

**REGULATION 12**  
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**REGULATION 12**  
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**RULE 16**  
**PETROLEUM REFINING EMISSIONS AND RISK THRESHOLDS**  
**(ADOPTED [DATE])**

**12-16-100 GENERAL**

**12-16-101 Description:** The purpose of this rule is to ensure that the emissions from operation of Bay Area Refineries do not pose an unacceptable health risk on nearby communities and do not result in exceedance of the National Ambient Air Quality Standards for SO<sub>2</sub> and PM<sub>2.5</sub>.

**12-16-102 Exemption, Small Refineries:** This rule shall not apply to any refinery that is limited to a total crude oil throughput or total crude oil processing capacity of 5,000 barrels per day or less by an Air District Permit to Operate.

**12-16-103 Limited Exemption, Emissions from Flares:** Emissions from flaring events addressed in Regulation 12, Rules 11 and 12 shall not be included in requirements for demonstrating compliance with the NAAQS under this rule. Specifically, emissions from flaring events shall be excluded from the requirements of Sections 12-16-405 through 12-16-409.

**12-16-200 DEFINITIONS**

**12-16-201 Accidental Air Release:** An unanticipated emission of a criteria pollutant, toxic air contaminant, and/or greenhouse gas into the atmosphere required to be reported in a Risk Management Plan (RMP) under 40 CFR §68.168.

**12-16-202 Acute Hazard Quotient:** The ratio of the estimated short-term average concentration of a toxic air contaminant at a particular location to its acute reference exposure level (estimated for inhalation exposure).

**12-16-203 Air Emission Reduction Measures:** Equipment or practices intended to reduce or eliminate air emissions, and that may include equipment upgrades or modernization, improved emissions capture or control, process changes, operational changes, or feedstock modifications.

**12-16-204 Chronic Hazard Quotient:** The ratio of the estimated long-term average concentration of a toxic air contaminant at a particular location to its chronic reference exposure level (estimated for inhalation and non-inhalation exposures).

**12-16-205 Cost-Effectiveness:** The ratio of the total annualized cost of an Air Emission Reduction Measure to the annual amount of emissions reduced from its implementation.

**12-16-206 Emissions Inventory:** A comprehensive accounting of the types and quantities of criteria pollutants, toxic air contaminants, and greenhouse gases that are released into the atmosphere based on state-of-the-art measurement technologies and estimation methodologies. For the purposes of this rule, emissions inventory data shall be collected or calculated for: (1) all continuous, intermittent, predictable, and accidental air releases resulting from petroleum refinery processes at stationary sources at a petroleum refinery, and (2) all air releases from cargo carriers (e.g., ships and trains), excluding motor vehicles, that load or unload materials at a petroleum refinery including emissions from such carriers while operating within the Air District or within California Coastal Waters as specified in Regulation 2-2-610 (adopted Dec. 19, 2012).

**12-16-207 Emission Reduction Plan (ERP):** A document meeting the requirements of Section 12-16-408 that National Ambient Air Quality Standard and details measures that will be implemented to attain compliance with the standards.

- 12-16-208 Health Risk:** The potential for adverse human health effects resulting from exposure to emissions of air contaminants and ranging from relatively mild temporary conditions, such as eye or throat irritation, shortness of breath, or headaches, to permanent and serious conditions, such as birth defects, cancer or damage to lungs, nerves, liver, heart, or other organs. Measures of health risk from exposure to toxic air contaminants include cancer risk, chronic hazard index, and acute hazard index.
- 12-16-209 Maximally Exposed Individual (MEI):** As defined in Regulation 2: Permits, Rule 5: New Source Review of Toxic Air Contaminants, Section 2-5-212
- 12-16-210 National Ambient Air Quality Standard (NAAQS):** Ambient air standards for air pollutants considered harmful to public health and the environment established by the United States Environmental Protection Agency under authority of the Clean Air Act (42 U.S.C. 7401 et seq.) that apply for outdoor air throughout the United States.
- 12-16-211 Non-Cancer Acute Hazard Index:** A measure of short-term non-cancer health risks, which is the sum of the individual acute hazard quotients for toxic air contaminants identified as affecting the same target organ or organ system. The Air District will determine the Non-Cancer Acute Hazard Index pursuant to the Air Toxics “Hot Spots” Information and Assessment Act, H&SC Sections 44300, et seq.
- 12-16-212 Non-Cancer Chronic Hazard Index:** A measure of long-term non-cancer health risks, which is the sum of the individual chronic hazard quotients for toxic air contaminants identified as affecting the same target organ or organ system. The Air District will determine the Non-Cancer Chronic Hazard Index pursuant to the Air Toxics “Hot Spots” Information and Assessment Act, H&SC Sections 44300, et seq.
- 12-16-213 Notification Risk Threshold:** A set of Refinery-Wide Health Risk levels at which a refinery will be required to notify the impacted public of the refinery’s health risks pursuant to the Air Toxics “Hot Spots” Information and Assessment Act, California Health and Safety Code H&SC Section 44300 et seq.
- 12-16-214 Petroleum Refinery:** An establishment that is located on one or more contiguous or adjacent properties that processes crude oil to produce more usable products such as gasoline, diesel fuel, aviation fuel, lubricating oils, asphalt or petrochemical feedstocks. Petroleum refinery processes include separation processes (e.g., atmospheric or vacuum distillation, and light ends recovery), petroleum conversion processes (e.g., cracking, reforming, alkylation, polymerization, isomerization, coking, and visbreaking) petroleum treating processes (e.g., hydrodesulfurization, hydrotreating, chemical sweetening, acid gas removal, and deasphalting), feedstock and product handling (e.g., storage, blending, loading, and unloading), auxiliary facilities (e.g., boilers, waste water treatment, hydrogen production, sulfur recovery plant, cooling towers, blowdown systems, compressor engines, and power plants), and support facilities (e.g., hydrogen plants and electrical generation).
- 12-16-215 Policy for Notification Under the Air Toxics “Hot Spots” Act:** Air District procedures, adopted by the Air District Board of Directors, July 30, 1991, that details requirements for noticing exposed persons pursuant to Section 44362 of the California Health and Safety Code.
- 12-16-216 Potential to Emit:** The maximum capacity of a source or facility to emit a pollutant based on any physical or operational limitation on the capacity of the source or facility to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, or the capacity of any upstream or downstream process that acts as a bottleneck.

- 12-16-217 Refinery Owner/Operator:** Any person who owns, operates, or exercises operational control over the majority of operations at a petroleum refinery. The refinery owner/operator is responsible for compliance with this rule for the entirety of the petroleum refinery, including any refinery processes or auxiliary facilities that may be separately owned or operated. Any person who owns, operates, or exercises operational control over a portion of a petroleum refinery that is less than a majority of the total refinery operations must provide the Owner/Operator with information sufficient to allow the owner/operator to comply with this rule, and must make that information available to the APCO upon request.
- 12-16-218 Refinery-Wide Cancer Risk:** An estimate of the probability that an individual will develop cancer as a result of lifetime exposure to emissions from a Petroleum Refinery. The Air District will determine the Refinery-Wide Cancer Risk pursuant to the Air Toxics “Hot Spots” Information and Assessment Act, H&SC Sections 44300, et seq.
- 12-16-219 Risk Reduction Audit and Plan (RRAP):** A document meeting the requirements of Section 12-16-404 that identifies, among other things, sources, quantities, and causes of emissions responsible for exceedance of Significant Risk Thresholds and details measures that will be implemented to reduce risk below that threshold.
- 12-16-220 Risk Reduction Measures:** Changes to production processes, feedstocks, product formulations, emission point locations, emissions capture and dispersion mechanisms, and other practices that reduce Toxic Air Contaminant emissions or that reduce health risks at the facility being evaluated.
- 12-16-221 Significant Risk Threshold:** A set of Refinery-Wide Health Risk levels established by the Air District pursuant to the Air Toxics “Hot Spots” Information and Assessment Act, H&SC Section 44300, et seq., at which a refinery will be required to reduce health risks pursuant to a District-approved risk reduction and audit plan.
- 12-16-222 Source:** Any article, machine, equipment, operation, contrivance or related groupings of such that may produce and/or emit air pollutants.
- 12-16-223 Toxic Air Contaminant (TAC):** An air pollutant that may cause or contribute to an increase in mortality or in serious illness or that may pose a present or potential hazard to human health. For the purposes of this rule, TACs consist of the substances listed in the most recent health risk assessment guidelines adopted by the Office of Environmental Health Hazard Assessment (OEHHA).
- 12-16-224 Unreasonable Risk Thresholds:** A set of Refinery-Wide Risk levels established by Air District pursuant to the Air Toxics “Hot Spots” Information and Assessment Act, H&SC Section 44300, et seq., that the Air District deems to be unacceptable.

**12-16-300 STANDARDS**

- 12-16-301 Health Risk Thresholds:** For each petroleum refinery, the health impact thresholds that trigger further action are established as the following values for cancer risks and non-cancer acute and chronic hazard indices:

	Health Risk Thresholds	Refinery-Wide Cancer Risk	Refinery-Wide Non-Cancer Acute and Chronic Hazard Indices
<b>301.1</b>	<b>Notification Risk</b>	10 in a million ( $10 \times 10^{-6}$ )	1.0
<b>301.2</b>	<b>Significant Risk</b>	25 in a million ( $25 \times 10^{-6}$ )	2.5
<b>301.3</b>	<b>Unreasonable Risk</b>	100 in a million ( $100 \times 10^{-6}$ )	10

- 12-16-302 Risk Reduction Audit and Plan:** A refinery owner/operator shall obtain and maintain an APCO approval of a Risk Reduction Audit and Plan (RRAP) in accordance with Sections 12-16-403 and 404 if the APCO-approved HRA required pursuant to Section 12-15-405 or 12-16-401 establishes that a Refinery-Wide Health Risk exceeds a Significant Risk Threshold

set forth in Subsection 12-16-301.2.

**12-16-303 Risk Reduction Plan Implementation:** A refinery owner/operator shall implement all Risk Reduction Measures identified in an approved RRAP prepared in accordance with Sections 12-16-403 and 404.

**12-16-304 Source-Specific and Refinery-wide SO<sub>2</sub> and PM<sub>2.5</sub> Emission Limits:** A refinery owner/operator shall not exceed the refinery-wide potential to emit (PTE) limits for SO<sub>2</sub> and PM<sub>2.5</sub> established in accordance with Section 12-16-405.

**12-16-305 SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS Compliance:** A Refinery Owner/Operator shall either:

**305.1** Demonstrate compliance with SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS in accordance with Section 12-16-406; or,

**305.2** Obtain approval of an Emissions Reduction Plan in accordance with Section 12-16-408.

#### **12-16-400 ADMINISTRATIVE REQUIREMENTS**

**12-16-401 Updated Health Risk Assessment Requirement:** A refinery owner/operator shall submit to the APCO for approval an updated health risk assessment (HRA) within 150 days of notification by the APCO that an updated HRA is required. The refinery owner/operator shall follow the procedures in Section 12-15.405.3 and 405.4 regarding the timely submittal of the modeling protocol.

**12-16-402 Risk Notification Requirements:** A Refinery Owner/Operator notified by the APCO that an HRA or Updated HRA indicates that the Refinery-Wide Cancer Risk or Refinery-Wide Non-Cancer Acute or Chronic Hazard Index exceeds the Notification Threshold shall notify all exposed persons regarding the results of the HRA in accordance with the Air District Policy for Notification Under the Air Toxics "Hot Spot Act."

**12-16-403 Risk Reduction Audit and Plan Submission Requirements:** Within 180 days of notification from the APCO that an approved HRA indicates a Refinery-Wide Health Risk exceeds the Significant Risk Threshold set forth in Subsection 12-16-301.2, the notified Refinery Owner/Operator shall submit a RRAP to the APCO in accordance with Section 12-16-404 that details Risk Reduction Measures that will reduce emissions or health risk from the refinery to a level below the Significant Risk Threshold as soon as feasible, but by no later than five years from the date of submission:

**403.1** The APCO may extend this time period up to five additional years if the Refinery Owner/Operator demonstrates to the APCO that requiring implementation of the plan within five years places an unreasonable economic burden on the facility operator or is not technically feasible;

**403.2** The APCO may shorten the time period proposed by the Refinery Owner/Operator for RRAP implementation to less than five years if the APCO finds that:

2.1 It is technically feasible and economically practicable to implement the plan to reduce emissions below the significant risk level more quickly; or

2.2 The Unreasonable Risk threshold set forth in 12-16-301.3 is exceeded.

**403.3 Progress on Emissions Reductions:** The Refinery Owner/Operator shall report to the APCO progress on the emission reductions achieved by the plan in the emissions inventory updates required pursuant to Regulation 12, Rule 15, Section 12-15-401.

**12-16-404 Risk Reduction Audit and Plan Requirements:** A Refinery Owner/Operator subject to Subsection 12-16-403 shall submit to the APCO a RRAP that shall include all of the following:

**404.1** The name and address of the facility.

**404.2** The North American Industry Classification System (NAICS) code for the facility.

- 404.3** A source characterization including:
  - 3.1 Summary data from the applicable APCO-approved air toxic emission inventory.
  - 3.2 Summary data from the related health risk assessment.
  - 3.3 Identification of the processes/emission points contributing to risks over the Significant Risk Threshold(s).
- 404.4** An evaluation of the risk reduction measures to be implemented including:
  - 4.1 Identification of Risk Reduction Measure(s),
  - 4.2 Anticipated emission reductions,
  - 4.3 Anticipated health risk reduction.
- 404.5** A schedule for implementing the Risk Reduction Measures as expeditiously as feasible, but no later than the timeframes established in Section 12-16-403, including:
  - 5.1 Dates for filing applications for permits to construct.
  - 5.2 Dates equipment will be installed (if applicable).
  - 5.3 Dates process changes will be completed (if applicable).
  - 5.4 Dates for demonstrating the effectiveness of Risk Reduction Measures.
- 404.6** An estimate of residual risk following implementation of the risk reduction measure(s) specified in the plan. If risk cannot be reduced to below the Significant Risk Threshold within five years, the plan shall also include the following:
  - 6.1 A request to the district for an extension of time to comply.
  - 6.2 An evaluation of all Risk Reduction Measures available.
  - 6.3 A demonstration of technical infeasibility or unreasonable economic burden associated with reducing risk below the Significant Risk Threshold within five years.
  - 6.4 Identification of activities to identify or develop additional Risk Reduction Measures to enable the operator to comply by the specified date.
- 404.7** A certification that the RRAP meets all requirements. The person who makes this certification shall be one of the following:
  - 7.1 An engineer who is registered as a professional engineer pursuant to Section 6762 of the Business and Professions Code;
  - 7.2 An individual who is responsible for the operations of the source; or
  - 7.3 An environmental assessor registered pursuant to Section 25570.3 of the Health and Safety Code.

**12-16-405 Source-Specific and Refinery-wide SO<sub>2</sub> and PM<sub>2.5</sub> Emission Limits:** No later than December 31, 2016, the APCO shall determine the Potential to Emit (PTE) of each source of SO<sub>2</sub> and PM<sub>2.5</sub> subject to a District Permit to Operate, and shall establish enforceable, refinery-wide emission limits for SO<sub>2</sub> and PM<sub>2.5</sub> equivalent to the sum of the PTE values for all sources. For sources that have a combined limit where the combined limit is lower than the summation of the PTEs of the individual sources, the PTE for those sources shall be the combined limit. The APCO shall establish annual limits that will be summed to set the refinery-wide emission limits. The APCO shall also set source-specific hourly limits for SO<sub>2</sub> and daily limits for PM<sub>2.5</sub> to facilitate comparison with the National Ambient Air Quality Standard (NAAQS) for SO<sub>2</sub> and PM<sub>2.5</sub>. The APCO may group smaller sources, multiple sources, with single emissions points and multiple sources with existing enforceable limits into categories and determine the PTE for the category as a whole. Source-specific PTE values and refinery-wide limits shall be established as follows:

- 405.1** Before determining PTE values, the APCO shall publish and accept public comment on a protocol for determining and translating to a NAAQS-consistent metric PTE for individual sources and categories of smaller sources.
- 405.2** Within 60 days of a written request by the APCO, the Refinery Owner/Operator shall submit any information needed by the APCO to establish the PTE of any source or group of sources.
- 405.3** The APCO shall publish and accept public comment on the proposed PTE values for each individual source or source category and on proposed refinery-wide PTE limits.

- 405.4 The APCO shall adjust source-specific PTE values to be the same as the values that are the basis for a successful SO<sub>2</sub> or PM<sub>2.5</sub> NAAQS demonstration as required in Section 12-16-305.
- 405.5 The APCO shall adjust PTE values to conform to changes in emission inventory methodology as described in Regulation 12, Rule 15. Adjustments made for this reason shall not be subject to the process in Section 12-16-405.3.
- 405.6 The refinery-wide SO<sub>2</sub> and PM<sub>2.5</sub> PTE limits shall be rendered enforceable though a revision to the Major Facility Review permit for each refinery.

**12-16-406 Refinery-Wide Demonstration of Compliance with SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS:** A refinery owner/operator shall either demonstrate compliance with the SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS by one or more of the following methods, or shall implement an emission reduction plan as described in Section 12-16-408:

**406.1 Modeling Demonstration:** A dispersion modeling attempt at demonstration of compliance with the SO<sub>2</sub> or PM<sub>2.5</sub> NAAQS shall be made prior to March 1, 2017 as follows:

- 1.1 The refinery owner/operator shall submit to the APCO a proposed dispersion modeling protocol. The protocol may include proposed enforceable reductions to source-specific values established in Section 12-16-405 and a schedule for adjusting these values through permitting or another enforceable mechanism.
- 1.2 The refinery owner/operator shall submit to the APCO for review dispersion modeling results obtained in accordance with the approved protocol.

**406.2 Air Monitoring Demonstration:** An attempt to demonstrate compliance with the SO<sub>2</sub> or PM<sub>2.5</sub> NAAQS through air monitoring shall commence in accordance with an approved protocol prior to March 1, 2017, as follows:

- 2.1 The refinery owner/operator shall submit to the APCO a proposed air monitoring study protocol. The protocol must account for the expected points of maximum concentration as indicated by dispersion modeling results. The protocol must account for background concentrations in the Bay Area so as to accurately account for the influence of local sources. The protocol shall conform with guidance promulgated by the United States Environmental Protection Agency for implementing air quality monitoring for the purposes of characterizing pollutant concentrations relative to the NAAQS.
- 2.2 The refinery owner/operator shall install and operate the monitoring devices in accordance with the approved protocol.
- 2.3 The refinery owner/operator shall report air monitoring results to the APCO on a monthly basis.
- 2.4 If at the end of the first year, the monitoring study shows maximum concentrations exceed the background by less than or equal to 20 percent of the applicable NAAQS, the refinery owner/operator may discontinue the study. If at the end of the third year of the study, the monitoring study shows maximum concentrations exceed the background by less than 50 percent of the applicable NAAQS, then the refinery owner/operator may discontinue the study.
- 2.5 If at any point during the air monitoring demonstration, results indicate an exceedance of the SO<sub>2</sub> or PM<sub>2.5</sub> NAAQS, the APCO will determine the contribution to the exceedance by the refinery.
- 2.6 At the completion of the air monitoring study, the refinery owner/operator shall submit to the APCO for review monitoring results obtained in accordance with the approved protocol.

**406.3 APCO Determination of NAAQS Compliance:** If the APCO is satisfied that compliance with the SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS has been demonstrated for a Refinery, then the APCO shall notify the Refinery Owner/Operator in writing and publish the finding on the Air District website. If the APCO determines that a refinery with an approved air monitoring study protocol cannot reasonably be expected to



demonstrate NAAQS compliance through air monitoring, then the APCO shall notify the Refinery Owner/Operator in writing and publish the finding on the Air District website. Unless the APCO has given notice and published a finding of compliance, a Refinery will be deemed not to have demonstrated compliance with the SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS.

**12-16-407 Updated Refinery-Wide Demonstration of Compliance with SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS:** If information becomes available after the initial APCO-approval of NAAQS compliance regarding methods or factors used in the demonstration, the APCO may require a refinery owner/operator to update the demonstration to reflect the information and resubmit the demonstration to the APCO for approval pursuant to 12-16-406.

**12-16-408 Emissions Reduction Plan:** Unless a Refinery Owner/Operator has, in accordance with Section 12-16-406, previously demonstrated compliance with the NAAQS for SO<sub>2</sub> and PM<sub>2.5</sub> the Refinery Owner/Operator shall submit to the APCO for approval a draft Emissions Reduction Plan that will achieve compliance with the NAAQS for SO<sub>2</sub> and PM<sub>2.5</sub>. This submittal shall be no later than March 1, 2017 if the Refinery Owner/Operator does not commence either a modeling or monitoring demonstration as described in Section 12-16-406.1 and 406.2. If the Refinery Owner/Operator attempts either a modeling or monitoring demonstration, this submittal shall be made no later than 180 days after the failure of both modeling and monitoring demonstrations. The draft ERP shall be developed in accordance with the following:

**408.1 Air Emission Reduction Measures:** The ERP shall identify any Air Emission Reduction Measures planned for implementation that will, within two years of submission of a complete ERP, result in compliance with the SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS. This part of the ERP shall include the following:

- 1.1 The name and address of the facility.
- 1.2 The North American Industry Classification System (NAICS) code for the facility.
- 1.3 A quantification of the emission reductions expected from each Air Emission Reduction Measure.
- 1.4 A schedule for the permitting and implementation of each Air Emission Reduction Measure as expeditiously as feasible.
- 1.5 Dates for filing applications for permits to construct.
- 1.6 Dates equipment will be installed (if applicable).
- 1.7 Dates process changes will be completed (if applicable).

**408.2 Emission Reduction Audit:** If the planned Air Emission Reduction Measures in Section 408.1 are not projected to achieve compliance with the SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS within two years of submission of the complete ERP, then the ERP must include an Emission Reduction Audit. The Emission Reduction Audit shall include the following:

- 2.1 Identification of all technically feasible Air Emission Reduction Measures that would mitigate to any extent emissions contributing to exceedance of either the SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS and a quantification of the emission reductions that would be achieved by each measure.
- 2.2 An estimate of the cost-effectiveness of each technically feasible Air Emission Reduction Measure and a description of the basis for the estimate.
- 2.3 A schedule for the permitting and implementation of technically feasible Air Emission Reduction Measures sufficient to achieve compliance with the SO<sub>2</sub> and PM<sub>2.5</sub> NAAQS. A refinery owner/operator is not required to implement Air Emission Reduction Measures that exceed maximum cost-effectiveness in Table 1.

<b>Table 1 – Maximum Cost-Effectiveness for Air Emission Reduction Measures</b>	
<b>Pollutant</b>	<b>Maximum Cost Effectiveness (\$/ton of emissions reduced)</b>
SO <sub>2</sub>	\$35,000
PM <sub>2.5</sub>	\$50,000

Note: Maximum cost-effectiveness values are presented in 2015 dollars and shall be adjusted for inflation using the Bay Area Consumer Price Index in other years.

**12-16-409 Review and Approval of Risk and Emission Reduction Plans (Plan):** The procedure for determining whether a Plan submitted pursuant to Sections 12-16-403 or 408, or meets the applicable requirements of this rule is as follows:

**409.1 Completeness Review:** Within 20 business days of receipt of the draft RRAP or ERP, the APCO will conduct a completeness review of the draft Plan. The APCO will notify the refinery owner/operator in writing if the submitted Plan is lacking information necessary to make an approval determination. The refinery owner/operator shall submit a complete draft Plan within 45 days or receipt of this notification. If the APCO determines that the resubmitted draft Plan is still incomplete, the APCO may disapprove the Plan or may notify the refinery owner/operator that the draft Plan continues to lack necessary information and provide another opportunity to submit a complete draft Plan in 45 or fewer days.

**409.2 Public Comment:** The draft Plan, including any revisions made to correct deficiencies, will be made available to the public for 45 days (with exception of confidential information). The APCO will consider any written comments received during this period prior to approving or disapproving the final draft Plan.

**409.3 Final Action:**

**3.1** The APCO will approve the draft Plan if the APCO determines that the draft Plan meets the requirements of Sections 12-16-403 or 408 and will provide written notification to the refinery owner/operator.

**3.2** If the APCO determines that the draft Plan does not meet the requirements of Sections 12-16-403 or 408, the APCO will notify the refinery owner/operator in writing and will specify the basis for this determination. Upon receipt of such notification, the refinery owner/operator shall correct the identified deficiencies and resubmit the draft Plan within 45 days.

**3.3** If the APCO determines that the refinery owner/operator failed to correct any deficiency identified in the notification, the APCO will determine that the refinery owner/operator has failed to meet the requirements of Sections 12-16-403 or 408, and will disapprove the draft Plan.

**409.4 Public Inspection:** Within 30 days of the approval of a Plan under Section 12-16-409.3, the APCO shall post the Plan on the Air District's website, and shall notify any member of the public, who submitted comments under Section 12-16-409.2, or who otherwise requested such notification of this action in writing. In making information available for public inspection, the confidentiality of trade secrets, as designated by the refinery owner/operator, shall be handled in accordance with Section 6254.7 of the Government Code.

**12-16-410 Updated Risk Reduction Audit and Plan:** If information becomes available after the initial APCO-approval of an RRAP regarding health risks posed by a refinery or emissions reduction technologies that may be used by a refinery that would significantly impact health risks to exposed persons, the APCO may require a refinery owner/operator to update the RRAP reflect the information and resubmit the RRAP to the APCO for approval pursuant to 12-16-401.

## **12-16-500 MONITORING AND RECORDS**

**12-16-600 MANUAL OF PROCEDURES**

**12-16-601 Emissions Inventory Procedures:** Each emissions inventory required under this rule shall be prepared following the District's Emission Inventory Guidelines for Petroleum Refineries established under Regulation 12, Rule 15, Section 12-15-409.