



PUBLIC WORKSHOP NOTICE

February 14, 2007

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **SECOND PUBLIC WORKSHOP - PROPOSED
REGULATION 6, RULE 2: COMMERCIAL
COOKING EQUIPMENT**

The Bay Area Air Quality Management District will conduct a public workshop to present, discuss and receive input on revisions to proposed Regulation 6, Rule 2: Commercial Cooking Equipment. The District will hold the public workshop from **10:00 am to 12:00 noon on Tuesday, March 6, 2006** in the 7th Floor Board of Directors meeting room at the District office located at 939 Ellis Street, San Francisco.

The District hosted four public workshops on November 14 and 15, 2006 to discuss the first draft of proposed Regulation 6, Rule 2. During the workshops, the District received comments from restaurant owners, hood manufacturers, and trade organizations regarding the technical feasibility and costs of installing the proposed emission control technology. Based on these comments, District staff has developed the revised proposal that is now being presented for review and input. The revised proposal specifically addresses the effectiveness and cost of the control technology, increased energy demand and greenhouse gas emissions, and impacts to restaurants that generate low emissions.

This public workshop notice summarizes the revisions to the proposal and supplements the original workshop report. Interested parties are encouraged to review a copy of the revised proposed Regulation 6, Rule 2 dated February 6, 2007, and the original workshop report dated October 2006. These documents and the first draft of proposed Regulation 6, Rule 2 are all available on the District's website at: <http://www.baaqmd.gov/pln/ruledev/workshops.htm>. For questions or comments on the proposed rule, please contact Virginia Lau, Senior Air Quality Specialist, at (415) 749-4696 or via e-mail at vlau@baaqmd.gov. Comments on the proposal should be submitted by March 13, 2007.

PUBLIC TRANSPORTATION

**MUNI - #47 AND #49 NORTH AND SOUTH ON VAN NESS AVENUE
#38 EAST AND WEST ON GEARY BOULEVARD/O'FARRELL STREET
BART – CIVIC CENTER STATION, 8th AND MARKET STREETS**

Attendees are encouraged to ride public transit, rideshare, bicycle, walk or use other non-motorized modes to and from the District

BACKGROUND

Every day in the Bay Area, commercial cooking operations collectively emit into the atmosphere an estimated 3.35 tons of particulate matter (“PM”) and 1.32 tons of smog-forming volatile organic compounds (“VOC”). Breathing these air contaminants may result in damage to the respiratory tract and aggravation of respiratory illnesses. Currently, no District rule directly regulates emissions from restaurants. As a result, the District committed to evaluate restaurant emissions as part of its Senate Bill 656 Particulate Matter Implementation Schedule adopted in 2005, and in Further Study Measure 3 from the Bay Area 2005 Ozone Strategy. The District is proposing Regulation 6, Rule 2 in order to reduce PM and VOC emissions from chain-driven and under-fired charbroilers.

A first draft of proposed Regulation 6, Rule 2 was published in October 2006 for public review. The District hosted four workshops on November 14 and 15, 2006, in order to receive public input on the proposed rule. The District also received written comments. Commentors proposed no changes to the proposed controls on chain-driven (conveyorized) charbroilers. The major issues that emerged during these workshops and from written comments addressed the proposal on under-fired charbroilers. The comments address the following topics:

- Effectiveness and cost of the proposed control technology (high efficiency filters);
- Whether the proposed rule should require the installation of controls on commercial cooking appliances that produce relatively low emissions;
- An increase in energy demand and in the generation of greenhouse gas emissions associated with the proposal;
- The exclusion of more effective control technologies; and
- Whether third party testing facilities exist to ensure compliance with the proposal.

Since the November workshops, staff has been engaged in ongoing discussions with hood manufacturers and industry representatives and has reviewed the comments received. In addition, the District has expanded its review of available control technologies that have been installed in other parts of the country, and District staff has contacted the City of Aspen Environmental Health Department regarding Aspen’s ordinance that pertains to restaurant charbroiler emissions, City of Aspen Municipal Code Section 13.08.100: Restaurant Grills. The revised proposal is the result of this continued evaluation.

Under-fired charbroilers are responsible for over 80% of the overall emissions associated with commercial cooking. The District’s research found that substantial emission reductions can be achieved if proven control technologies were installed to control large under-fired charbroilers. Several control technologies are currently available that can reduce emissions of particulate matter from 0.3 microns to 10 microns in diameter (PM10) by up to 90%. Further emission reductions would result from the proposed requirements for chain-driven charbroilers.

PROPOSED REGULATION 6, RULE 2: COMMERCIAL COOKING EQUIPMENT:

Regulation 6, Rule 2 would:

- **Require catalytic oxidizers to be installed on chain-driven (conveyorized) charbroilers, but allow alternative controls to be installed if the manufacturer of the control certifies, subject to District review, that the control can reduce emissions to no more than 0.74 lbs of PM10 and 0.23 lbs of organic compounds per 1000 lbs of meat cooked (an effective reduction of 90%).** The purpose of this standard is to allow a choice of control technologies best suited to the site needs and to encourage development of emerging technology that may achieve greater emission reductions in the future. The proposed rule would also stipulate testing methodology.
- **Require all new installations of under-fired charbroilers with an aggregate grill surface area of ten (10) square feet or more to exhaust the cooking emissions through a control technology that is certified by the manufacturer to emit no more than 1.9 lbs of PM10 per 1000 lbs of meat cooked.** The District is proposing that this standard be effective **two years** after the rule is adopted. New restaurants can install controls, integrated into their ventilation system, that effectively reduce emissions. Existing restaurants that install a new under-fired charbroiler would be required to install control equipment. Alternatively, other lower-emitting cooking equipment could be used in lieu of an under-fired charbroiler such that this requirement does not apply. The standard would yield a 90% reduction in PM10 charbroiler emissions from these restaurants. The proposed standard focuses on reducing emissions from high-production restaurants that cook large quantities of meat and consequently are responsible for the majority of emissions. The standard allows the use of other alternative cooking appliances such as clamshell griddles and over-fired charbroilers that emit less and use less energy compared to under-fired charbroilers.
- **Require all new installations of under-fired charbroilers with an aggregate grill surface area of ten (10) square feet or more to vent their emissions through a listed hood equipped with side panels and variable speed “demand ventilation” controls.** Approximately 28% of a restaurant’s energy usage is for heating, cooling, and ventilation. A well designed hood system that is equipped with demand controls and side panels can reduce the volume of air needed for ventilation by almost 50%. This directly correlates to a reduction in energy usage, lower energy bills, and reduction in greenhouse gas emissions.
- **Require restaurants with existing under-fired charbroilers with an aggregate grill surface area of ten (10) square feet or more to install a control technology certified by the manufacturer to emit no more than 1.9 lbs of PM10 per 1000 lbs of meat cooked.** The District is proposing this standard be effective **five years** after the rule adoption. The purpose of this standard is to encourage hood manufacturers and industry to work collaboratively in developing new control technologies that can significantly reduce emissions from commercial cooking operations.

- **Require registration of restaurants that operate conveyORIZED charbroilers and restaurants that operate under-fired charbroilers with an aggregate grill size of ten (10) square feet or more.** The restaurant owner will be required to register their equipment and compatible emission control equipment. The District will implement a web-based registration process. Controls that have already been approved for use in the Bay Area by the APCO will be listed on the District website. Restaurant owners subject to the rule will be assessed a registration fee and annual fee to offset the costs of administering and enforcing the rule. The proposed fee is \$475 for the initial registration and \$135 annually thereafter. Comments on the proposed fee schedule are welcome at this workshop. Interested parties are also encouraged to attend the public workshop on Regulation 3: Fees scheduled for March 9, 2007 at the District office. Information about the Fees workshop can be found on the District's website at <http://www.baaqmd.gov/pln/ruledev/workshops.htm>.

WORKSHOP DISCUSSION:

Staff will discuss the current draft proposal for Regulation 6, Rule 2 with attendees and invites all interested parties to comment on the proposal. Staff is available to discuss this proposal prior to the workshop, and interested parties are encouraged to contact staff as soon as possible to express concerns or ask questions. Questions or comments should be directed to Virginia Lau, Senior Air Quality Specialist, at (415) 749-4696 or vlau@baaqmd.gov. Subsequent to the workshop, staff will accept written comments until **March 13, 2007**.

If you require translation services, please contact Virginia Lau at 415-749-4696 so that we can make appropriate arrangements to accommodate your request.