DATE: November 16, 2026

TO: Interested Parties

FROM: Executive Officer/APCO of the Bay Area Air District

SUBJECT: Request for Comments on Draft Rulemaking Related to Refinery Emissions Inventory Development, Crude Slate Reporting, and Fenceline Air Monitoring

The Bay Area Air District (Air District) is issuing a request for comments regarding the draft repeal of Regulation 12: Miscellaneous Standards of Performance, Rule 15: Refining Emissions Tracking (Rule 12-15) and simultaneous adoption of Regulation 12, Rule 17: Fenceline Air Monitoring at Refineries and Related Facilities (Rule 12-17) (collectively, "draft rulemaking").

PUBLIC COMMENT PERIOD FOR THE DRAFT RULE PACKAGE

The Air District is seeking public comments on the draft rulemaking package, consisting of draft Rule 12-17 and a preliminary staff report that provides background information, regulatory context, and a detailed description of the draft rulemaking actions for Rules 12-15 and 12-17. The Air District will use the public comments received to inform development of a proposed rule package for consideration by the Air District's Board of Directors.

The draft rule package is available for review on the Air District's website. Comments must be submitted in writing according to this notice or verbally at a public workshop. Written comments will be accepted through the Air District's public comment portal. **Comments must be received on or before January 29, 2027.**

PUBLIC WORKSHOPS

The Air District will host two public workshops during the public comment period to provide the public with an opportunity to learn about, discuss, and comment on the draft rulemaking. The dates, times, and locations of the workshops will be provided at a later date.

BACKGROUND

Adopted in 2016, Air District Rule 12-15 (Refining Emissions Tracking) requires refineries to:

1. Conduct real-time fenceline air monitoring of specified air pollutants and make the fenceline air monitoring data publicly available;
2. Prepare an annual emissions inventory; and
3. Make crude slate reports available to the Air District for review.

In the time since Rule 12-15 was adopted, statewide regulatory requirements, the Air District's experience administering fenceline air monitoring and emissions inventory programs, and air monitoring technology have evolved. Therefore, the Air District is considering potential rulemaking actions that account for these changes. The Air District has developed a draft rule package to provide information on these potential rulemaking

actions, which include repealing and replacing Rule 12-15 in an effort to improve the effectiveness, clarity, and implementation of its refinery fenceline air monitoring and emissions tracking programs.

Under the approach currently being considered for proposal to the Board, the Air District would replace the fenceline air monitoring requirements in Rule 12-15 by repealing that rule and concurrently adopting a new, dedicated fenceline air monitoring rule (proposed to be numbered as Rule 12-17). A new or revised rule to replace the emissions inventory and requirements of Rule 12-15 would not be proposed at this time, as the Air District would rely on authority under statewide requirements for the development of emissions inventories, including the California Air Resources Board's (CARB) *Regulation for the Reporting of Criteria Air Pollutants and Toxics Air Contaminants* (CTR Regulation) and CARB's *Regulation for the Mandatory Reporting of Greenhouse Gas Emissions* (MRR). Similarly, in lieu of proposing a new or revised rule to replace the crude slate reporting requirements of Rule 12-15, the Air District could rely on other information (such as data on combustion rates and improved emissions inventory data) to assess changes in refinery emissions.

This notice, the associated draft rule language, and the associated preliminary staff report are not a proposed rule or staff recommendation and only seek comments for consideration for a potential future proposed rulemaking action. Opportunities to review and comment on proposed rule language will be available later in the rule development process.

Please note that any comments submitted will be posted on a rulemaking web page visible to the public and may be released to the public under the California Public Records Act (Cal. Gov. Code, § 7920.000) and as otherwise required by law.

CONTACT FOR FURTHER INFORMATION

For further information regarding this notice or the draft rule package, please email ruledevelopment@baaqmd.gov or call (415) 749-4653. For general information and updates regarding the rule development process for Rules 12-15 or 12-17, visit the Air District's web page for Rules Under Development or subscribe to the Air District's *Rules and Regulations* email distribution list.

For more information or to request language access assistance or any other accommodations for accessibility, please contact the Air District Non-Discrimination Coordinator - Kimberly Leefatt, Civil Rights Officer by phone at 415-749-4610 or by email at non-discriminationcoordinator@baaqmd.gov.

Para obtener más información o para solicitar asistencia de acceso con el idioma o cualquier otra adaptación de accesibilidad, comuníquese con la coordinadora de acciones contra la discriminación del Distrito de Aire, Kimberly Leefatt, Oficial de Derechos Civiles, por teléfono al 415-749-4610 o por correo electrónico a non-discriminationcoordinator@baaqmd.gov.

如需了解更多資訊、申請語言協助或其他無障礙服務，請聯絡空氣局反歧視協調員 Kimberly Leefatt 民權官，電話為 415-749-4610，或電子郵件 non-discriminationcoordinator@baaqmd.gov。

Para sa karagdagang impormasyon o para humiling ng tulong sa pag-access sa wika o anumang iba pang mga akomodasyon para sa aksesibilidad, mangyaring makipag-ugnayan sa Tagapag-ugnay ng Walang Diskriminasyon sa Distrito ng Hangin – Kimberly Leefatt, Opisyal ng Mga Karapatang Sibil sa pamamagitan ng telepono sa 415-749-4610 o sa pamamagitan ng email sa non-discriminationcoordinator@baaqmd.gov

Để biết thêm thông tin hoặc yêu cầu hỗ trợ tiếp cận ngôn ngữ hoặc bất kỳ hỗ trợ đặc biệt nào khác cho người khuyết tật, vui lòng liên hệ với Điều Phối Viên Chống Phân Biệt Đối Xử của Địa Hạt Không Khí - Kimberly Leefatt, Viên Chức Dân Quyền - qua điện thoại số 415-749-4610 hoặc qua email tại non-discriminationcoordinator@baaqmd.gov