



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Request for Comments

June 5, 2019

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **Request for Comments – Amendments to Regulation 12, Miscellaneous Standards of Performance, Rule 15: Petroleum Refining Emissions Tracking**

The staff of the Bay Area Air Quality Management District (Air District) is requesting comments on draft amendments to Regulation 12, Rule 15: Petroleum Refining Emissions Tracking.

BACKGROUND

In December 2018, the California Air Resources Board (CARB) adopted the “Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants” (CTR Regulation), which established requirements and deadlines associated with reporting of criteria pollutant and air toxic emissions. The CTR Regulation included deadlines for subject facilities to report information to the local air districts by May 1st of each year, and for air districts to report information to CARB by August 1st of each year. The CTR Regulation states that the “District rules may specify an earlier submittal date, which supersedes the May 1 due date.”

The Air District’s Regulation 12, Rule 15: Petroleum Refining Emissions Tracking (Rule 12-15) requires petroleum refineries and support facilities to report annual emissions inventories of criteria air pollutants, toxic air contaminants, and greenhouse gases to the Air District by June 30th of each year. For sources subject to CARB’s Mandatory Reporting Regulation for Greenhouse Gases (MRR), Rule 12-15 also requires that subject facilities report the third-party verified emissions data for those sources. The Mandatory Reporting Regulation requires facilities submit initial greenhouse gas emissions estimates to CARB by April 10th of each year and that those emissions be third-party verified by August 10th of each year.

Rather than have duplicative reporting for facilities subject to both the CTR Regulation and Rule 12-15, the Air District is developing draft amendments to Rule 12-15 to change the Rule 12-15 reporting deadlines.

DRAFT PROPOSALS

The draft amendments to Rule 12-15 include separate deadlines for: 1) criteria pollutant and toxic air contaminants emissions reporting, and 2) greenhouse gas emissions reporting.

- For criteria pollutant and toxic air contaminant emissions, annual emissions inventories must be submitted to the Air District by January 15th of each year.

- For greenhouse gas emissions, initial estimates must be reported to CARB by April 15th of each year, and third-party verified emissions must be reported by August 15th of each year.

**Table 1
Summary of Current and Proposed Reporting Schedules**

Pollutant	Current Rule 12-15 Reporting Schedule		CTR Regulation Reporting Schedule		MRR Reporting Schedule		Proposed Rule 12-15 Reporting Schedule	
	To Air District	Air District to CARB	To Air District	Air District to CARB	To CARB	3rd Party Verification to CARB	To Air District	3rd Party Verification to Air District
Criteria	June 30 th	August 10 th	May 1 st	August 1 st	n/a	n/a	January 15 th	n/a
Toxic	June 30 th	August 10 th	May 1 st	August 1 st	n/a	n/a	January 15 th	n/a
Climate	June 30 th	August 10 th	n/a	n/a	April 10 th	August 10 th	April 15 th	August 15 th

The draft amendments also include revisions to the allotted time for Air District review of emissions inventories and facility responses to allow for an adequate number of review periods while meeting the deadline of the CTR Regulation.

The Air District is publishing the full mark-up text of draft amendments for Rule 12-15. The Air District anticipates that because the amendments to Rule 12-15 would not result in additional emissions monitoring beyond what is currently required, socioeconomic impacts would be minor; however, the Air District intends to analyze and review potential socioeconomic impacts and include further information in the final proposal package. The Air District anticipates that because the amendments are administrative in nature, do not affect air emissions from any sources, and have no possibility of causing significant environmental effects, the amendments to Rule 12-15 are exempt from the provisions of the California Environmental Quality Act (CEQA). The Air District intends to file a Notice of Exemption pursuant to State CEQA Guidelines.

INFORMATION AND COMMENTS

A Request for Comments is the next step in the Air District's public engagement process. Staff requests comments and questions about the draft amendments to Rule 12-15. Following this Request for Comments and close of the public comment period, staff will assess the need for changes to the rule amendments. Staff may consider hosting further meetings or may proceed to a public hearing before the Air District's Board of Directors.

For copies of the draft amendments to Rule 12-15, please visit our website at www.baaqmd.gov/ruledev or submit a request to Mark Gage at (415) 749-8705 or mgage@baaqmd.gov. For questions or comments on the draft regulatory amendments, please contact Mark Gage. Interested parties are invited to submit comments on the draft rule amendments. The deadline to submit comments on these materials is Monday, July 8, 2019 at 5:00 p.m.