



NOTICE OF A CONTINUED PUBLIC HEARING

June 6, 2017

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **Continued Public Hearing: Proposed Regulation 12, Rule 16: Petroleum Refining Greenhouse Gas Emission Limits and Certification of Final Environmental Impact Report for New District Regulation 12, Rule 16: Petroleum Refining Greenhouse Gas Emission Limits**

The Board of Directors of the Bay Area Air Quality Management District will continue a public hearing to consider adoption of proposed new Regulation 12, Rule 16: Petroleum Refining Greenhouse Gas Emission Limits (Rule 12-16) and the certification of the draft Environmental Impact Report (DEIR) for proposed new Rule 12-16 in the 1st floor Board Room, 375 Beale Street, San Francisco, California, at 9:45 a.m., or as soon thereafter as the matter may be heard on Wednesday, June 21, 2017.

Proposed new Regulation 12, Rule 16 would apply within the Bay Area AQMD, which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties.

As drafted for the May 31, 2017 hearing, the proposed rule would have applied to the five Bay Area petroleum refineries and certain support facilities. Proposed new Rule 12-16 would have set facility-wide numeric limits for several specified pollutants emitted by the impacted facilities. The Draft EIR analyzed two rules that take different approaches to addressing concerns about health impact of pollution in communities near the refineries. However, the two rules—Rule 12-16 and draft Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18)—were not dependent upon one another and would be considered independently by the Board. Draft Rule 11-18 will be considered by the Board later in 2017.

At the May 31st public hearing, the Board of Directors instructed Air District staff to:

- Revise Rule 12-16 to cap GHG emissions from Bay Area refineries and to prepare a revised staff report and final EIR reflecting this revised rule; the revised staff report must discuss GHG caps as a backstop to ensure the GHG emissions from refineries do not increase due to changing crude slates or other actions;
- Revise the staff report and final EIR responses to comments to further describe the co-pollutant health benefits of Rule 12-16, in particular with respect to fence line communities in close proximity to refineries, as well as the relationship of proposed Rule 12-16 to revised AB 32 Scoping Plan;

- Bring the revised rule, staff report, and final EIR to the Board for consideration and action at the June 21, 2017 Board meeting;
- Return to the Board no later than September 2017 with a plan of how to prioritize development of additional rules to achieve the goal of reducing criteria pollutants, including PM emissions, from refineries by 20 percent by 2020;
- Return to the Board no later than September 2017 with a plan of how to prioritize development of additional rules to achieve the goal of reducing criteria pollutants, including PM emissions, from refineries by 20 percent by 2020;
- Collaborate with the California Air Resources Board (CARB) and the California Air Pollution Control Officers Association (CAPCOA) to identify, and facilitate implementation of measures to protect the health of fence line communities by reducing air pollutant emissions from California refineries and to achieve the State's and Air District's climate goals by reducing GHG emissions;
- Bring Rule 13-1 (Refinery Carbon Intensity Cap) or other measure(s) developed through the CARB/CAPCOA collaboration to reduce GHG and other air pollutant emissions from refineries to the Board for consideration as expeditiously as practicable;
- Bring Rule 11-18 to the Board for consideration as expeditiously as practicable to reduce health risks from toxic air contaminants emitted by refineries and other stationary sources throughout the Bay Area.

Revised proposed Rule 12-16, the revised staff report, the socioeconomic analysis, and the revised Draft EIR are available at the Air District headquarters or on the Air District's website at <http://www.baaqmd.gov/rulehearings>.

Comments relating to the revised proposed Rule 12-16 should be addressed to Mr. Victor Douglas, Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, CA 94105. Comments may also be sent by e-mail to vdouglas@baaqmd.gov. Comments on the revised proposed rule will be accepted until June 12, 2017 at 5:00 p.m.