



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Request for Comments

May 8, 2023

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **Request for Comments – Draft Amendments to Regulation 8, Organic Compounds, Rule 8: Wastewater Collection and Separation Systems**

The staff of the Bay Area Air Quality Management District (Air District) is requesting comments on draft amendments to Regulation 8: Organic Compounds, Rule 8: Wastewater Collection and Separation Systems (Rule 8-8).

BACKGROUND

The Bay Area Air Quality Management District is developing amendments to Rule 8-8 to address emissions of organic compounds and methane (a potent greenhouse gas) from wastewater treatment operations at refineries. These treatment operations are some of the largest individual sources of organic compound emissions from industrial wastewater in the San Francisco Bay Area. Further emissions reductions of organic compounds and methane are needed to ensure progress towards attainment of the ambient air quality standards, to reduce climate pollutant emissions, and to reduce public health impacts from toxic compounds and ozone exposure.

Originally adopted in 1979, Rule 8-8 initially required controls on small wastewater separators and junction boxes, the enclosure of sludge dewatering facilities, and the retrofit of larger refinery wastewater oil-water separators. In 2001, the Air District adopted the Revised San Francisco Bay Area 2001 Ozone Attainment Plan to attain the national one-hour ozone standard and jointly with the California Air Resources Board (CARB), the Air District undertook a study to investigate the wastewater collection and treatment systems of the five refineries. In 2004, the Air District amended Rule 8-8 to impose more stringent limits on wastewater collection and separation system components. In 2018, the Air District adopted the Expedited Best Available Retrofit Control Technology (BARCT) Implementation Schedule to evaluate and implement BARCT at specific industrial sector facilities pursuant to California Assembly Bill 617 (AB 617). The schedule identified potentially substantial volatile organic compound emission reductions to be achievable at these industrial wastewater collection and separation system units, and recommended consideration of further rule amendments. In addition to this action pursuant to AB 617, the Air District 2017 Clean Air Plan includes a long-range goal to eliminate disparities in air pollution exposure in the San Francisco Bay Area. This current rule development effort for amendments to Rule 8-8 is needed to ensure that Air District regulations are as health protective as possible and consider recent advances in the understanding and control of organic compound and methane emissions from refinery wastewater collection and separation units.

DRAFT PROPOSAL

The purpose of the draft amendments to Rule 8-8 is to further address emissions of organic compounds and methane from refinery wastewater treatment operations, as well as reducing emissions of toxic air contaminants such as benzene, toluene, ethylbenzene, and xylene and thereby reduce the potential risk to nearby communities. The draft amendments include limits on total organic compound emissions (organic compound and methane emissions) from new, modified, and existing sources, ensuring that total organic compound emissions are adequately controlled, and include the following: a) Improvements to Leak Detection and Repair Requirements, b) Modifications to Improve Enforceability, c) Prohibition of Discharges to Treatment System, d) Updates to Testing and Monitoring Methods, and e) Expansion of Sampling and Monitoring Requirements. The draft amendments also include modifications to existing rule language to clarify emission reductions provisions.

The Air District is publishing the full mark-up text of draft amendments for Rule 8-8 and a Preliminary Staff Report. The Air District intends to analyze and review potential socioeconomic impacts and include further information in the final proposal package. Potential environmental impacts related to projects under the AB 617 Expedited BARCT Implementation Schedule, including amendments to Rule 8-8, were previously analyzed in an Environmental Impact Report (EIR) certified by the Air District Board of Directors in December 2018. The Air District will review the conclusions drawn in this previous EIR and evaluate the potential environmental impacts resulting from amendments to Rule 8-8 through completion of an Initial Study. This Initial Study will be published for public comment and should substantial evidence of potential significant adverse impacts be found as part of the Initial Study, the Air District may conduct a scoping meeting in anticipation of preparation of an EIR. If the Initial Study finds that there is no substantial evidence suggesting that amending Rule 8-8 will have any significant adverse environmental impacts, then the Air District will prepare a Negative Declaration under the California Environmental Quality Act (CEQA) for consideration by the Board of Directors.

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 draft amendments to Rule 8-8 and Preliminary Staff Report. Following this Request for Comments and closing of the public comment period, staff will assess the need for changes to the rule amendments. Staff may consider soliciting further input or may proceed to a public hearing before the Air District's Board of Directors.

For copies of the draft amendments to Rule 8-8 and Preliminary Staff Report, please visit our website at www.baaqmd.gov/ruledev or submit a request to Rule Development at (415) 749-4653 or ruledevelopment@baaqmd.gov. Interested parties are invited to submit questions or comments on the draft rule amendments and Preliminary Staff Report to Rule Development at ruledevelopment@baaqmd.gov. The deadline to submit comments on these materials is Wednesday, June 7, 2023 at 5:00 p.m.