



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

NOTICE OF RESCHEDULED PUBLIC HEARING

MARCH 25, 2022

TO: INTERESTED PARTIES
FROM: INTERIM ACTING EXECUTIVE OFFICER
APCO
SUBJECT: **RESCHEDULED PUBLIC HEARING:
PROPOSED NEW REGULATION 13:
CLIMATE POLLUTANTS, RULE 5:
INDUSTRIAL HYDROGEN PLANTS;
PROPOSED AMENDMENTS TO
REGULATION 8: ORGANIC COMPOUNDS,
RULE 2: MISCELLANEOUS OPERATIONS;
AND CONSIDERATION OF THE
CERTIFICATION OF THE ENVIRONMENTAL
IMPACT REPORT**

This notice is to inform interested members of the public and stakeholders that the Bay Area Air Quality Management District (Air District) public hearing on Proposed Regulation 13: Climate Pollutants, Rule 5: Industrial Hydrogen Plants and Proposed Amendments to Regulation 8: Organic Compounds, Rule 2: Miscellaneous Operations, has been rescheduled. The public hearing, originally scheduled for **April 6, 2022**, will now be held on **May 4, 2022**, in the 1st floor Board Room, 375 Beale Street, San Francisco, California, at 9:30 a.m. This meeting will also be conducted under the procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom and the public may observe this meeting and provide verbal comments during the meeting through the meeting webcast by clicking the link available on the Air District's Agenda webpage for the meeting, available at <http://www.baaqmd.gov/bodagendas>. During the meeting, public comments on the Agenda for this meeting may be submitted by email to comments@baaqmd.gov.

During the May 4th Public Hearing, the Board will consider:

- Adoption of Proposed new Regulation 13: Climate Pollutants, Rule 5: Industrial Hydrogen Plants (Rule 13-5).
- Adoption of Proposed amendments to Regulation 8: Organic Compounds, Rule 2: Miscellaneous Operations (Rule 8-2).

- Certification of an Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) for Proposed Rule 13-5.

Proposed Rule 13-5 would limit vented emissions of total organic compounds (methane and other hydrocarbons) from hydrogen production and hydrogen carrying systems. Air District regulations currently exclude methane from the definition of “organic compounds”, but “total organic compounds” as proposed in Rule 13-5 are defined to include organic compounds and methane. Currently, nearly all hydrogen production plants in the Bay Area operate integrally or in support of petroleum refinery operations; however, as demand for hydrogen increases to fuel vehicles, among other purposes, more stand-alone hydrogen facilities are likely to begin operations. Proposed Rule 13-5 seeks to control emissions from all hydrogen production plants that utilize steam-methane reformation, as this process can result in venting of methane and other organic compounds.

Proposed administrative amendments to Rule 8-2 will ensure consistency of control requirements for emissions from these operations. The proposed amendments to Rule 8-2 would add to the list of other operations not meeting the definition of miscellaneous operations those limited by Section 301 of Rule 13-5. Further proposed amendments in Rule 8-2 would add language to the Manual of Procedures section of the Rule to allow other approved test methods for operations processing non-petroleum-based feedstocks. This amendment is consistent with recent amendments made to Air District rules and regulations associated with or referencing refineries. The Air District has prepared a Staff Report that provides a summary of the rationale for updating this rule. Background information and analysis is also available in the Staff Report. The proposed amendments and Staff Report are intended to provide the public with information in advance of a Public Hearing.

Pursuant to CEQA (Public Resources Code § 21000 et seq.), a Draft Environmental Impact Report (Draft EIR) for the proposed rule was prepared. The Draft EIR concluded that air quality impacts associated with the construction and operation of air pollution control equipment, as well as cumulative air quality impacts from operation of this equipment, would be potentially significant. Although the proposed amendments to Rule 8-2 are part of the “project” for CEQA purposes, these amendments will have no impact on the environment and, therefore, they are not specifically discussed in the Draft EIR. Notice is hereby given that the Air District intends to consider certification of a final Environmental Impact Report for proposed Rule 13-5 pursuant to Public Resources Code section 21080(c) and CEQA Guidelines (section 15070 et seq.).

Air District staff is proposing revisions to the Administrative Requirements, and Monitoring and Records sections of Proposed Rule 13-5 as well as additional clarifications. These revisions provide clarity to ensure the original intent of the rule

is maintained while allowing adequate time to install required control and monitoring equipment. Staff is not proposing any changes to the Proposed Amendments to Rule 8-2 or the Draft EIR.

The CEQA Initial Study and Draft Environmental Impact Report, text of the proposed regulations and amendments, Staff Report, and other supporting documents are available on the Air District's website at <https://www.baaqmd.gov/reg13rule5>, and may be requested from Victor Douglas at (415) 749-4752 or vdouglas@baaqmd.gov.

Written comments on the revised proposed Rule 13-5 will be accepted until April 15, 2022 at 5:00 p.m. Comments should be addressed to Victor Douglas, Bay Area Air Quality Management District, 375 Beale Street, Suite 600, San Francisco, CA 94105, or may also be sent by e-mail to vdouglas@baaqmd.gov. Verbal comments are welcome up to the day of, and during, the Public Hearing.