

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
RESOLUTION NO. 2014-07

A Resolution of the Board of Directors of the Bay Area Air Quality Management District

Addressing Emissions from Bay Area Petroleum Refineries

WHEREAS, the Bay Area has five major oil refineries that contribute to local, regional, and global air pollution;

WHEREAS, refinery air pollution is known to contain chemicals that are hazardous to public health including but not limited to carcinogens such as benzene and benzo(a)pyrene, acids such as sulfuric acid and hydrochloric acid, heavy metals such as lead and mercury, teratogens such as toluene, mutagens such as polycyclic aromatic hydrocarbons;

WHEREAS, refineries emit fine particulate matter (PM_{2.5}) along with other stationary sources, vehicles and wood burning, which has been recognized by the Bay Area Air Quality Management District ("Air District") in its report, *Understanding Particulate Matter* (November 2012), as "the pollutant that poses by far the greatest health risk to Bay Area Residents", associated with premature mortality from cardiac illness, stroke and lung cancer, increased respiratory illness and asthma, increased hospital admissions, and greater school absences and missed workdays;

WHEREAS, all Bay Area refineries are in the process of infrastructure and crude oil changes that have the potential to result in significant worsening of air quality;

WHEREAS, measures to reduce Bay Area refinery emissions of criteria air pollutants and toxic air contaminants will support the goals of the Air District's *2010 Clean Air Plan* as well as the *2015 Clean Air Plan* now in development;

WHEREAS, pursuant to the California Clean Air Act and Amendments (HSC Sections 39002 and 40910 et seq.) and the Federal Clean Air Act and Amendments (42 U.S.C. Section 7401 et seq.), the Air District has authority to regulate emissions from non-vehicular sources of air pollution, including GHGs, and has the authority to enact more protective requirements than federal or State law;

WHEREAS the Air District meets or exceeds federal and state requirements to control and monitor sources of criteria pollutants and toxic air contaminants resulting in continuing reductions of these air pollutants over time as measured by the Air District's ambient air monitoring network;

WHEREAS regional, State and federal regulations and programs have resulted in significant reductions in criteria air pollutants, air toxic emissions and risk, there are still

communities with elevated exposures that warrant further action;

WHEREAS stationary source emissions in the Bay Area contribute to public exposure to air pollution, and health risk in neighboring communities, with petroleum refineries historically being among the largest stationary sources and consequently the focus of over 21 specific Air District regulations and programs;

WHEREAS Air District staff is currently preparing the 2015 Clean Air Plan and, as such, is investigating sources at petroleum refineries, their current emissions and regulatory limits and methods to further reduce overall emissions from petroleum refineries, leveraging information, methods and experience gained from the aforementioned programs and regulatory actions;

WHEREAS the Air District is in the process of developing proposed Regulation 12, Rule 15; Petroleum Refinery Emissions Tracking to track emissions, require updated Health Risk Assessments (HRAs) and monitor at fence-lines and neighboring communities, and a companion proposed regulation, Regulation 12, Rule 16, setting emissions thresholds and mitigating potential emissions increases;

NOW, THEREFORE, BE IT RESOLVED THAT Air District staff shall continue to prepare Regulation 12, Rule 15, Petroleum Refinery Emissions Tracking, to track and monitor refinery emissions, for proposed adoption by the Board of Directors not later than Spring 2015;

AND BE IT FURTHER RESOLVED THAT Air District staff shall prepare a companion Regulation 12, Rule 16, to set emissions thresholds and mitigate potential emissions increases, for proposed adoption by the Board of Directors not later than Spring 2015;

AND BE IT FURTHER RESOLVED THAT in order to continue to reduce air pollution from petroleum refineries, the Board of Directors directs Air District staff to develop a strategy based on an evaluation of approaches to further reduce emissions from petroleum refineries, including:

- the "worker-community" approach outlined in a September 26, 2014 letter;
- approach(es) proposed by industry;
- approach(es) to require each refinery to develop a refinery emissions improvement plan to implement a suite of measures to demonstrate compliance with all applicable requirements of the afore-mentioned strategy to further reduce emissions from petroleum refineries and to identify any additional feasible measures to achieve best practices with respect to minimizing emissions and to assure continuous improvement in minimizing emissions;
- other approaches deemed appropriate by Air District staff;

AND BE IT FURTHER RESOLVED THAT Air District staff shall prepare a strategy to achieve further emissions reductions from petroleum refineries which shall include as a goal a 20% reduction in refinery emissions, or as much emissions reductions as are

feasible, and shall include a schedule to implement the strategy through regulations or other enforceable mechanisms as expeditiously as possible;

AND BE IT FURTHER RESOLVED THAT Air District staff shall present the evaluation of emission reduction approaches and recommend a strategy to further reduce petroleum refinery emissions to the Board of Directors no later than December 2014;

AND BE IT FURTHER RESOLVED THAT Air District staff shall re-evaluate the goal as part of the 2015 Clean Air Plan process and modify the goal as necessary.

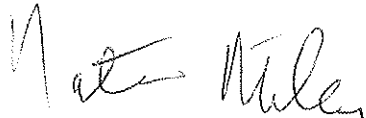
The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director BATES, seconded by Director GIOIA, on the _____ day of October 15, 2014 by the following vote of the Board:

AYES: KIM, PEPPER, SPERING, KNISS, BATES, GIOIA, MAR, MILEY, GROOM, KALRA, WAGENKNECHT, ROSS, AVALOS, ADAMS, FUJIOKA

NOES: NONE


ABSTENTIONS: NONE

ABSENT: PIEPHO, HUDSON, ZANE, KLATT, HAGGERTY, BARRETT, CHAVEZ



Nate Miley
Chairperson of the Board of Directors

ATTEST:



Eric Mar
Secretary of the Board of Directors