



REQUEST FOR COMMENTS

June 30, 2021

BAY AREA

AIR QUALITY

MANAGEMENT

DISTRICT

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **REQUEST FOR COMMENTS ON DRAFT REGULATION 13:
CLIMATE POLLUTANTS, RULE 5: PETROLEUM REFINERY
HYDROGEN PLANTS**

The staff of the Bay Area Air Quality Management District (Air District) is requesting comments on draft Regulation 13: Climate Pollutants, Rule 5: Petroleum Refinery Hydrogen Plans (Rule 13-5).

BACKGROUND

Air District staff is developing a new source-specific draft rule to address Bay Area emissions of methane (a potent climate pollutant) and volatile organic compounds (a precursor to smog formation), which together are referred to as "total organic compounds" (TOC). Draft Rule 13-5 would limit vented emissions of methane and organic compounds from petroleum refinery hydrogen production plants, hydrogen carrying systems, and hydrogen end users such as process units.

The Air District has a policy goal of reducing Bay Area greenhouse gas emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. Methane is a potent and short-lived climate pollutant with a global warming potential 86 times greater than that of carbon dioxide, when compared on a 20-year time horizon. The intent of draft Rule 13-5 is to minimize both methane and other organic compound emissions, which can be vented from atmospheric vents at petroleum refinery hydrogen plants during normal operating conditions, startups, shutdowns, malfunctions, upsets, and emergencies.

The Air District held a public workshop at its headquarters in San Francisco in January 2020 to present and discuss draft regulatory language for Rule 13-5, along with a workshop report. In consideration of comments received at the workshop, in writing, and during subsequent meetings between Air District staff and hydrogen plant operators, draft Rule 13-5 was revised to address concerns and comments raised by stakeholders. The Air District sought further comment on the revised version of draft Rule 13-5 and the associated Preliminary Staff Report, published in September 2020.

The Air District received comments on the September 2020 version of the revised draft rule addressing potential exemptions; definitions; concerns related to the standards, testing, and monitoring requirements; and overall concerns related to the timeline, scope, and procedural elements of the rule development process. Air District staff has revised draft Rule 13-5 to accommodate reasonable concerns related to definitions (atmospheric

vents, control device vents, existing facilities and new ones, and total organic compound), testing methods, monitoring, reporting and compliance timelines. Further, emission limits and reporting requirements for new hydrogen plants and deaerator vents and carbon dioxide scrubbing vents have been deleted from the draft Rule. Finally, specificity in the monitoring requirements has been relaxed.

INFORMATION AND COMMENTS

A Request for Comments is the next step in the Air District's public engagement process. Staff requests comments and questions about the revised draft Rule 13-5. Following this Request for Comments and close of the public comment period, staff will assess the need for changes to the draft new rule. Staff may consider soliciting further input or may proceed to a public hearing before the Air District's Board of Directors.

For copies of revised draft Rule 13-5 and other supporting materials, please visit our website at <http://www.baaqmd.gov/rules-and-compliance/rules/reg-13-rule-5-petroleum-refinery-hydrogen-plants>, or submit a request to Jacob Finkle, Senior Air Quality Specialist, at jfinkle@baaqmd.gov. Interested parties are invited to submit written comments on the revised draft rule. For questions or to submit comments on the revised draft rule, please contact Jacob Finkle at jfinkle@baaqmd.gov. **The deadline to submit comments is Friday, July 30, 2021, at 5:00 p.m.**

The Air District will also conduct a California Environmental Quality Act (CEQA) scoping meeting using Zoom at 10:00 a.m. to noon on Tuesday, July 27, 2021, to discuss and accept oral comments on the scope and content described in a Notice of Preparation and an Initial Study (NOP/IS) prepared in anticipation of a draft Environmental Impact Report (DEIR) for the project. The deadline to submit comments is Friday, July 30, 2021, at 5:00 p.m. For further information on the CEQA scoping meeting, including the Notice of Preparation, Initial Study, and meeting details, please visit our website at <http://www.baaqmd.gov/rules-and-compliance/rules/reg-13-rule-5-petroleum-refinery-hydrogen-plants>.