

RICHMOND - NORTH
RICHMOND - SAN PABLO
COMMUNITY

PATH TO CLEAN AIR

**Community Emissions Reduction Plan (CERP)
Community Steering Committee Meeting #44**

May 19, 2025

Welcome

Dr. Niyi Omotoso, CSC Lead

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Agenda

TIME	TOPIC
5:30 PM	Welcome, Meeting Logistics, Agenda
5:40 PM	Approval of Meeting Minutes from April 28th, 2025 (Action Item)
5:45 PM	Nomination and Selection of New CSC Member (Action Item)
5:55 PM	CSC Liaisons Report-out
6:05 PM	Community Benefits Standing Committee Plan of Action (Action Item)
6:25 PM	Break
6:35 PM	Legal Strategies/Actions Implementation Update
6:55 PM	Breakout Activity
7:25 PM	Next Steps/Meeting Details
7:30 PM	Public Comment on Non-Agenda Item Matters and Meeting Close-Out

Tips for Participants for a Successful Hybrid Meeting and Meeting Agreements

Tips for Successful Hybrid Meeting

- **Minimize background noise** – avoid side conversations
- **Mute your microphone** until Facilitator calls your name
- **Raise your hand to speak** whether attending in-person or virtually
- **Say your name before speaking** whether attending in-person or virtually
- **Mindful Q&A** – 2-minute timer set for questions and AD Staff answers
- **Technology happens** – please be patient. If audio or video issues, please use raised hand function and/or write in the zoom chat

CSC Meeting Expectations

- **Be prepared** - Review materials beforehand: CSC meeting slide-deck & pre-read materials (if any)
- **Be engaged** – Encouraged to have camera on for virtual attendance and ask questions. We'll “popcorn” mic to allow quieter CSC members to have space
- **One mic, one voice** - Please be respectful and wait until called on.
- **Progressive Stack approach** – to ensure CSC processes always inclusive
- **Action items** – Once Public Comment concluded, one CSC member motions with 2nd motion required for a vote

Meeting Goals

Goal 1	Approve the April 28th CSC Meeting Minutes
Goal 2	CSC Members will vote to appoint 1 new CSC Member
Goal 3	The CSC will receive a report out from the Refinery Communities Bimonthly Meetings Group (RCBM) and Refinery Technical Working Group (RTWG) CSC Liaisons
Goal 4	The CSC will receive a presentation on the Community Benefits Plan of Action Proposal and will vote to approve the Plan of Action (POA)
Goal 5	The CSC will receive a presentation/update on Legal Strategies/Actions Implementation and engage in a breakout discussion

Where are We Today? - 2025 Agenda Planning Recap

April

Flaring
Just Transition
PoA

May

Community
Benefits PoA
Legal
Strategies/Actions

June

Report Out from
CSC Liaisons

July

*CSC Workshop: Just
Transition*

August

Year 1 Reflection
and Year 2
Visioning

September

Finalize Year 1
Annual Report

October

Finalize Year 2
Implementation
Plan

December

Draft JT Vision Plan

Note: 2025 agenda-planning results are draft – CSC members can provide input via email to all 3 Leads/chat offline

Approval of April 28th, 2025 Meeting Minutes

Dr. Niyi Omotoso, CSC Lead

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Steering Committee Questions and Discussions

Dr. Niyi Omotoso, CSC Lead



Public Comment

Dr. Niyi Omotoso, CSC Lead

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Nomination and Selection of New CSC Member (Action Item)

Dr. Niyi Omotoso, Recruitment Ad Hoc Co-Facilitator



Nomination and Selection of New CSC Member

- The Recruitment Ad Hoc established a plan to add new members based on the order of candidates' interview rubric scores
- In February 2025, 12 candidates were interviewed and ranked based on the interview rubric
- On March 24, 2025, 10 candidates were selected, voted on and appointed to the CSC
- For this current nomination, Joseph Koscinski is the next highest ranked candidate from the last recruitment period

Candidate Introduction



Joseph Koscinski (he/him)

My name is Joe Koscinski (he/him). I am a recent father who would like to use his science background (BA in biochem, 17 years biotech experience in the Bay Area) to contribute to the air quality management in and around my area of Richmond. My hope is that I can help shape policy that will lead to safe and healthy air quality for all.

Nomination and Selection of New CSC Member

Voting Instructions

- The PTCA CSC Leads are recommending to the Community Steering Committee 1 individual for appointment
- Each voting CSC member can either vote Yes/No/Abstain
- Air District staff will tally all votes to confirm the CSC's decision

Request for Action

- Recommend the Community Steering Committee appoint 1 new Community Steering Committee member for the Path to Clean Air which has been pre-selected and recommended by the Recruitment Ad Hoc:
 - Joseph Koscinski

Steering Committee Questions and Discussions

Dr. Niyi Omotoso, CSC Lead



Public Comment

Dr. Niyi Omotoso, CSC Lead

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Vote to Appoint One New CSC Member

Action Item

- Recommend the Community Steering Committee appoint 1 new Community Steering Committee member for the Path to Clean Air:
 - Joseph Koscinski

Next Steps



- Air District staff will reach out to the newly appointed CSC member and confirm membership
- Air District staff and Leads will begin onboarding new CSC member

CSC Liaisons Report-out

Dr. Niyi Omotoso, CSC Lead



Refinery Communities Bimonthly Meetings Group (RCBM)



RCBM Liaisons Report Out

Liaisons: Lizbeth Ibarra; BK White

Latest RCBM Meeting: Tuesday, April 22, 2025

Agenda

- Flaring Rule Development + Refinery Technical Working Group
- Community Investment Office
 - In-depth overview of the Community Investments Office and the Community Benefits Penalty Funds Policy, approved by the Board in May 2024
- Refinery Monitoring Discussion
 - Open forum to discuss monitoring-related questions and community concerns

Next RCBM Meeting: Tuesday, June 17, 2025

Refinery Technical Working Group (RTWG)



RTWG Liaisons Report Out

Liaisons: Jeff Kilbreth, Kerry Guerin

Next RTWG Meeting: Kickoff to be scheduled ~ June 2025

Steering Committee Questions and Discussions

Dr. Niyi Omotoso, CSC Lead

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Public Comment

Dr. Niyi Omotoso, CSC Lead



Community Benefits Standing Committee Plan of Action (Action Item)

Dr. Niyi Omotoso, CSC Lead
Y'Anad Burrell, CSC Member



What is Our Goal?

- Community Benefits Standing Committee will work with Air District's Community Investments Office (CIO) to:
 - Share information about the CIO with community in the PTCA to support a transparent and inclusive public process during development of the community investments program
 - Provide input on guidelines for community benefit initiatives to promote air quality and climate protection, incorporate Just Transition principles, and community driven mechanisms that includes community voice
 - Share successes and lessons learned from local programs distributing benefit funding in the PTCA
 - Provide input to Air District's CIO regarding community benefiting projects and activities in the PTCA

What is Our Goal? (cont.)

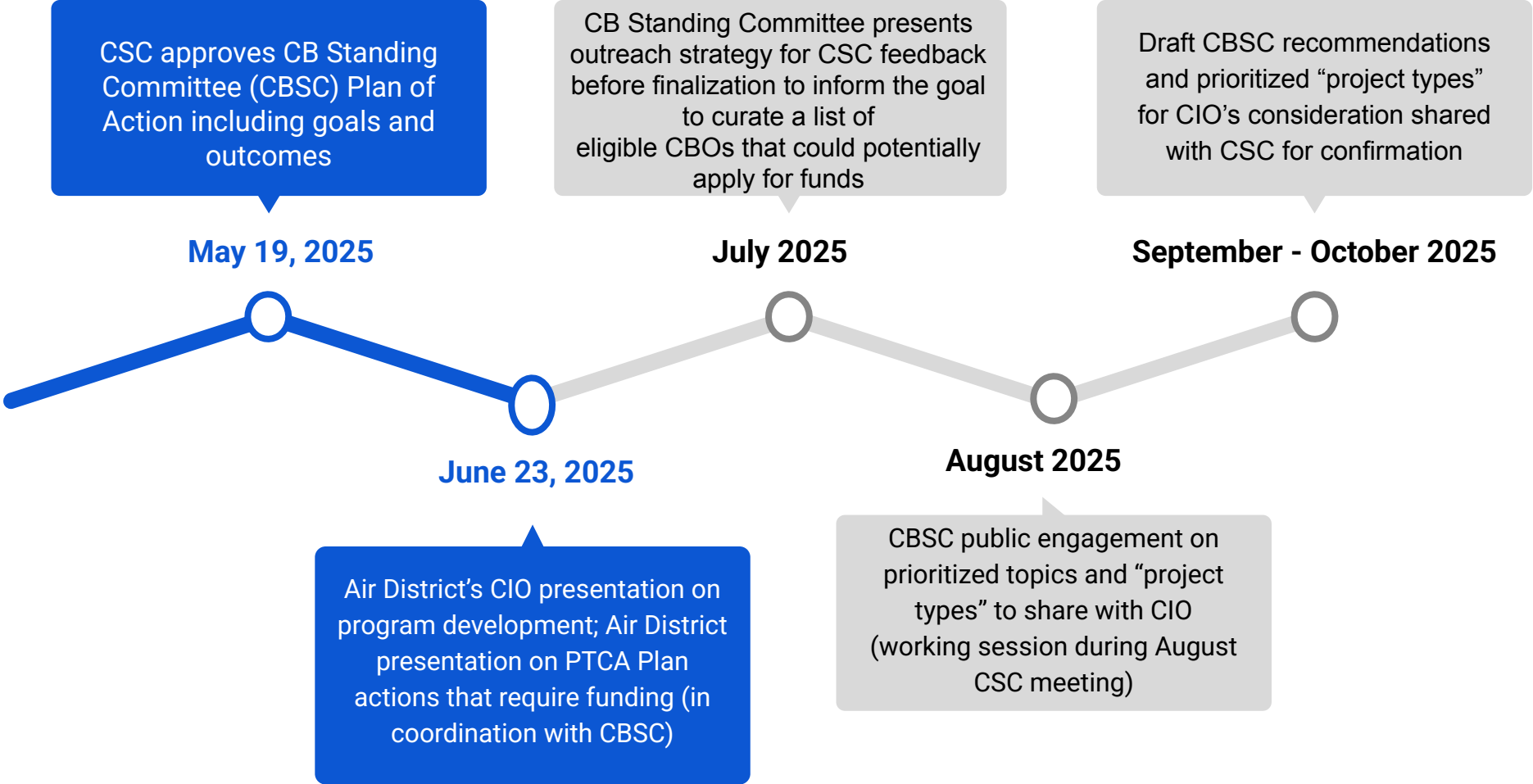
- Community Benefits Standing Committee will work with Air District's CIO to:
 - Form and submit strategic responses to the CIO's survey that is gathering input from community on desired project types for funding
- Provide input to Air District's CIO on criteria for selecting both community benefits initiatives and grantees

How We Do This

Standing Committee Tasks:

- Gather input through meetings with community stakeholders (as stated in PTCA plan):
 - Meet with Sogorea Te' Land Trust
 - Meet with Air District's Community Advisory Council (CAC) to learn about the CAC's community benefits and plans for distributing funding
 - Meet with Contra Costa County Health to review and update projects outlined in the PTCA with an eye towards future funding requests
 - Research examples of how community benefit initiatives in other places have effectively incorporated Environmental Justice Principles

Community Benefits Plan of Action Timeline



Request for Action

- Recommend the Community Steering Committee approve the Community Benefits Standing Committee Plan of Action Proposal

Steering Committee Questions and Discussions

Dr. Niyi Omotoso, CSC Lead



Public Comment

Dr. Niyi Omotoso, CSC Lead

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Vote to Approve the Community Benefits Standing Committee Plan of Action Proposal

Action Item

- Recommend the Community Steering Committee approve the Community Benefits Standing Committee Plan of Action Proposal

Break (10 minutes)

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Legal Strategies/Actions Implementation Update

Alexander “Sandy” Crockett, General Counsel
Alexandra Kamel, Senior Assistant Counsel
Marcia Raymond, Assistant Counsel



Agenda/Overview

- Introduction to the Air District's Legal Division
- Legal Enforcement Tools to Hold Violators Accountable
- PTCA Enforcement-Related Actions
- Significant Enforcement Cases in PTCA Area in 2024-2025

Introduction to the Legal Division

Legal Division Roles and Duties:

- Enforce regulations to hold violators accountable
- Defend Air District in litigation
- Legal Advice on all program areas
 - Issuing permits
 - Adopting new regulations
 - Grants and incentives
 - Municipal law
 - Business functions
 - Public Records access

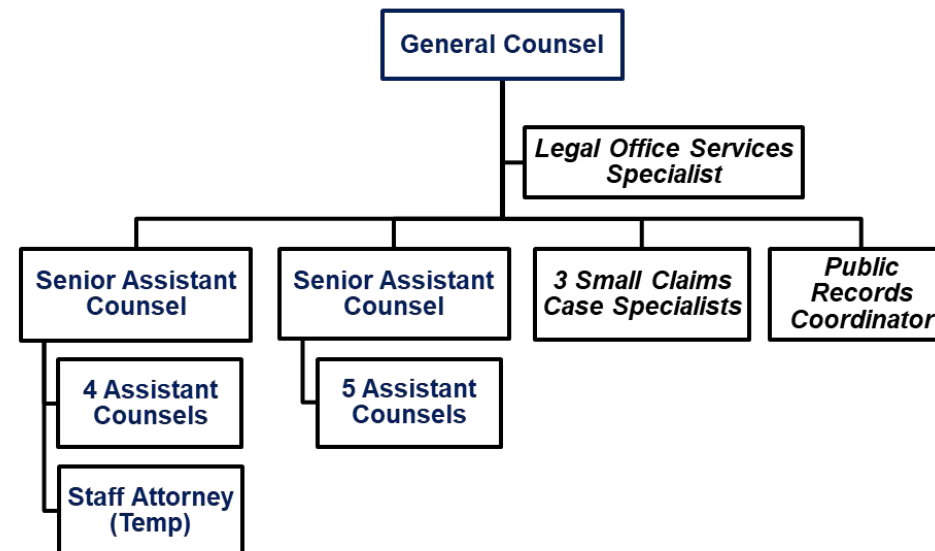


Photo: Alexander Crockett

Legal Enforcement Tools

- **Monetary Penalties (Fines)**
 - Statute sets maximum penalties depending on type of violation
 - Up to **\$6,275** or **\$12,550** per day if **no emissions / no negligence**
 - Up to **\$31,275** per day for **negligent** emissions
 - Up to **\$50,200** per day for **failing to abate known emissions**
 - Up to **\$94,124** per day for **willful and intentional** emissions
 - Higher penalties for death or grievous bodily injury
 - As of January 1, 2025, maximums tripled for emissions violations at “major” facilities
 - **Actual** penalty is assessed case-by-case
- **Hearing Board Abatement Order**
- **Injunction from Superior Court**



Photo: Heather Paul – creative commons license

Legal Enforcement Tools (cont'd)

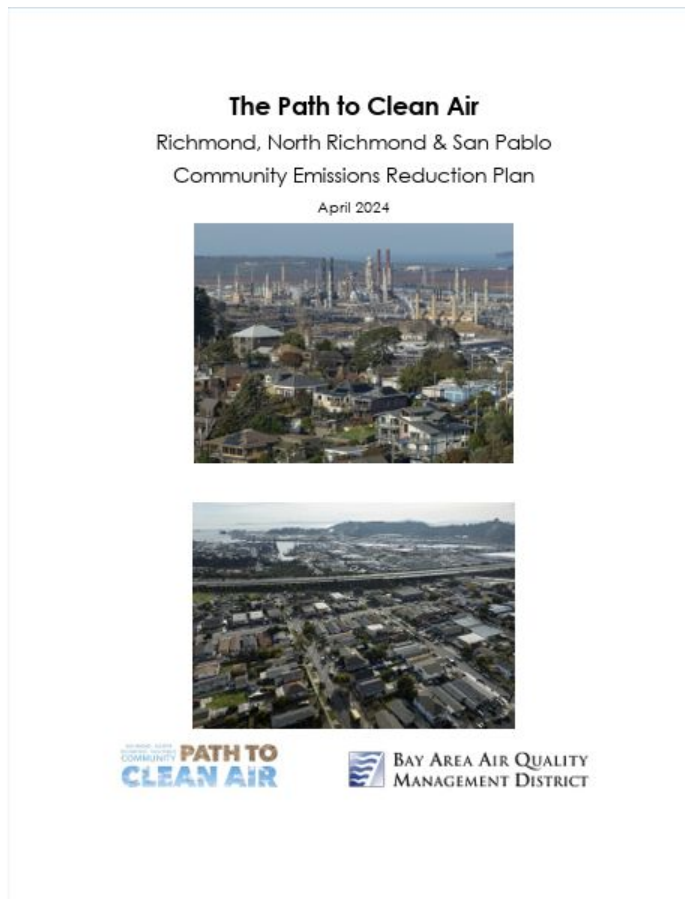
Penalty Adjustment Factors that Determine **Actual** Penalty:

- The **extent of harm** caused by the violation
- The **nature and persistence** of the violation
- The **length of time** over which the violation occurs
- The **frequency of past violations**
- The **record of maintenance**
- The **unproven or innovative nature** of the control equipment
- Any **action taken to mitigate** the violation (e.g., cleanup)
- The **financial burden** to the defendant
- Any **other relevant circumstances**



Photo: Heather Paul – creative commons license

PTCA Enforcement-Related Actions



FR Strategy 3 – Hold Chevron & Other Emitters Accountable

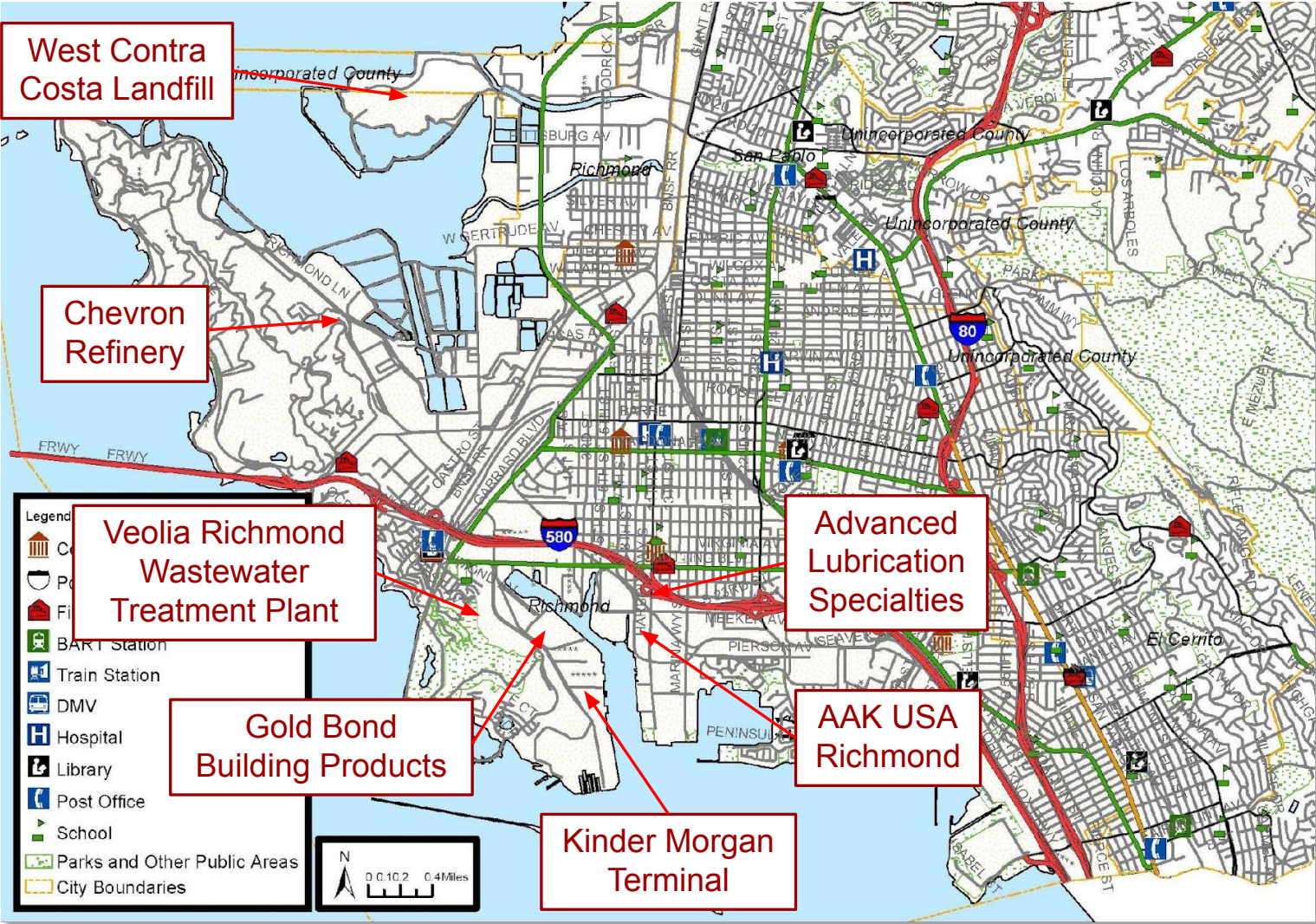
FR 3.5: Expedite NOV resolution process for rule refining sector

FR 3.6: Coordinate on fuel refining enforcement with federal/state/local enforcement partners

FR 3.7: Provide quarterly & annual updates to CSC about penalties assessed in PTCA area

FR 3.8: Develop and pilot legal enforcement approaches fuel refining facilities

Significant Enforcement Cases in PTCA Area 2024-2025



Map credit: City of Richmond website

Chevron Refinery

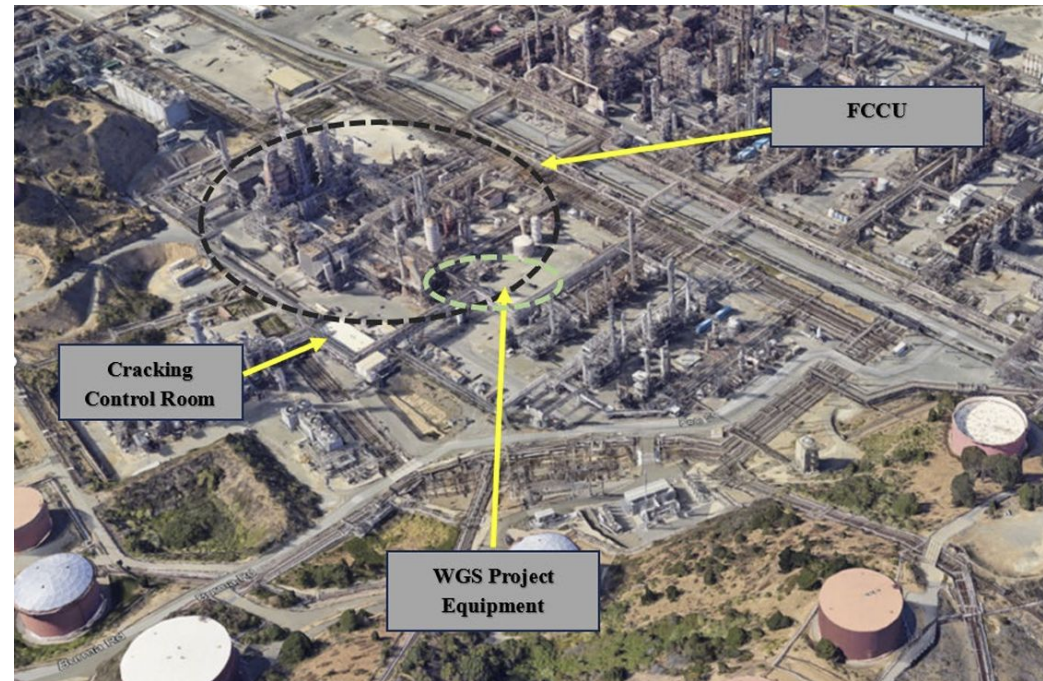
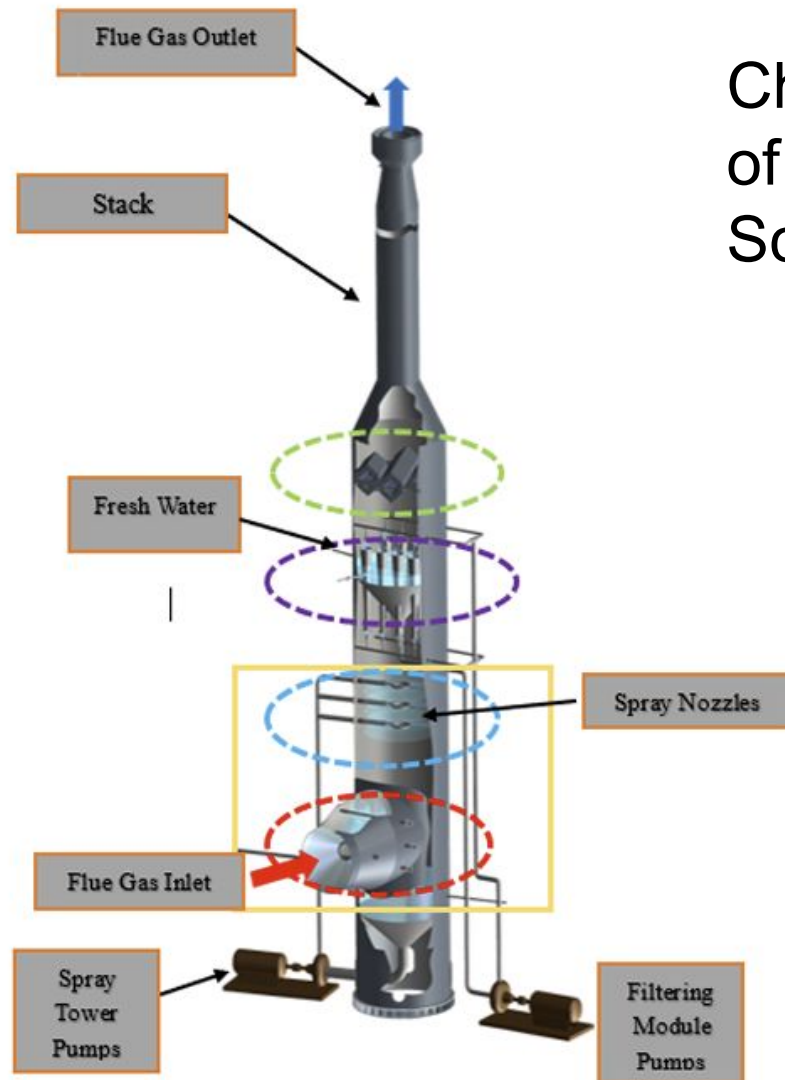
- Air District fined Chevron \$20 million in 2024 for 678 air quality violations
- Also required measures to reduce flaring violations
- Part of settlement of Rule 6-5 litigation – requires Chevron to comply with Rule 6-5
- Additional penalties for particulate matter (PM) violations in the interim



Photo: Air District library

Chevron Refinery – Wet Gas Scrubber Installation

Chevron is currently applying for permits from the City of Richmond and the Air District to install the Wet Gas Scrubber on its Fluid Catalytic Cracking Unit (FCCU)



Chevron Refinery – Flaring Compliance Measures

- Installed automated flare monitors
- Installing automated flare gas controls
- Training for operators on preventing flaring
- Conducted assessment of flaring events and recommendations to prevent recurrence
- Website with information on flaring events
- Developed Community Action Plan to engage with community on flaring issues



Photo: Air District November 27, 2023 Incident Report

AAK USA Richmond

- Vegetable oil producer – makes plant-based oils used in food, cosmetics, etc.
- Emissions testing showed 3 boilers were not properly tuned, had elevated NOx and CO emissions
- Emissions testing also found 2 combustion turbines (power generators) with elevated NOx emissions
- Air District fined AAK USA \$99,535 in 2024 for the 5 violations



Photo: Scott Hess – creative commons license

West Contra Costa Sanitary Landfill



Photo: Center for Land Use Interpretation – creative commons license.
<https://clui.org/ludb/site/west-contra-costa-sanitary-landfill>

- Landfill closed in 2008 – no longer accepting waste
- Buried waste still generating methane, other emissions
- Currently also conducting composting operations on surface of the landfill
- Air District fined landfill \$160,000 in 2024 for landfill gas leaks
- Recent odor problems from composting – Air District inspectors are investigating
- Raven SR has applied for approval to make renewable hydrogen from the landfill gas

Advanced Lubrication Specialties

- Manufacturer/blender of heavy-duty industrial lubricating oils
- July 2023 – a tank overheated, released strong odors, causing a public nuisance
 - Neighbors reported headaches, nausea
- During investigation, inspectors found a non-compliant boiler
- Air District issued a cease-and-desist letter; company replaced boiler w/ compliant unit
- Penalty action for nuisance and boiler violations pending



Photo: NOV Report

Kinder Morgan Richmond Terminal

- Kinder Morgan stores petroleum products in tanks for marine loading
- 2 tanks - gaps in emissions seals
- 2 tanks - inadequate inspection viewports
- 1 tank - pumped more product than allowed
- Air District fined Kinder Morgan \$172,180 in 2025 for 5 violations



Photo (cropped): Scott Hess – creative commons license

Veolia Richmond Wastewater Treatment Plan



Photo: NOV Report – A62688

- Periodic odor problems in 2023, primarily associated with construction of facility modernization project
- Air District issued 4 Notices of Violation
- Air District exploring ways to prevent future odor problems – will also impose penalties for past violations

Gold Bond Building Products

- Operation pulverizes gypsum rock to make drywall products
- Air District cited Gold Bond for creating a public nuisance from excessive dust emissions
- Some emissions sources also do not have valid permits
- Air District seeking to impose requirements for Gold Bond to mitigate dust emissions



Photo: NOV Report – A61730

Steering Committee Breakout Discussion Activity

Dr. Niyi Omotoso, CSC Lead

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Breakout Discussion (25 min)

Instructions: Break out into 2 groups (1 virtual and 1 in-person)

Guiding Questions

Topic A: How can updates be provided to the CSC in the most effective way (i.e., for quarterly and annual reports)?

- The previous presentation was an example of how the annual portion of the PTCA legal updates (per FR 3.7) would be presented to the CSC each year. What might be missing from today's report? What can make this more community friendly? What should be clarified?
- How should the quarterly written reports from legal (per FR 3.7) be similar or different from the annual legal presentations to CSC?

Topic B: What was missing from the approach to the 6-5 settlement (as potential improvements for moving forward)? Are there other things that have been put into settlement agreements that better center community and environmental justice?

Public Comment

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Next Meeting Details

Dr. Niyi Omotoso, CSC Lead

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Next Meeting Details

- **June 23rd, 2025**
 - Time: 5:30 - 7:30 PM
 - On-site Location: Richmond HQE
 - 4114 Lakeside Dr., Richmond CA 94806
 - Online: Zoom (link provided in the coming weeks)

Public Comment on Non-Agenda Matters

Dr. Niyi Omotoso, CSC Lead

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