

Regulation 12, Rule 15, Section 40727.2 Analysis

Section	Description (paraphrased)	Comparable State/District Rules	Comparable Federal Rules	Discussion
101	Purpose	NA	NA	No applicable requirements
201 - 220	Definitions	NA	NA	No applicable requirements
401	Requires owners/operators of refineries to submit emissions inventories and crude slate reports by September 1 of each year including the elements of 401.1 – 401.7	See more detailed sections below	See more detailed sections below	See more detailed sections below
401.1	Requires the annual report to identify the calendar year that the report covers	NA	NA	Administrative requirement
401.2	Requires the annual report to include summary totals of each criteria pollutant, toxic air contaminant (TAC), and greenhouse gas (GHG)	NA	NA	Summarizes information required by 401.3. See discussion of 401.3
401.3	Requires the annual report to include detailed information about emissions of each criteria pollutant, toxic air contaminant (TAC), and greenhouse gas (GHG) and documenting information	<p>Section 1-420 Section 2-6-405.6 17 CCR 95100 et seq. (GHG only)</p> <p><u>Monitoring, but not total emissions:</u> BAAQMD Rule 8-5 (tanks), 8-8 (wastewater), 8-18 (equipment leaks), 8-28 (pressure relief devices), 9-1 (sulfur dioxide), 9-2 (hydrogen sulfide), 9-8 (engines), 9-9 (turbines), 9-10 (boilers and process heaters at refineries), 12-6 (sulfuric acid plants), and 12-11 and 12-12 (flares)</p>	<p>40 CFR 70.5(c)(3)(i) 40 CFR 70.5(c)(3)(iii) 40 CFR part 98 (GHG only)</p> <p><u>Monitoring, but not total emissions:</u> 40 CFR part 60, subparts J, Ja, and others including: D, Db, and Dc (boilers), IIII and JJJJ (engines), GG and KKKK (turbines), K, Ka, and Kb (storage tanks), H (sulfuric acid plants), GGG and GGa (equipment leaks), QQQ (wastewater systems)</p> <p>40 CFR part 63, subparts CC and UUU and others including: YYYYY (turbines), ZZZZ (engines), DDDDD and JJJJJ (boilers)</p>	<p>This requirement overlaps with the Air District’s general authority to request emissions information under Section 1-420, which BAAQMD exercises annually to create its emissions inventory. It also overlaps with the Air District’s title V requirements, pursuant to 40 CFR part 70 and Rule 2-6, to obtain emissions information as part of initial and renewal permit applications. (Permits are issued with a term of five years.) GHG data collection overlaps with both a State of California program (pursuant to 17 CCR 95100 et seq.) and a federal program (pursuant to 40 CFR part 98). In addition, this requirement requires the use of District Rules 12-11 and 12012 to quantify emissions from emergency flaring events.</p> <p>There are several BAAQMD rules and also federal standards under 40 CFR parts 60 and 63 that require monitoring and reporting of “emissions related information”, though <u>not total emissions</u>. Because all the refineries in the Bay Area that will be subject to Rule 12-15 are subject to title V permitting, however, these monitoring and reporting requirements are integrated into the sources’ title V permits issued pursuant to the Air District’s title V Rule (2-6), which is based on 40 CFR part 70.</p>
401.4	Allows GHG reporting required by 401.3 to be based on California Mandatory Reporting Rule. Requires increases in GHG emissions greater than 10,000 metric tons over the previous year to be explained.	17 CCR 95100 et seq.	40 CFR part 98	GHG data collection overlaps with the State of California program (17 CCR 95100 et seq.) and the Federal Mandatory Greenhouse Gas Reporting Rule (40 CFR part 98).
401.5	Requires the annual report to include a plot plan showing the locations of emissions sources	Section 2-6-405.4.1	40 CFR 70.5(c)(3)(ii)	The District’s title V Rule (2-6) requires initial and renewal applications to identify all sources emissions.

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401.6	Requires the annual report to document changes (increases and decreases) from the previous year in quantities of pollutants emitted	None	None	No similar existing requirement
401.7	Requires the annual report to include quarterly summaries of fuel sulfur content, nitrogen content, API gravity, and total acid number	None	None	No similar existing requirement
402	Requires owners/operators of refineries to submit a Petroleum Refinery Emissions Profile Report (PREP) by July 1, 2016 including the elements of 402.1 – 402.4	See more detailed sections below	See more detailed sections below	See more detailed sections below
402.1	Requires the PREP to identify the period that the report covers	NA	NA	Administrative requirement
402.2	Requires PREP to include a summary of emission rates of each criteria pollutant, TAC, and GHG in tons or pounds per year	NA	NA	This is merely a summary of the information required by 402.3
402.3	Requires PREP to include detailed information about emissions of each criteria pollutant, TAC, and GHG emitted and documenting information	Section 1-420 Section 2-6-405.6 17 CCR 95100 et seq. (GHG only)	40 CFR 70.5(c)(3)(i) 40 CFR 70.5(c)(3)(iii) 40 CFR part 98 (GHG only)	See discussion to 401.3 (above)
402.4	Requires a plot plan showing the locations of emissions sources	Section 2-6-405.4.1	40 CFR 70.5(c)(3)(ii)	See discussion to 401.5 (above)
403	Requires refinements made to annual reporting to be applied to the PREP	NA	NA	Administrative requirement
404 and 404.1 – 404.5	Sets procedures for APCO to review annual reports and PREP reports submitted by owners/operators of refineries	NA	NA	Applies to APCO, not regulated sources
405 and 405.1 – 405.4	Defines “timely submittal” of a health risk assessment protocol	NA	NA	Does not create the requirement to submit a protocol, only defines what “timely submittal” means
406 and 406.1 – 406.9	Sets procedures for the APCO to review health risk assessment protocols submitted by owners/operators of refineries	NA	NA	Applies to APCO, not regulated sources
407	Requires owners/operators to submit community and fence line monitoring system plans to APCO	None	None	Administrative requirement
408 and 408.1 – 408.7	Review of air monitoring plans	NA	NA	Applies to APCO, not regulated sources
409	Emissions inventory guidelines	NA	NA	Applies to APCO, not regulated sources
410	Air monitoring guidelines	NA	NA	Applies to APCO, not regulated sources
411	Allows owners/operators to designate information as confidential	NA	NA	No applicable requirements
501	Requires installation and operation of a community air monitoring system within two years of approval of a plan under 407	None	None	No existing rules require community air monitoring systems.

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502	Requires installation and operation of a fenceline air monitoring system within one year of approval of a plan under 407	None	<i>Proposed</i> modifications to refinery rules including: Subparts CC and UUU under 40 CFR part 63 and Subparts J and Ja under 40 CFR part 60	<p>The elements in a fenceline air monitoring program are proposed by the refinery owner/operator and approved by the APCO on a case-by-case basis.</p> <p>U.S. EPA has proposed, but has not yet finalized, a benzene fenceline monitoring program as part of a recent revision to the <i>National Emission Standards for Hazardous Air pollutants from petroleum Refineries</i> (40 CFR part 63, subpart CC) and some related regulations in parts 60 and 63.</p> <p>If there is a federal regulation that applies to a facility that requires fenceline monitoring, the owner/operator may propose monitoring that meets the requirements of this rule that is compatible with the federal regulation and the APCO will consider the proposal on its merits.</p>
503	Requires owner/operator to keep records of monitoring, source test results, throughputs, and other documenting information for at least five years	2-6-501	40 CFR 70.6(a)(3)(ii)	This requirement is similar to the recordkeeping requirement in the Air District's title V permitting Rule (2-6) which is based on 40 CFR part 70.
601	States that emissions inventories shall be prepared according to the guidelines established under 409	NA	NA	Administrative requirement
602	States that health risk assessments shall be prepared according to OEHHA guidance	NA	NA	Administrative requirement
603	States that air monitoring plans shall be prepared according to guidance established under 410	NA	NA	Administrative requirement