



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
STATIONARY SOURCE COMMITTEE

March 13, 2024

COMMITTEE MEMBERS

JOHN BAUTERS – CHAIR
BRIAN BARNACLE
JOHN GIOIA
OTTO LEE
STEVE YOUNG

MARK ROSS – VICE CHAIR
KEN CARLSON
LYNDA HOPKINS
VICKI VEENKER

**MEETING LOCATION(S) FOR IN-PERSON ATTENDANCE BY
COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC**

**Bay Area Metro Center
Yerba Buena Room
375 Beale Street
San Francisco, CA 94105**

**Office of Contra Costa County
Supervisor John Gioia
Conference Room
11780 San Pablo Ave., Suite D
El Cerrito, CA 94530**

**Santa Rosa Junior College Campus
Doyle Library, Room 148
1501 Mendocino Ave.
Santa Rosa, CA, 95401**

**City of Palo Alto City Hall
250 Hamilton Ave.
Palo Alto, CA 94301**

**Office of Santa Clara County
Supervisor Otto Lee
70 W Hedding St
East Wing, 10th Floor
San Jose, CA 95110**

THE FOLLOWING STREAMING OPTIONS WILL ALSO BE PROVIDED

These streaming options are provided for convenience only. In the event that streaming connections malfunction for any reason, the Stationary Source Committee reserves the right to conduct the meeting without remote webcast and/or Zoom access.

The public may observe this meeting through the webcast by clicking the link available on the air district's agenda webpage at www.baaqmd.gov/bodagendas.

Members of the public may participate remotely via Zoom at <https://bayareametro.zoom.us/j/83272363048>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 832 7236 3048

Public Comment on Agenda Items: The public may comment on each item on the agenda as the item is taken up. Members of the public who wish to speak on a matter on the agenda will have two minutes each to address the Committee on that agenda item, unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again.

The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is *per se* disruptive to a meeting and will not be tolerated.

STATIONARY SOURCE COMMITTEE MEETING AGENDA

WEDNESDAY, MARCH 13, 2024

10:00 AM

1. Call to Order - Roll Call

The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members.

2. Pledge of Allegiance

CONSENT CALENDAR (Item 3)

3. Approval of the Draft Minutes of the Stationary Source Committee Meeting of February 14, 2024

The Committee will consider approving the Draft Minutes of the Stationary Source Committee Meeting of February 14, 2024.

ACTION ITEM(S)

4. Updates to the Air District's Incident Response Program

The Committee will consider recommending that the Board of Directors approve updates to the Air District's Incident Response Program, based on input from an ad hoc committee on incident response. The Committee will receive a summary of the Incident Response ad hoc committee meetings and will consider a proposal for updates to the Air District's Incident Response Program, including near-term enhancements. This item will be presented by Meredith Bauer, Deputy Executive Officer, Engineering and Compliance, and Kate Hoag, Assistant Manager, Meteorology and Measurement.

INFORMATIONAL ITEM(S)

5. Update on Regulation 11: Hazardous Pollutants, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18)

The Committee will receive a presentation on Regulation 11: Hazardous Pollutants, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18), and will discuss the topic including the current status of implementation, proposed changes to the Implementation Procedures document for the rule, and an overview of proposed concepts for rule amendments. This item will be presented by Kevin Oei, Supervising Air Quality Engineer, Engineering Division, and Alex Sohn, Senior Air Quality Engineer, Rules & Strategic Policy Division.

6. Indirect Source Regulations

The Committee will receive a presentation on regulating indirect sources, and will discuss the topic, including information on the current regulatory landscape and challenges in creating these regulations. This item will be presented by Dr. Philip M. Fine, Executive Officer.

OTHER BUSINESS

7. Public Comment on Non-Agenda Matters

Pursuant to Government Code Section 54954.3, members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Committee. Members of the public will have two minutes each to address the Committee, unless a different time limit is established by the Chair. The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is per se disruptive to a meeting and will not be tolerated.

8. Committee Member Comments

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

9. Time and Place of Next Meeting

Wednesday, April 10, 2024, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Stationary Source Committee members and members of the public will be able to either join in-person or via webcast.

10. Adjournment

The Committee meeting shall be adjourned by the Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the Air District's offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District's policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District's Non-Discrimination Coordinator, Suma Peesapati, at (415) 749-4967 or by email at speesapati@baaqmd.gov.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT
375 BEALE STREET, SAN FRANCISCO, CA 94105
FOR QUESTIONS PLEASE CALL (415) 749-4941**

**EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS**

MARCH 2024

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Stationary Source Committee	Wednesday	13	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	13	1:00 p.m.	1 st Floor, Yerba Buena Room
Board of Directors Finance and Administration Committee	Wednesday	20	10:00 a.m.	1 st Floor Board Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	20	1:00 p.m.	1 st Floor Board Room
Board of Directors Community Advisory Council	Thursday	21	6:00 p.m.	1 st Floor, Yerba Buena Room

APRIL 2024

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	3	10:00 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee	Wednesday	10	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Community Equity, Health and Justice Committee - CANCELLED AND RESCHEDULED TO 5:30 P.M., APRIL 22, 2024	Wednesday	10	1:00 p.m.	1 st Floor, Yerba Buena Room
Board of Directors Finance and Administration Committee	Wednesday	17	10:00 a.m.	1 st Floor Board Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	17	1:00 p.m.	1 st Floor Board Room
Board of Directors Community Equity, Health and Justice Committee	Monday	22	5:30 p.m.	City of San Pablo City Hall Council Chambers 1000 Gateway Ave. San Pablo, CA 94806

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson John Bauters and Members
of the Stationary Source Committee

From: Philip M. Fine
Executive Officer/APCO

Date: March 13, 2024

Re: Approval of the Draft Minutes of the Stationary Source Committee Meeting of
February 14, 2024

RECOMMENDED ACTION

Approve the Draft Minutes of the Stationary Source Committee Meeting of February 14, 2024.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the Draft Minutes of the Stationary Source Committee Meeting of February 14, 2024.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Stationary Source Committee Meeting of February 14, 2024

Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
(415) 749-5073

Stationary Source Committee
Wednesday, February 14, 2024

DRAFT MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Stationary Source Committee (Committee) Chairperson, John J. Bauters, called the meeting to order at 10:00 a.m.

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, San Francisco, California, 94105): Committee Chairperson John J. Bauters; and Director Brian Barnacle.

Present, In-Person Satellite Location (Office of Contra Costa County Supervisor, John Gioia, Conference Room, 11780 San Pablo Ave., Suite D, El Cerrito, CA 94530): Directors John Gioia and Steve Young.

Present, In-Person Satellite Location (Palo Alto City Hall, 250 Hamilton Ave., 7th Floor, Palo Alto, California, 94301): Director Vicki Veenker.

Present, In-Person Satellite Location (Office of Santa Clara County Supervisor Otto Lee, 70 W Hedding St., East Wing, 10th Floor, San Jose, California, 95110): Director Otto Lee.

Absent: Committee Vice Chair Mark Ross; and Directors Ken Carlson and Lynda Hopkins.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR

3. **APPROVAL OF THE DRAFT MINUTES OF THE STATIONARY SOURCE COMMITTEE MEETING OF NOVEMBER 8, 2023**

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Gioia made a motion, seconded by Director Barnacle, to **approve** the Draft Minutes of the Stationary Source Committee Meeting of November 8, 2023; and the motion **carried** by the following vote of the Committee:

AYES: Barnacle, Bauters, Gioia, Lee, Veenker, Young.
NOES: None.
ABSTAIN: None.
ABSENT: Carlson, Hopkins, Ross.

INFORMATIONAL ITEMS

4. UPDATE ON SCHNITZER STEEL INDUSTRIES, WEST OAKLAND, DOING BUSINESS AS (DBA) RADIUS RECYCLING

John Marvin, Compliance & Enforcement Division Manager, gave the staff presentation *Update on Schnitzer Steel Industries, West Oakland, dba Radius Recycling*, including: outcome; outline; Schnitzer Steel Industries; Schnitzer’s metal recycling operations; light fibrous material (LFM); Schnitzer Steel fires; Air District response; permits issued; permits under Air District consideration; emission reduction improvements; Rapid Response Task Force (RRTF) and work with community; and next steps.

Public Comments

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County; and Linda Shaffer, Schnitzer Steel.

Committee Comments

The Committee and staff discussed whether fires are more frequent at Schnitzer Steel Industries than at other Bay Area metal recycling operation facilities, and whether LFM is produced at all other Bay Area metal recycling operation facilities; the history of the 2001 and 2021 settlements with Schnitzer Steel Industries, the California Attorney General, Alameda County District Attorney, and Department of Toxic Substances Control) and the settlements are still being enforced; the reduction of pile sizes, to minimize the chance of fires; the sizes of the fires in 2018 and 2020, in comparison to the 2023 fire; whether pre-shred scrap piles are feedstock piles that go into a shredder; whether the materials that have been burned in the previous fires are materials that Schnitzer was planning to use; the nature of the fires and factors that made them difficult to extinguish; whether the Air District’s regulations address feedstock pile height limitations; potential implications from the request to increase the shipping limit by six (to 32 ship calls per year); the status of the Emissions Minimization Plan required by Rule 6-4 (Metal Recycling and Shredding Operations) that has been submitted by Schnitzer, and how long it may take to implement the proposed changes; whether piles can be enclosed when they burn; whether the battery separation process can be improved to ensure proper removal before metal (former vehicles) is burned; and how Schnitzer’s request for a Synthetic Minor Operating Permit that would replace the

Title V Operating Permit based on lower limits from abatement equipment, if approved, and their request to increase maximum hourly operating rate at shredder, would intersect.

Committee Action

None; receive and file.

5. DISCUSSION OF THE METAL RECYCLING AND SHREDDING OPERATIONS WHITE PAPER

Poornima Dixit, Senior Air Quality Engineer, Rules & Strategic Policy Division gave the staff presentation *Metal Recycling & Shredding Emissions - Evaluation & Recommendations*, including: outcome; outline; requested action; background; White Paper development; current rules that mitigate metal recycling emissions; gap analysis of metal recycling emissions rules; potential recommendations; scoping phase of the Reul Development process; and feedback requested.

Public Comments

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County; and Linda Shaffer, Schnitzer Steel.

Committee Comments

The Committee and staff discussed the agencies that the Air District has partnered with that have jurisdiction over metal recycling facilities to jointly enforce regulations and issue violations when they occur; and the anticipated timeline for public engagement and review of the White Paper.

Committee Action

None; receive and file.

OTHER BUSINESS

6. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

7. COMMITTEE MEMBER COMMENTS

Director Young said that he received positive comments from Benicia constituents regarding the Air District's recent agreements with Chevron and Martinez Refining Company, resulting in an end to the litigation against the agency over its groundbreaking Regulation 6, Rule 5, major emissions reductions from both refineries, unprecedented penalties and other payments of up to \$138 million, and a Richmond-area Community Air Quality Fund. Director Young thanked the Air District for the press conference that was held on February 13, 2024.

8. **TIME AND PLACE OF NEXT MEETING**

Wednesday, March 13, 2024, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Stationary Source Committee members and members of the public will be able to either join in-person or via webcast.

9. **ADJOURNMENT**

The meeting was adjourned at 11:11 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John Bauters and Members
of the Stationary Source Committee

From: Philip M. Fine
Executive Officer/APCO

Date: March 13, 2024

Re: Updates to the Air District's Incident Response Program

RECOMMENDED ACTION

Recommend to the Board of Directors (Board) that the Board approve the proposed enhanced monitoring for incident response utilizing reserves funding that was set aside in the Fiscal Year Ending (FYE) 2024 Board approved budget.

BACKGROUND

In early 2023, the Board set up an ad hoc committee to discuss the Air District's response to incidents. The ad hoc committee met four times during 2023 to learn more about current Air District actions during and after incidents and discuss options to improve the agency's incident response program. The ad hoc committee provided guidance on strengthening the Air District incident response program, focusing on improving coordination, communication and air monitoring. The Committee will receive an update on the recommendations from the ad hoc committee for an improved incident response program.

DISCUSSION

The updates to the incident response program being proposed for Board approval include actions to:

- Improve internal and external coordination.
- Increase transparency by providing more information to a wider audience more quickly.
- Implement near-term air monitoring efforts to collect additional data during incidents, including community-partnered efforts on PM sampling in the refinery corridor:
 - Particulate deposition network focused on the refinery corridor, which would collect particle samples throughout the year. If there is an incident, these samples would be analyzed for chemical and physical characteristics.
 - Community-conducted sampling which would empower refinery communities to develop and implement particulate sampling, including compensation and an online air pollution log for community members to record observations.

These new air monitoring projects will be supported by a new refinery corridor community air monitoring workgroup and coordinated with other agencies and partners with incident response roles. There is an existing contract with the Bay Air Center which is consistent with these projects and can be used to get these incident monitoring efforts started, utilizing the reserves that were set aside for incidents through the Board approval of the FYE 2024 budget.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed incident response program actions will be funded through utilizing the \$1 million that were set aside in General Reserves and through the approved FYE 2024 budget. Future costs for the incident response program will be included annually in the proposed budgets.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Kate Hoag, Tracy Lee
Reviewed by: Ranyee Chiang, Jeff Gove, Kristine Roselius

ATTACHMENTS:

1. Attachment 1 - Incident Response, Coordination and Communications Framework

Bay Area Air Quality Management District

Incident Response, Coordination and Communications Framework

Background

Incidents occurring at refineries, chemical processing facilities and or other industrial facilities and sites have the potential for causing unexpected air quality events that can have a direct impact on communities and public health, and it is essential to have a standard operating protocol in place to respond to these events. The Air District is currently updating the Incident Response Policy to reflect the shared roles and responsibilities across the agency to respond to incidents in a timely, coordinated manner and ensure Bay Area citizens, communities and stakeholders are informed and have access to the most current air quality and health information. The purpose of this document is to provide an overview of the Air District's response, coordination and communications framework and a summary of the operating protocol in the event of an air quality incident.

Authority, Roles, and Responsibilities

As provided by various State laws, emergency response agencies such as the California Highway Patrol, Sheriff, local police and fire departments, have the primary responsibility for on-scene management during an incident as first responders. While the Air District is tasked with regulating stationary sources of air pollution in the nine Bay Area counties (Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara, Marin, Napa, southwestern Sonoma, and southern Solano), the Air District is not an emergency response agency and staff are not trained as first responders.

County agencies play an important role in incident discovery and response. Counties can maintain alert systems, which can aid in early identification and communication of an incident. County Public Health Officials have primary responsibility for evaluating the public health impacts and issuing notifications on appropriate action. City governments receive information from the County and the Air District to provide updates to their constituents. City Managers and their designated Deputies and/or Public Information Officers have primary responsibility for receiving and proliferating notifications on the actions taken by the County and the Air District.

The Air District's primary role during an incident is to support first responder agencies such as county hazardous material units and environmental health departments and enforce air quality regulations by providing resources and expertise for compliance investigations and air monitoring (e.g., sampling, laboratory analyses, and analyses of available data when relevant). Equally important is the role to communicate the scope of the incident and air pollution impacts efficiently and effectively to Bay Area citizens, communities, and media outlets and coordinate with local agencies and partners to achieve consistent and timely messaging and air quality updates to the public.

Incident Definition

The Air District defines an incident as a “non-routine release of an air contaminant that may cause adverse health consequences to the public or to emergency personnel responding to the release, or that may cause a public nuisance or off-site environmental damage.”

Unplanned incidents at sites/facilities can occur at any time. Some examples of causes include process upsets and malfunctions at refineries, chemical plants or other industrial plants, fires and chemical spills and releases. Incidents at refineries can also lead to flaring that has the potential to greatly impact surrounding communities. Depending on the facility type and sources involved, and its proximity to communities, the emissions impact can vary from one incident to another.

Incident Response, Coordination and Communications

Cross-divisional coordination and communication is key to helping Air District management make timely decisions on staffing and resources needed to adequately respond to an incident. An internal coordination and communications protocol is activated when an incident occurs and regular updates regarding Air District operations, status of the incident, emissions and community impact are provided to management and the Executive Office. Attachment 1 highlights a general response, coordination and communications framework when incidents occur.

Incident Discovery

The Compliance & Enforcement (C&E) Division is often the first to become aware of a major incident. C&E may discover air quality incidents in several ways as they are front-line staff in the community and have direct channels of communication with the sites/facilities they inspect. They may receive a direct notification from the site/facility, an alert from the county (e.g., Contra Costa Community Warning System (CWS)) or other emergency response agencies, or receive complaints reported by community members through the Air Quality Complaint Program. Occasionally, C&E may be made aware of incidents through news outlets and social media posts, or through direct observations by field staff.

Following the discovery of an incident, C&E's coordination and communications with the Meteorology and Measurement (M&M) Division, the Communications Office, the Public Health Officer, and the Executive Office are essential to effectively determine what resources are necessary (e.g., air monitoring, data analyses, air sampling etc.) to respond to the incident, and ensure timely communications to the public and especially communities impacted by the incident.

Field Response and Initial Assessment of the Incident

Upon discovery of an incident occurring, C&E staff will promptly assess the situation and its magnitude of impact. Staff will call the site/facility to obtain a status update on the incident and gather preliminary information on the cause, operational status of the facility, and onsite and offsite air quality impacts. Staff will also determine whether first responders and local agencies have been notified and whether the incident is under control.

To ensure the safety of all personnel involved, decisions are made to allow first responders and site/facility operators to achieve control of the incident and maintain stable operating conditions before any Air District onsite investigation begins at the site/facility. Onsite investigations may occur the next day following the occurrence of the incident, or as soon as it is deemed safe to proceed onsite at a time that does not disrupt first responders and operators from mitigating and gaining control of the situation.

During the incident, C&E staff will systematically gather information by conducting a comprehensive visual inspection and document all evidence of air quality violations. This includes documenting offsite visible emissions, taking detailed photographs and videos of the impact, and noting any discernible odors. Staff also actively monitor air quality complaints received by the community and respond promptly to address concerns. They maintain open communication with the site/facility representative, first responders and local agencies to ensure they can conduct their investigation safely and obtain regular updates from the responding agencies that may aid in the investigation. In major incidents, a central command center may be set up by first responders and local authorities where information is shared across multiple agencies.

Staff will relay updates and provide Air District management and leadership with timely reports summarizing the findings of the ongoing onsite/offsite investigation, community complaints, and evidence of violations. Based on the preliminary findings, scope and magnitude of impact, Air District management may allocate additional resources as necessary and provide further direction to staff.

Air Monitoring and Other Technical Analyses

In addition to C&E field investigation efforts, the M&M Division provides support and resources to better understand air quality impacts during the incident. This may include conducting data analyses, providing forecasting and meteorology, and deploying air monitoring resources to analyze offsite ambient air pollutant concentrations during an ongoing incident. The initiation and mobilization of enhanced air monitoring, sampling, and lab analyses are determined on an incident-by-incident basis. Additional resources may be allocated to assist with the data assessment and evaluation post incident.

The C&E and M&M Divisions may also coordinate with local agencies such as fire departments, cities and counties and other enforcement agencies to gather additional evidence and incident information such as, but not limited to, air sampling results, post-response investigation reports, and documentation of community impacts.

Communications and Public Messaging

It is essential to maintain open channels of communication across the Air District and with relevant external agencies such as the County Public Health Officer during and post incident to ensure the Bay Area citizens and impacted communities are well-informed. A standard cross-divisional coordination and communications protocol aims to achieve timely public messaging about air quality and health impacts. The Communications Office is responsible for working with external agencies and the Air District Health Public Health Officer to develop public health messaging, noting that local County Health Departments have the primary responsibility to assess and communicate public health impacts. The Communications Office also coordinates with the C&E Division to provide updates on the incident on the Air District's website and through media, social media, text, and email alerts. Depending on the incident, the Air District may defer to local County Health Departments for public health advisories and other announcements.

Typical information flow across the Air District during incidents will start with the C&E Division based on the initial field assessment, investigation, and findings. Information is shared with the M&M and Communications Divisions, the Health Officer, and the Executive Office, but may also include other divisions depending on the scope and nature of the incident and impact to surrounding communities. The Executive Office will provide updates to the Board of Directors and elected officials as needed and Air District management will be responsible for directing staff to coordinate with local agencies and partners when necessary.

Post Incident Coordination and Actions

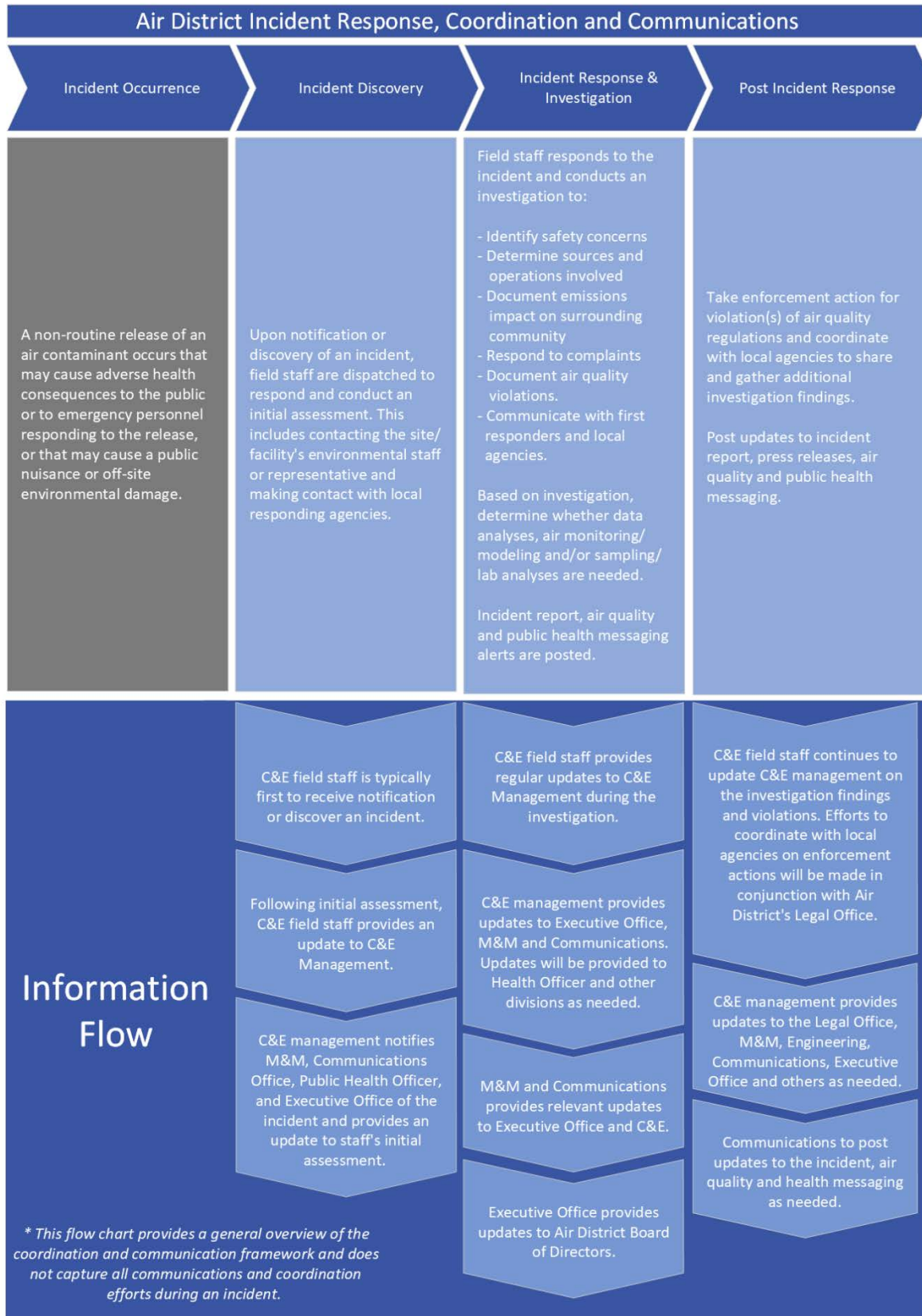
After the Air District responds to and investigates an incident, C&E staff will typically generate an incident report within 24 hours of the event. The incident report is made available on the Air District website and sent to the Communications Office for press releases, public notices and posting to social media accounts. The investigation findings may also be shared with other public agencies and community partners, as needed. If new information becomes available through the Air District's investigation, such as the issuance of a Notice of Violation or if new air monitoring or lab results become available, the incident report is updated and provided to the Communications Office.

The Air District will issue a Notice of Violation upon discovery that an air quality rule or regulation was violated. Notices of Violations may be issued to a site/facility and or other enforcement action(s) may be taken in consultation with the Air District Legal Office following an incident, however depending on the nature of the investigation and severity of the incident, the issuance of violations may occasionally occur later, following the completion of a comprehensive investigation and or coordination with other enforcement agencies.

Staff Safety and Training

Air District staff must conduct themselves in accordance with the Air District Safety Policy which promotes a safe work environment that will allow employees to perform their work without fear of possible harm to their lives and/or health. The Air District will continue to provide Incident Response training and safety training to all staff involved in responding to incidents to ensure a clear and consistent understanding of roles, responsibilities and operating protocol.

Attachment 1. Air District Incident Response, Coordination and Communications Flow Chart



BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John Bauters and Members
of the Stationary Source Committee

From: Philip M. Fine
Executive Officer/APCO

Date: March 13, 2024

Re: Update on Regulation 11: Hazardous Pollutants, Rule 18: Reduction of Risk from Air
Toxic Emissions at Existing Facilities (Rule 11-18)

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Regulation 11: Hazardous Pollutants, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18) was adopted by the Bay Area Air Quality Management District in 2017 to address facilities whose emissions of toxic air contaminants result in a significant health risk to nearby residents and workers. The Air District's Rule 11-18 Facility Risk Reduction Program identifies health risks from stationary sources at existing facilities and requires risk reductions for facilities and sources with elevated health risks. Rule 11-18 requires existing facilities with health risks above risk action thresholds to either reduce those health risks below the rule's risk action thresholds or implement Best Available Retrofit Control Technology for Toxics on all significant sources of health risks.

Concerns were raised by committee members, community members, and environmental groups at multiple Stationary Source and Climate Impact Committee meetings and AB 617 Community Steering Committee meetings regarding delays in rule implementation and risk reduction progress, including delays in the finalization of health risk assessments (HRA) and Risk Reduction Plan (RRP) development, submission, and approvals. Air District staff are implementing and evaluating potential program changes and amendments to Rule 11-18 to address these issues.

DISCUSSION

Air District staff are evaluating potential changes to the implementation of the existing program and amendments to Rule 11-18 that may help expedite the emissions inventory review (a crucial step in developing HRAs), HRAs, and RRP approval steps, as well as other changes that may improve implementation of the rule. This presentation provides an overview of Rule 11-18, current status of implementation, recent program improvements, proposed changes to the

Implementation Procedures document for the rule, and an overview of proposed concepts for rule amendments. The proposed changes to the Implementation Procedures document and a Concept Paper on regulatory concepts for amendments to Rule 11-18 were published in December 2023 for public comment at <https://www.baaqmd.gov/community-health/facility-risk-reduction-program>. A virtual public workshop was conducted on February 15, 2024 to present information on the proposed changes to the Implementation Procedures and concepts for regulatory amendments, as well as to accept questions and public comments. The public comment period ended on February 29, 2024, and staff are continuing to review and consider the comments received.

The Air District anticipates publishing the final Rule 11-18 Implementation Procedures document in April 2024. In addition, the rule development process on amendments to Rule 11-18 is anticipated to commence in Q2/Q3 of 2024.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None; this presentation is informational only. Specific budget impacts for new staff will be identified in subsequent presentations for budget adoption.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Alexander Sohn
Reviewed by: David Joe

ATTACHMENTS:

None

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John Bauters and Members
of the Stationary Source Committee

From: Philip M. Fine
Executive Officer/APCO

Date: March 13, 2024

Re: Indirect Source Regulations

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

This presentation provides an overview of indirect emissions sources and current status of related rules, regulations, and policies. An Indirect Source (IS) is defined in the Clean Air Act as "...a facility, building, structure, installation, real property, road, or highway which attracts, or may attract, mobile sources of pollution." In correlation with the growth of e-Commerce, and in response to growing concerns regarding the increase in warehouses, logistics centers, distribution centers and port activity, staff is providing an overview and update on the status of Indirect Source Regulations (ISR) and efforts throughout the State. This presentation covers trends in goods movement in California, air quality impacts from indirect sources (including those in overburdened communities), the current regulatory landscape at the State and local levels, and regulatory and technical implementation challenges.

DISCUSSION

Indirect sources and their impacts on nearby communities have continued to increase throughout California, with changes in goods movement being further accelerated during the COVID-19 pandemic. Existing goods movement infrastructure and future planned warehouse projects in the San Francisco Bay Area can result in a number of air quality impacts, including impacts in AB 617 and other overburdened communities. This presentation provides information on current rules, regulations, policies, and ordinances that address indirect sources, including those from the California Air Resources Board, other air districts (including South Coast AQMD and San Joaquin Valley APCD), and local governments. This presentation also covers implementation challenges faced by existing and future indirect source efforts, including both legal and technical implementation challenges, as well as next steps and future opportunities.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Christopher Easter
Reviewed by: David Joe

ATTACHMENTS:

None