GDF (1996) ⁸		N/A					
GNR-0017042 LFG eng-gen set #3 – 1,387 HP (1996) ^{4,5,6,7}	43.92	13.92	220.08	<150	12.00	12.00	N/A
GNR-0017043 LFG eng-gen set #4 – 1,986 HP (2009) ^{4,5,6,7}	62.88	20.88	314.88	<150	17.28	17.28	N/A
GNR-0017189 Emergency MY2006 Tier 3 diesel eng- gen set – 300 HP (2016) ⁵	43.77	2.22	37.90	0.07	1.74	1.67	1.63
GNR-0017569 LFG enclosed flare – 120 MMBtu/hr (2015) ^{5,7}	146.88	86.40	518.40	<150	57.60	57.60	57.60
GNR-0017570 LFG eng-gen set #2 – 1,468 HP (2004) ^{4,5,6,7}	58.32	10.80	243.12	<150	10.32	10.32	N/A
GNR-0018464 Emergency MY2013 Tier 4i diesel eng- gen set – 570 HP (2021) ⁵	35.86	1.21	31.34	0.17	0.05	0.05	0.05
Total⁷	462.43	684.23	1,719.82	<150	117.88	117.81	59.28
Table 4.1.1 Federal BACT Threshold:	150	150	550	150	150	82	54.79

¹ The permits are not a source of NO_x, VOC, CO, SO_x, & PM emissions.

² Operations will be replaced by the new CASP composting system. Thus, emissions are not counted. Existing composting operations previously not permitted by MBARD.

³ New CASP composting operations will replace existing windrow composting operations under permit PTO-25-00043.

⁴ PM_{2.5} emission increases on and prior to October 20, 2010, are not included in the new emissions increase calculation pursuant to MBARD Rule 207, Section 4.1.1.

⁵ PM₁₀ and PM_{2.5} fractions estimated using CARB’s CEIDARS particulate matter size profile database (9/2024). For diesel IC engines (profile #116): PM₁₀ = 0.96 PM & PM_{2.5} = 0.937 PM. For gaseous material combustion, digester gas flare and engines, (profile #120): PM₁₀ = 1.0 PM & PM_{2.5} = 1.0 PM.

⁶ PM emissions based on AP42, Chapter 2.4, Table 4.4-5 (8/24). For combustion engines, PM emissions are based on 48 lb/10⁶ dscf methane. For engine #1, the inlet flow rate is 464 ft³/min. For engine #2, the inlet flow rate is 298 ft³/min. For engine #3, the flow rate is 350 ft³/min. For engine #4, the inlet flow rate is 500 ft³/min.

⁷ The permit to operate for the landfill gas (LFG) combustion equipment include a condition limiting the facility-wide SO_x emissions to less than 150 pounds per day.

⁸ Pursuant to Rule 207, Section 1.3.1, gasoline storage and dispensing subject to MBARD Rules 418 (Transfer of Gasoline into Stationary Storage Containers) and 1002 (Transfer of Gasoline into Vehicle Fuel Tanks) shall be exempt from the requirements of Rule 207.

Table 18 shows that the new emissions, as defined in Section 2.37, exceed the BACT thresholds of Section 4.1.1 for NO_x, VOC and CO.

The South Coast Air Quality Management District (SCAQMD) has not made any composting Lowest Achievable Emission Rate (LAER)/BACT determinations for major polluting facilities. However, the

SCAQMD BACT guidelines for non-major polluting facilities, Part D, BACT for greenwaste composting operations (2/1/2019) is compliance with SCAQMD Rule 1133.3. A copy of the Part D BACT greenwaste composting guidelines is saved on the permit file. Pursuant to SCAQMD Rule 1133.3, operator of greenwaste composting operations processing greater than 5,000 tons per year of foodwaste throughput shall use an emission control device designed and operated with an overall system control efficiency of at least 80 percent, by weight, each for VOC and ammonia emissions.

The San Joaquin Valley Air Pollution Control District (SJVAPCD) BACT Guideline 6.4.10 (9/29/2023) lists the Achieved in Practice control requirement of 80% overall capture and control efficiency for VOC and NH₃ for active and curing composting phases, consisting of one of the following options:

- Positively aerated static windrow piles with engineered covers or equivalent, or
- Negatively aerated static windrow piles vented to a biofilter or equivalent.

The Bay Area Air Quality Management District (BAAQMD) BACT Guidelines for green and food waste (6/22/16) lists the Achieved in Practice control requirement as CASP system with biofilter, and either positive or negative aeration.

As noted in the Design Review, Section IV, the proposed CASP system will use a central blower system that will allow for forced positive aeration and will use a biofilter cover. The proposed CASP system meets the SCAQMD Part D BACT greenwaste composting guidelines, SJVAPCD BACT Guideline 6.4.10, and BAAQMD BACT guidelines for green and wood waste composting.

California BACT analysis

Pursuant to Section 5.2, BACT shall be required for any new or modified permit unit with a potential to emit 25 pounds per day or more of VOCs or NO_x. Table 19 shows that the proposed project’s uncontrolled emissions trigger the CA VOC BACT threshold.

Table 19. California BACT determination.

Pollutant	BACT threshold (lb/day)	Project uncontrolled emissions (lb/day)	BACT triggered?
NO _x	25	N/A	N/A
VOC ¹	25	478	Yes

¹ Project daily emissions from Table 15.

As noted above, the proposed CASP system with biofilter meets BACT requirements.

Federal Offsets analysis

Pursuant to Section 4.2, Offsets are required for any new or modified source, which has net emissions increases equal to exceeding thresholds specified in Rule 207, Table 4.2.2. The application for the proposed CASP facility was received in July 2025. Hence, as defined by Section 2.38, this operation is a new source from a federal standpoint, with commencement after July 15, 1976. Accordingly, the project emissions must be counted in the net and new emission increase calculation.

Table 20 shows the emissions from the new project, the net emissions increase for the facility and the Federal offset thresholds.

Table 20. Federal Net Emissions Increase (NEI) – Offset Determination.

Application no./Equipment Description/Installation Date:	NO _x (lb/day)	VOC (lb/day)	CO (lb/day)	SO _x (lb/day)	PM (lb/day)	PM ₁₀ (lb/day)
GNR-018139 – Permanent H ₂ S control system (2021) ¹						
GNR-018291 – BioCNG gas skid (2020) ¹						
PTO-25-00043 Windrow composting (2019) ²						
GNR-018471 Covered Aerated Static Pile composting (2025)³		478.00				
14976A LFG eng-gen set #1 – 2,233 HP (2007) ^{4,5,6}	70.80	70.80	354.10	<150	18.89	18.89
AMD-23-0079/15561 Aboveground GDF (1996) ⁷		N/A				
GNR-0017042 LFG eng-gen set #3 – 1,387 HP (1996) ^{4,5,6}	43.92	13.92	220.08	<150	12.00	12.00
GNR-0017043 LFG eng-gen set #4 – 1,986 HP (2009) ^{4,5,6}	62.88	20.88	314.88	<150	17.28	17.28
GNR-0017189 Emergency MY2006 Tier 3 diesel eng-gen set – 300 HP (2016) ⁸						
GNR-0017569 LFG enclosed flare – 120 MMBtu/hr (2015) ^{5,7}	146.88	86.40	518.40	<150	57.60	57.60
GNR-0017570 LFG eng-gen set #2 – 1,468 HP (2004) ^{4,5,6,7}	58.32	10.80	243.12	<150	10.32	10.32
GNR-0018464 Emergency MY2013 Tier 4i diesel eng-gen set – 570 HP (2021) ⁸						
Total ⁶ :	382.80	680.80	1,650.58	<150	116.09	116.09
Table 4.2.2 Offset Threshold:	150	150	550	150	150	82

¹ The permits are not a source of NO_x, VOC, CO, SO_x, PM emissions.
² Existing composting operations previously not permitted by MBARD. As pointed out in Section 2.18.1, fugitive emissions shall not be considered in determining whether it is a major source.
³ New CASP composting operations will replace existing windrow composting operations under permit PTO-25-00043.
⁴ PM₁₀ and PM_{2.5} fractions estimated using CARB’s CEIDARS particulate matter size profile database (9/2024). For diesel IC engines (profile #116): PM₁₀ = 0.96 PM & PM_{2.5} = 0.937 PM. For gaseous material combustion, digester gas flare and engines, (profile #120): PM₁₀ = 1.0 PM & PM_{2.5} = 1.0 PM.
⁵ PM emissions based on AP42, Chapter 2.4, Table 4.4-5 (8/24). For combustion engines, PM emissions are based on 48 lb/10⁶ dscf methane. For engine #1, the inlet flow rate is 464 ft³/min. For engine #2, the inlet flow rate is 298 ft³/min. For engine #3, the flow rate is 350 ft³/min. For engine #4, the inlet flow rate is 500 ft³/min.
⁶ The permit to operate for the landfill gas (LFG) combustion equipment includes a condition limiting the facility-wide SO_x emissions to less than 150 pounds per day.
⁷ Per Rule 207, Section 1.3.1, gasoline storage and dispensing equipment subject to MBARD Rule 418 and Rule 1002 are exempt from the requirements of Rule 207.
⁸ Per Rule 207, Section 1.3.3, emergency engines are exempt from Offset requirements.

Table 20 shows that the facility exceeds the offset thresholds for NO_x, VOC, CO, and PM₁₀. Accordingly, the proposed project is subject to the offset requirements of Section 4. Note that the proposed project is a source of VOCs.

Pursuant to Section 7.4.1, for increases in emissions the emissions profiles for new sources or modified sources shall be based on the potential to emit and the emissions profiles for existing sources shall be based on the historical emissions. Table 21 shows the comparison of the VOC emissions profile for the proposed project, PTE_{post-project} as shown in Table 6, and the actual historical emissions of the existing source, AHE_{pre-project}, as shown in Table 15.

Table 21. Federal offset determination PTE_{post-project} – AHE_{pre-project} for VOCs.

Federal Quarterly Profiles	Quarter 1	Quarter 2	Quarter 3	Quarter 4
PTE Post-Project PTE Emissions ¹ :				
CASP System GNR-018471 (ton/qtr)	21.51	21.75	21.99	21.99
AHE Pre-Project Emissions ² :				
Windrow composting PTO-25-00043 (ton/qtr)	41.54	44.42	45.8	46.56
PTE _{post-project} – AHE _{pre-project} (ton/qtr):	-20.03	-22.67	-23.81	-24.57

¹ The post-project PTE emissions are shown in Table 6 in tons per quarter.

² The pre-project AHE emissions are shown in Table 15 in tons per quarter.

As shown in Table 21, the proposed conversion of the windrow composting to CASP system will result in actual emission decrease and no offsets are required for the project.

California Offsets analysis

Pursuant to Section 5.3, any new or modified stationary source with a potential to emit 137 pounds per day or more of VOCs or NO_x shall be required to provide offsets at the ratios specified in Section 4.3. Pursuant to Section 2.38, for the purposes of Part 5 of this Rule, the new source applicability date shall be April 21, 1993. Table 22 shows the facility-wide PTE emissions and the CA offset thresholds of Section 5.3.

Table 22. Facility-wide potential to emit emissions and CA offset determination.

Application/Permit no.:	NO _x (lb/day)	VOC (lb/day)
GNR-018139 – Permanent H ₂ S control system (2021) ¹		
GNR-018291 – BioCNG gas skid (2020) ¹		
PTO-25-00043 Windrow composting (2019) ²		
GNR-018471 Covered Aerated Static Pile composting (2025)³		478.00
14976A LFG eng-gen set #1 – 2,233 HP (2007)	70.80	70.80
AMD-23-0079/15561 Aboveground GDF (1996) ³		N/A
GNR-0017042 LFG eng-gen set #3 – 1,387 HP (1996)	43.92	13.92
GNR-0017043 LFG eng-gen set #4 – 1,986 HP (2009)	62.88	20.88
GNR-0017189 Emergency MY2006 Tier 3 diesel eng-gen set – 300 HP (2016) ⁴		
GNR-0017569 LFG enclosed flare – 120 MMBtu/hr (2015)	146.88	86.40
GNR-0017570 LFG eng-gen set #2 – 1,468 HP (2004)	58.32	10.80
GNR-0018464 Emergency MY2013 Tier 4i diesel eng-gen set – 570 HP (2021) ⁴		

Application/Permit no.:	NO _x (lb/day)	VOC (lb/day)
Total	382.80	680.80

- ¹ The permits are not a source of NO_x, VOC, CO, SO_x, PM emissions.
- ² Existing composting operations previously not permitted by MBARD. As pointed out in Section 2.18.1, fugitive emissions shall not be considered in determining whether it is a major source.
- ³ New CASP composting operations will replace existing windrow composting operations under permit PTO-25-00043.
- ⁴ Per Rule 207, Section 1.3.1, gasoline storage and dispensing equipment subject to MBARD Rule 418 and Rule 1002 are exempt from the requirements of Rule 207.
- ⁵ Per Rule 207, Section 1.3.3, emergency engines are exempt from Offset requirements.

Table 22 shows that the facility exceeds the offset thresholds for NO_x and VOC.

Pursuant to Section 5.3.4, the amount of offsets obtained shall be at least equal to the difference between the emissions of the modified source, and the emissions of the existing source. Pursuant to Section 5.4, for the purpose of determining offset requirements under this Part, emissions profiles for new sources, existing sources or modified sources shall be based on the potential to emit as described under Section 7.1 herein. In addition, Section 5.3.2 requires that the offset shall be determined on a quarterly basis.

Table 23 shows the comparison of the VOC emissions profile for the proposed project, PTE_{post-project} as shown in Table 6, and the PTE emissions of the existing source, PTE_{pre-project} as shown in Table 10. As shown in Table 23, the proposed project results in a PTE emissions decrease and no offsets are required.

Table 23. California offset determination PTE_{post-project} – PTE_{pre-project}.

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
PTE Post-Project Emissions ¹ :				
CASP System GNR-018471 (ton/qtr)	21.51	21.75	21.99	21.99
PTE Pre-Project Emissions ² :				
Windrow composting PTO-25-00043 (ton/qtr)	74.25	75.07	75.90	75.90
PTE _{post-project} – PTE _{pre-project} (ton/qtr):	-52.74	-53.32	-53.91	-53.91

- ¹ The post-project PTE emissions are shown in Table 6 in tons per quarter.
- ² The pre-project PTE emissions are shown in Table 10 in tons per quarter.

As shown in Table 23 the proposed conversion of the windrow composting to CASP system will result in PTE emission decrease and no offsets are required for the project.

Visibility, soils, and vegetation analysis:

Section 3.2 requires the applicant to provide MBARD with an analysis of impairment to visibility, soils and vegetation. MBARD does not find it necessary to determine the negligible effect emissions from this modification will have on visibility, soils and vegetation.

Ambient air quality standards (AAQS) and emission increments:

Section 3.3, Ambient Air Quality Standards and Emission Increments, prohibits emissions from causing or contributing to a violation of an ambient air quality standard or exceeding any air quality increment. Moreover, Section 6.6, Air Quality Increment Analysis, prohibits a source which is subject to Section 4.2, Offset Requirements, from exceeding 50% of the remaining emissions increment.

The operation has the potential to emit VOC emissions. Ozone (O₃), a component of smog, is formed in the atmosphere rather than being directly emitted from pollutant sources. O₃ forms as a result of VOCs and

NO_x reacting in the presence of sunlight in the atmosphere. VOCs and NO_x are termed “O₃ precursors” and their emissions are regulated in order to control the creation of O₃. O₃ is a regional pollutant and ambient concentration can only be predicted using regional photochemical models that account for all sources of precursors, which is beyond the scope of this analysis. Therefore, no photochemical O₃ modeling was conducted. However, on February 25, 2021, the California Air Resources Board (CARB) approved the proposed updates to the State Area Designation based on 2017 to 2019 air quality data which designates MBARD as attainment for O₃. In addition, as shown in tables, the proposed project results in actual emission reductions. Therefore, this project will not have an impact on attainment of the O₃ standard.

Publication and Public Comment

MBARD is required, pursuant to Section 6.9, to publish in at least one newspaper of general circulation in MBARD’s jurisdiction a notice stating the preliminary decision on a source’s application for a modification where the offset thresholds of Section 4.2 or 5.3 are exceeded. MBARD will comply with the requirements of Section 6.9 and issue the public notice in a local newspaper and will post the public notice on MBARD’s webpage. The public notice will invite written public comment for a 30-day period following the date of publication.

Rule 207 – Review of New or Modified Sources (as adopted on 2-15-17)

Note that MBARD has not received approval for the 2/15/2017 version of Rule 207 and MBARD is implementing Rule 207 as adopted on 4/20/2011. For informational purposes only, the Rule applicability of Rule 207 as adopted on 2/15/2017 is as follows:

The purpose of this Rule is to provide for the review of new and modified stationary air pollution sources to meet the New Source Review requirements under the provisions of the California Clean Air Act. This Rule provides mechanisms by which Authorities to Construct may be granted to such sources without interfering with the attainment or maintenance of California ambient air quality standards. Each project subject to New Source Review shall undergo a review under the federal requirements contained within Rule 220 and Rule 221, and a parallel review under the requirements of this Rule and the most stringent applicable provisions shall apply.

Rule 207 applies to all new stationary sources and all modifications to existing stationary sources, which after construction or modification, emit or have the potential to emit any affected pollutants. This project is subject to the requirements of this Rule.

BACT requirements

Pursuant to Section 4.1.1, BACT shall be required for any new or modified permit unit with a potential to emit 25 pounds per day or more of VOCs or NO_x. As shown in Table 19, California BACT determination, the proposed project has the potential to exceed 25 pounds per day of VOCs and is not a source of NO_x. As noted above, the proposed CASP system with biofilter meets BACT requirements.

Pursuant to Section 4.1.2, BACT shall be required for a new or modified stationary source which has the potential to emit greater than or equal to any one of the affected pollutant levels listed in Table 4.1.1.

The emissions from the new project, the facility-wide emissions and the BACT thresholds of Section 4.1.2, Table 4.1.1, are shown in Table 24.

Table 24. Facility-wide PTE emissions.

Application no.:	NO _x (lb/day)	VOC (lb/day)	CO (lb/day)	SO _x (lb/day)	PM (lb/day)	PM ₁₀ (lb/day)	PM _{2.5} (lb/day)
GNR-018139 – Permanent H2S control system (2021) ¹							
GNR-018291 – BioCNG gas skid (2020) ¹							
PTO-25-00043 Windrow composting (2019) ²							
GNR-018471 Covered Aerated Static Pile composting (2025)³		478.00					
14976A LFG eng-gen set #1 – 2,233 HP (2007) ^{4,5,6}	70.80	70.80	354.10	<150	18.89	18.89	18.89
AMD-23-0079/15561 Aboveground GDF (1996) ⁷		N/A					
GNR-0017042 LFG eng-gen set #3 – 1,387 HP (1996) ^{4,5,6}	43.92	13.92	220.08	<150	12.00	12.00	12.00
GNR-0017043 LFG eng-gen set #4 – 1,986 HP (2009) ^{4,5,6}	62.88	20.88	314.88	<150	17.28	17.28	17.28
GNR-0017189 Emergency MY2006 Tier 3 diesel eng-gen set – 300 HP (2016) ⁴	43.77	2.22	37.90	0.07	1.74	1.67	1.63
GNR-0017569 LFG enclosed flare – 120 MMBtu/hr (2015) ^{4,6}	146.88	86.40	518.40	<150	57.60	57.60	57.60
GNR-0017570 LFG eng-gen set #2 – 1,468 HP (2004) ^{4,5,6}	58.32	10.80	243.12	<150	10.32	10.32	10.32
GNR-0018464 Emergency MY2013 Tier 4i diesel eng-gen set – 570 HP (2021) ⁴	35.86	1.21	31.34	0.17	0.05	0.05	0.05
Total⁶	462.43	684.23	1,719.82	<150	117.88	117.81	117.77
Table 4.1.1 Federal BACT Threshold:	150	150	550	150	150	82	54.79

¹ The permits are not a source of NO_x, VOC, CO, SO_x, & PM emissions.

² Operations will be replaced by the new CASP composting system. Thus, emissions are not counted. Existing composting operations previously not permitted by MBARD.

³ New CASP composting operations will replace existing windrow composting operations under permit PTO-25-00043.

⁴ PM emissions based on AP42, Chapter 2.4, Table 4.4-5 (8/24). For combustion engines, PM emissions are based on 48 lb/10⁶ dscf methane. For engine #1, the inlet flow rate is 464 ft³/min. For engine #2, the inlet flow rate is 298 ft³/min. For engine #3, the flow rate is 350 ft³/min. For engine #4, the inlet flow rate is 500 ft³/min.

⁵ PM₁₀ and PM_{2.5} fractions estimated using CARB's CEIDARS particulate matter size profile database (9/2024). For diesel IC engines (profile #116): PM₁₀ = 0.96 PM & PM_{2.5} = 0.937 PM. For gaseous material combustion, digester gas flare and engines, (profile #120): PM₁₀ = 1.0 PM & PM_{2.5} = 1.0 PM.

⁶ The permit to operate for the landfill gas (LFG) combustion equipment include a condition limiting the facility-wide SO_x emissions to less than 150 pounds per day.

⁷ Pursuant to Rule 207, Section 1.3.1, gasoline storage and dispensing subject to MBARD Rules 418 (Transfer of Gasoline into Stationary Storage Containers) and 1002 (Transfer of Gasoline into Vehicle Fuel Tanks) shall be exempt from the requirements of Rule 207.

Table 24 shows the facility wide new emissions, as defined in Section 2.37, exceed the BACT thresholds of Section 4.1.1 for NO_x, VOC, CO, PM₁₀ and PM_{2.5}. As noted above, the proposed CASP system with biofilter meets BACT requirements.

Offset requirements

Pursuant Section 4.2, Offsets are required for any new or modified source, which has the potential to emit equal to or greater than the thresholds specified in Rule 207, Table 4.2.1. Table 25 shows the facility wide PTE emissions and the offset thresholds specified in Section 4.2, Table 4.2.1.

Table 25. Facility-wide potential to emit and offset determination.

Application no./Equipment Description/Installation Date:	NO _x (lb/day)	VOC (lb/day)	CO (lb/day)	SO _x (lb/day)	PM (lb/day)	PM ₁₀ (lb/day)
GNR-018139 – Permanent H ₂ S control system (2021) ¹						
GNR-018291 – BioCNG gas skid (2020) ¹						
PTO-25-00043 Windrow composting (2019) ²						
GNR-018471 Covered Aerated Static Pile composting (2025)³		478.00				
14976A LFG eng-gen set #1 – 2,233 HP (2007) ^{4,5,6}	70.80	70.80	354.10	<150	18.89	18.89
AMD-23-0079/15561 Aboveground GDF (1996) ⁷		N/A				
GNR-0017042 LFG eng-gen set #3 – 1,387 HP (1996) ^{4,5,6}	43.92	13.92	220.08	<150	12.00	12.00
GNR-0017043 LFG eng-gen set #4 – 1,986 HP (2009) ^{4,5,6}	62.88	20.88	314.88	<150	17.28	17.28
GNR-0017189 Emergency MY2006 Tier 3 diesel eng-gen set – 300 HP (2016) ⁸						
GNR-0017569 LFG enclosed flare – 120 MMBtu/hr (2015) ^{5,7}	146.88	86.40	518.40	<150	57.60	57.60
GNR-0017570 LFG eng-gen set #2 – 1,468 HP (2004) ^{4,5,6,7}	58.32	10.80	243.12	<150	10.32	10.32
GNR-0018464 Emergency MY2013 Tier 4i diesel eng-gen set – 570 HP (2021) ⁸						
Total ⁶ :	382.80	680.80	1,650.58	<150	116.09	116.09
Table 4.2.2 Offset Threshold:	150	150	550	150	150	82

¹ The permits are not a source of NO_x, VOC, CO, SO_x, PM emissions.
² Existing composting operations previously not permitted by MBARD. As pointed out in Section 2.18.1, fugitive emissions shall not be considered in determining whether it is a major source.
³ New CASP composting operations will replace existing windrow composting operations under permit PTO-25-00043.
⁴ PM₁₀ and PM_{2.5} fractions estimated using CARB’s CEIDARS particulate matter size profile database (9/2024). For diesel IC engines (profile #116): PM₁₀ = 0.96 PM & PM_{2.5} = 0.937 PM. For gaseous material combustion, digester gas flare and engines, (profile #120): PM₁₀ = 1.0 PM & PM_{2.5} = 1.0 PM.
⁵ PM emissions based on AP42, Chapter 2.4, Table 4.4-5 (8/24). For combustion engines, PM emissions are based on 48 lb/10⁶ dscf methane. For engine #1, the inlet flow rate is 464 ft³/min. For engine #2, the inlet flow rate is 298 ft³/min. For engine

#3, the flow rate is 350 ft³/min. For engine #4, the inlet flow rate is 500 ft³/min.

⁶ The permit to operate for the landfill gas (LFG) combustion equipment includes a condition limiting the facility-wide SO_x emissions to less than 150 pounds per day.

⁷ Per Rule 207, Section 1.3.1, gasoline storage and dispensing equipment subject to MBARD Rule 418 and Rule 1002 are exempt from the requirements of Rule 207.

⁸ Per Rule 207, Section 1.3.3, emergency engines are exempt from Offset requirements.

Table 25 shows the facility wide PTE emissions exceed the offset thresholds of Section 4.2, Table 4.2.1, for NO_x, VOC, CO and PM₁₀.

Pursuant to Section 4.2.3, offsets obtained shall be equal to the potential to emit increase from the proposed new source or modification. Table 26 shows the comparison of the VOC emissions profile for the proposed project, PTE_{post-project}, and the PTE emissions of the existing source, PTE_{pre-project}.

Table 26. Offset determination PTE.

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
PTE Post-Project Emissions ¹ :				
CASP System GNR-018471 (ton/qtr)	21.51	21.75	21.99	21.99
PTE Pre-Project Emissions ² :				
Windrow composting PTO-25-00043 (ton/qtr)	74.25	75.07	75.9	75.90
PTE _{post-project} – PTE _{pre-project} (ton/qtr):	-52.74	-53.32	-53.91	-53.91

¹ The post-project PTE emissions are shown in Table 6 in tons per quarter.

² The pre-project PTE emissions are shown in Table 10 in tons per quarter.

As shown in Table 26, the project results in a decrease in the VOC PTE emissions.

As pointed out, the Rule as amended on 2/15/2017 has not been approved and the version as adopted on 4/20/2011 will be implemented.

Rule 218 – Title V Operating Permits

This is the implementing regulation by which MBARD issues the federal Operating Permits. Pursuant to the applicability Section 1.2, the provisions of the Rule apply to:

- Any facility that is a major source; or
- Any acid rain source, as defined by Title IV of the Act; or
- Any solid waste incinerator that must comply with Section 129(e) of the Act; or
- Any other stationary source or category of sources deemed to require a Federal Operating Permit (FOP) by the United States EPA.

Pursuant to Section 2.18, a major source is any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person belonging to a single major industrial grouping (i.e. all have the same two-digit code) as described in the Standard Industrial Classification Manual; and is one of the following:

- Section 2.18.1: A source with the potential to emit 100 tons per year or more of any pollutant (including any fugitive emissions of any such pollutant, as determined by rule by the Administrator). The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of Section 302(j) of the Act unless the source

belongs to one of the stationary source categories listed in 40 CFR 70.2 "Definitions - Major Source (2)(i-xxvi). Thus, the fugitive emissions from the composting emissions are not counted towards the major source determination.

- Section 2.18.2: A source with the potential to emit 10 tons per year or more of any one hazardous air pollutant (HAP) including any fugitive emissions of such pollutant.
- Section 2.18.3: A source with the potential to emit 25 tons per year or more of any combination of HAPs, including any fugitive emissions of such pollutant.

The facility is a Title V Facility operating under Title V permit, TV-0000004A. The facility is currently in the process of the Title V renewal process and the windrow compost operations will be added to the Title V permit. The CASP system will need to be added to the Title V permit once the permit to operate has been issued.

Table 27 shows the expected HAP emissions from the proposed CASP system with biofilter. The emissions are based upon BAAQMD Evaluation for application #26437 for the Waste Management of Alameda County Altamont Pass facility. The evaluation cited the article published by the University of California Davis (UC Davis) entitled “Volatile Organic Compound Emissions From Green Waste Composting: Characterization and ozone formation” as the source of the emission factors. Note only HAP listed compounds are shown in Table 27, additional non-HAP VOC compounds emissions for acetone, isopropyl alcohol and propene, were identified in the UC Davis study.

Table 27. Project hazardous air pollutant emissions.

Pollutant	% of VOC ¹	HAP hourly emissions (lb/hr)	HAP daily emissions (lb/day)	HAP annual emissions (lb/yr)	HAP annual emissions (ton/yr)
Methyl alcohol	12.79	2.55	61.14	22,314.71	11.16
Naphthalene	0.50	0.1	2.39	872.35	0.44
Acetaldehyde	0.14	0.03	0.67	244.26	0.12

¹ Based upon [BAAQMD Evaluation for application #26437](#) for the Waste Management of Alameda County Altamont Pass facility. The evaluation cited the article published by the University of California Davis entitled “Volatile Organic Compound Emissions From Green Waste Composting: Characterization and ozone formation” as the source of the emission factors. Only compounds identified as hazardous air pollutants in US EPA initial list of hazardous air pollutants are included.

As show in Table 27, the methyl alcohol emissions exceed 10 tons per year and the facility will be considered a major source of HAP emissions. The facility will be subject to Title V permitting requirements.

Rule 221 – Federal Prevention of Significant Deterioration

The federal Prevention of Significant Deterioration (PSD) program is a construction permitting program for new major stationary sources and major modifications to existing major stationary sources located in areas classified as attainment or in areas that are unclassifiable for any criteria air pollutant. This Rule provides for the review of new and modified major stationary sources to meet requirements for PSD, under the provisions of the federal Clean Air Act. The purpose of this Rule is to incorporate the federal PSD rule requirements into MBARD’s Rules and Regulations through incorporating the federal requirements by reference.

This Rule shall apply to any source and owner or operator of any source subject to any requirements under Title 40 Code of Federal Regulations, Part 52, Section 21 (40 CFR 52.21), as incorporated into this Rule.

Pursuant to [40 CFR 52.21\(a\)\(2\)\(ii\)](#), the requirements of requirements of 40 CFR 52.21(j) through 40 CFR 52.21(r) of this section apply to the construction of any new major stationary source or the major modification of any existing major stationary source, except as this section otherwise provides.

Pursuant to [40 CFR 52.21\(b\)\(2\)\(i\)](#), major modifications means any physical change in or change in the method of operation of a major stationary source that would result in: a significant emissions increase (as defined in paragraph [40 CFR 52.21 \(b\)\(40\)](#) of this section) of a regulated NSR pollutant (as defined in paragraph [40 CFR 52.21\(b\)\(50\)](#) of this section); and a significant net emissions increase of that pollutant from the major stationary source.

Pursuant to [40 CFR 52.21 \(b\)\(40\)](#), a significant emissions increase means, for a regulated NSR pollutant, an increase in emissions that is significant (as defined in paragraph [40 CFR 52.21\(b\)\(23\)](#) of this section) for that pollutant. Section [40 CFR 52.21\(b\)\(23\)](#) notes that for ozone, significant net emissions increase or potential emissions rate means 40 tons per year of volatile organic compounds or nitrogen oxides.

Pursuant to [40 CFR 52.21\(b\)\(2\)\(v\)](#), fugitive emissions shall not be included in determining for any of the purposes of this section whether a physical change in or change in the method of operation of a major stationary source is a major modification, unless the source belongs to one of the source categories listed in paragraph (b)(1)(iii) of this section, which includes any stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the Act. It is noted that initial promulgation date of 40 CFR 63, Subpart AAAA, NESHAP for Municipal Solid Waste was in 2003, which is after the applicability date in 40 CFR 52.21(b)(1)(iii)(AA) of August 7, 1980.

In addition, as shown in Table 21, the proposed project results in an emission decrease when comparing the project CASP composting PTE emissions ($PTE_{\text{post-project}}$) to the existing windrow composting AHE emissions ($AHE_{\text{pre-project}}$). As shown in Table 23, proposed project results in an emission decrease when comparing the project CASP composting PTE emissions ($PTE_{\text{post-project}}$) to the existing windrow composting PTE emissions ($PTE_{\text{pre-project}}$). Thus, the proposed project is not subject to the PSD requirements.

Rule 222 – Minor New Source Review

This Rule provides for the review of new and modified stationary air pollution sources to meet the requirements for the review of such sources, under the new source review (NSR) provisions of the federal Clean Air Act. This Rule provides mechanisms by which Authorities to Construct may be granted to such sources without interfering with the attainment or maintenance of ambient air quality standards.

This Rule shall apply to any new or modified stationary source that emits an air pollutant (or its precursors) subject to any National Ambient Air Quality Standard (NAAQS).

Compliance with the New Source Review (NSR) provisions of the California Clean Air Act, as defined in MBARD Rule 207, ensures compliance with MBARD Rule 222, Federal Minor NSR.

Rule 300 – District Fees

This Rule provides the mechanisms for assessing fees for the issuance and renewal of Permits to Operate, Authorities to Construct, and other actions in MBARD's permit system; and to recover MBARD costs for requested services, materials, or equipment. The fees prescribed within this Rule do not exceed the cost of issuing, maintaining, and performing inspection activities pertaining to all permits.

This Rule shall apply to all owners and operators of stationary sources which are required by MBARD Rule 200 *Permits Required* to obtain an Authority to Construct or Permit to Operate; and to requesters of MBARD services, materials, or equipment.

Per Rule 300, Section 4.3, for compost operations (Windrows, Static Piles, Aerated Static Piles, In-Vessel, or similar methods) the renewal fees are assessed as set for in Rule 301, Table 1 for source specific categories and are based on the annual throughput. For compost operations with an annual material throughput of $\geq 100,000$ tons per year, the renewal fees are \$4,490 for fiscal year 2025-2026. The fee code is 222.

Rule 400 – Visible Emissions

The purpose of this Rule is to provide limits for the visible emissions from sources within MBARD. The provisions of this Rule shall apply to all sources of air pollutant emissions in MBARD.

According to MBARD Rule 400 Section 3.1, no air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark or darker than Ringelmann 1, or equivalent 20% opacity. This requirement will be included as a permit condition.

Rule 402 – Nuisance:

The purpose of this Rule is to provide an explicit prohibition against sources creating public nuisances while operating within MBARD. The provisions of this Rule shall apply to all sources of air pollutant emissions within the Air District.

According to MBARD Rule 402, Part 3, no person shall discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or which endanger the comfort, repose, health, or safety of any such persons or the public; or which cause, or have a natural tendency to cause, injury or damage to business or property. This requirement will be included as a permit condition.

Rule 1000 – Toxic Air Contaminants

This Rule applies to any new or modified stationary sources for which an Authority to Construct or a Permit to Operate is required pursuant to MBARD Regulation II - Permits, and which has the potential to emit into the atmosphere any TAC. Whenever a potential TAC may be subject to more than one MBARD Rule, or to more than one requirement in this rule, the requirement resulting in the least hazard to the public, as determined by the Air Pollution Control Officer, shall apply.

As pointed out in the Emission Calculations Section, Section V above, the proposed conversion of the Windrow Compost to CASP system with biofilter results in AHE and PTE emission reductions. Thus, the application is not subject to the requirements of this Rule.

For informational purposes only, Table 27 above shows the project's TAC emissions listed in CARB's Air Toxics "Hot Spots" Program and for which a reference exposure level (REL) has been established by OEHHA. The table excludes emissions from acetone and propene, which do not have RELs listed in OEHHA. The emissions are based upon BAAQMD Evaluation for application #26437 for the Waste Management of Alameda County Altamont Pass facility.

Table 28. Project Toxic Air Contaminant for which an REL has been established by OEHHA.

Pollutant	Cas #:	% of VOC	TAC hourly emissions (lb/hr)	TAC daily emissions (lb/day)	TAC annual emissions (lb/yr)	TAC annual emissions (ton/yr)
Isopropyl alcohol	67-63-0	42.31	8.43	202.24	73,818.26	36.91
Methyl alcohol	67-56-1	12.79	2.55	61.14	22,314.71	11.16
Naphthalene	91-20-3	0.5	0.1	2.39	872.35	0.44
Acetaldehyde	75-07-0	0.14	0.03	0.67	244.26	0.12
Propene (propylene)	115-07-1	0.22	0.04	1.05	383.83	0.19
Ammonia	7664-41-7	N/A	8.14	195.30	71,284.50	35.64

Health and Safety Code 42301.6 – School/Public Notification

Pursuant to Section §42301.6(a), prior to approving an application for a permit to construct or modify a source that emits hazardous air emissions, and that source is located within 1,000 feet from the outer boundary of a school site, the air pollution control officer shall prepare a public notice in which the proposed project or modification for which the application for a permit is made is fully described. The notice may be prepared whether or not the material is or would be subject to subdivision (a) of Section 25536, if the air pollution control officer determines and the administering agency concurs that hazardous air emissions of the material may result from an air release, as defined by Section 44303. The notice may be combined with any other notice on the project or permit that is required by law.

MBARD’s protocol adopted by the board on 11/14/01 specifies the risk thresholds for public notification. If the carcinogenic risk is in excess of 1 in a million or non-carcinogenic risk is at or above the applicable Reference Exposure Levels, MBARD will do the Public Notice.

The proposed project is not located within 1,000 feet of a school.

VII. CONCLUSIONS:

The equipment has the capability to comply with all applicable MBARD rules and regulations.

VIII. RECOMMENDATIONS:

Issue an Authority to Construct with the conditions listed below. The conditions are based on SCAQMD [Rule 1133.3: Emission Reductions from Greenwaste Composting Operations \(adopted 7/8/2011\)](#), SJVUAPCD [Rule 4566 – Organic Material Composting Operations \(adopted 8/18/2011\)](#), and BAAQMD Engineering Evaluation Report for [Application 26437 Evaluation for Alameda County @ 10840 Altamont Pass Rd in Livermore](#).

1. No later than twenty-four hours prior to equipment start-up, Monterey Regional Waste Management District dba ReGen Monterey or its contracted operator must notify the Monterey Bay Air Resources District (MBARD) and arrange for an inspection of the equipment during normal operation to verify compliance with MBARD Rules and Regulations. [Basis: MBARD Rule 207]
2. Annual compost process throughput shall be submitted to the MBARD, upon request. [Basis: MBARD Rule 207]
3. During the conversion from windrow composting to CASP system composting, the total facility-

wide throughput from the composting operations (windrow & CASP system) shall not exceed 500 tons per day nor 182,500 tons per year. This condition supersedes the throughput limits of Condition 4. [Basis: MBARD Rule 207]

4. The total amount of feedstock material delivered for the composting operations shall not exceed 500 tons per day nor 182,500 tons per year. Feedstock material includes greenwaste (such as yard trimmings, untreated wood wastes, and natural fiber products), foodwaste (such as food scraps, foodwaste), and foodwaste culls (lettuce leaves and other vegetables from local agricultural fields). The feedstock shall not include any biosolids, animal wastes, or poultry litter other than incidental amounts from residential or commercial streams. [Basis: MBARD Rule 207]
5. Active composting at this facility shall be performed only by covered aerated static pile (CASP) method using perforated pipes that are connected to a central blower system to provide positive aeration over the active composting pile. Active piles shall be covered with at least a 6-inch biofilter cover as defined in Condition 6. The CASP composting operation and biofilters shall be designed and operated to maintain a target 80% reduction of volatile organic compounds (VOCs) and 53% reduction of ammonia (NH₃) during positive aeration as compared to the active phase of uncontrolled windrow style composting. [Basis: MBARD Rule 207, BACT]
6. Biofilter cover shall consist of finished compost, pre-screened finished compost, compost “overs”, or other MBARD-approved cover material and shall be utilized on the aerated static piles. [Basis: MBARD Rule 207]
7. Within 60 days of issuance of this Authority to Construct Monterey Regional Waste Management District dba ReGen Monterey and its contracted operator shall submit for approval a Best Management Practices (BMP) plan that includes the requirements of Condition 8 and addresses the stockpile and composting operations. [Basis: MBARD Rule 207]
8. Monterey Regional Waste Management District dba ReGen Monterey and its contracted operator at a minimum shall operate under the following best management practices (BMP) for the CASP composting operations: [Basis: MBARD Rule 207]

Stockpile BMPs:

- a. Monterey Regional Waste Management District dba ReGen Monterey and its contracted operator shall comply with one of the following within three (3) days of receipt of the organic material, excluding wood materials, at the facility. Wood material is defined as untreated lumber and the woody-material portion of mixed demolition wastes and mixed-construction wastes. Wood material also includes overs, and the woody material portion of trees. Wood material or wood material chips to which other organic material has been added are not considered to be wood material.
 - i. Remove the organic material from the facility;
 - ii. Start the active phase of composting. The active phase is the phase of the composting process that begins when organic materials are mixed or piled together for composting and ends when any of the following conditions is met;

1. The organic material has been composted for a period of 22 consecutive days;
 2. The organic material respiration rate is no more than 20 milligrams of oxygen consumed per gram of volatile solids per day as measured by direct respirometry using the TMECC Method 05-08-A – Specific Oxygen Uptake Rate (April 7, 2002);
 3. The organic material emits no more than seven (7) mg carbon dioxide per gram of organic material (CO₂-C) per day, as measured using the TMECC Method 05-08-B – Carbon Dioxide Evolution Rate (April 7, 2002); or
 4. The organic material has a Solvita® Maturity Index of five (5) or greater as measured using the TMECC Method 05-08-E – Solvita® Maturity Test (April 7, 2002).
- iii. Cover the organic material with a waterproof cover that have at least a six-foot (6') overlap of adjacent sheets and be securely anchored; or
- iv. Implement an MBARD approved alternative mitigation measure, not listed above.

Composting BMPs:

- b. Proper application and use of biofilters and cover materials;
- c. Minimal disturbance of active composting piles;
- d. Weekly monitoring of temperature, moisture content, and oxygen levels of material within the active aerated compost piles and curing piles;
- e. Weekly monitoring of temperature within each storage pile (stockpile);
- f. On-going monitoring and maintenance of piping, blowers, traps, biofilters, and cover materials;
- g. Implementation of good housekeeping practices;
- h. Once an aerated static pile has been established, the active composting piles shall only be disturbed when necessary:
 - i. To ensure that the active compost process is achieving the desired temperature, moisture, and oxygen levels;
 - ii. To prevent or control odorous, VOC, emissions;
 - iii. To transfer material to a curing pile.
- i. Maintain composting operations and stockpiles within the temperature, moisture, and oxygen levels dictated by BMP for CASP method composting and curing operations and

for stockpiles.

- j. Maintain the biofilter cover to ensure biofilter cover is free of cracks, channeling, rodent burrows, and excessive weeds.
9. To demonstrate compliance with Conditions 3 and 4, MRWMD and its contracted operator shall keep a dated record of the amount of feedstock received for composting. MRWMD and its contracted operator shall calculate and record the total amount of compost feedstock throughput on a monthly basis and the total amount of compost feedstock throughput for each year. All records shall be kept in a logbook, and records shall be made available for inspection by MBARD staff upon request. The requested records must be provided to the MBARD within ten business days of the request. Records shall be maintained for at least five (5) years from the date of entry. [Basis: MBARD Rule 207]
 10. To demonstrate compliance with Condition 8, MRWMD and its contracted operator shall maintain the following records: [Basis: MBARD Rule 207]
 - a. Maintain a list of all BMPs that will be employed at this source and identify the desired ranges for temperature, moisture, and oxygen for the active aerated compost piles, curing piles, and stockpiles.
 - b. Maintain records of feed stock receipt dates and compost pile initiation dates. Identify and record any instances when the stockpile storage time requirements of Conditions 8(a) were exceeded.
 - c. Identify and record any instances when an aerated static pile is disturbed for reasons other than those allowed by Condition 8(h).
 - d. Maintain weekly records of aerated compost pile, curing pile, and stockpile, monitoring events and data (temperature, moisture, and oxygen levels). Identify and record any instances when the active compost piles, curing piles, and stockpiles, were outside of the desired BMP range. Identify and record any corrective actions.
 - e. Maintain records of all maintenance activities conducted on the active compost pile, biofilter cover, and the associated aeration piping. Identify and record any action taken to rectify any necessary corrective actions.
 - f. Record all other process parameters identified in the Best Management Practice plan.

All records shall be kept in a logbook, and records shall be made available for inspection by MBARD staff upon request. The requested records must be provided to the MBARD within ten business days of the request. Records shall be maintained for at least five (5) years from the date of entry.

11. For all plant operations, including stockpiles, sufficient natural or added moisture shall be contained in the process materials to prevent excessive fugitive emissions. Excessive fugitive emissions are defined as "emissions equal to or exceeding Ringelmann 1, or equivalent 20% opacity, for a period

or periods aggregating more than three minutes in any one hour, or which cause a public nuisance."
[Basis: MBARD Rule 400]

12. Haul roads, access roads, and general plant areas shall be paved, kept sufficiently moist, or otherwise maintained to prevent excessive fugitive emissions from vehicle traffic or front end loader activity. Excessive fugitive emissions are defined as "emissions equal to or exceeding 20% opacity, or equivalent Ringelmann #1, for any period or periods aggregating more than three minutes in any one hour, or which cause a public nuisance". [Basis: Rule 400]
13. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as or darker than Ringelmann 1, or equivalent 20 percent opacity. [Basis: MBARD Rule 400]
14. No emissions shall constitute a public nuisance. [Basis: MBARD Rule 402]