

Regulatory Development - Rules Project Updates

Pre-Read

Richmond–North Richmond–San Pablo Path to Clean Air CSC Meeting
(September 22, 2025)

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Part 1: Rule Development Background Information

The PTCA CSC received several presentations on Rule Development earlier in the CERP writing process, which now serve as helpful references:

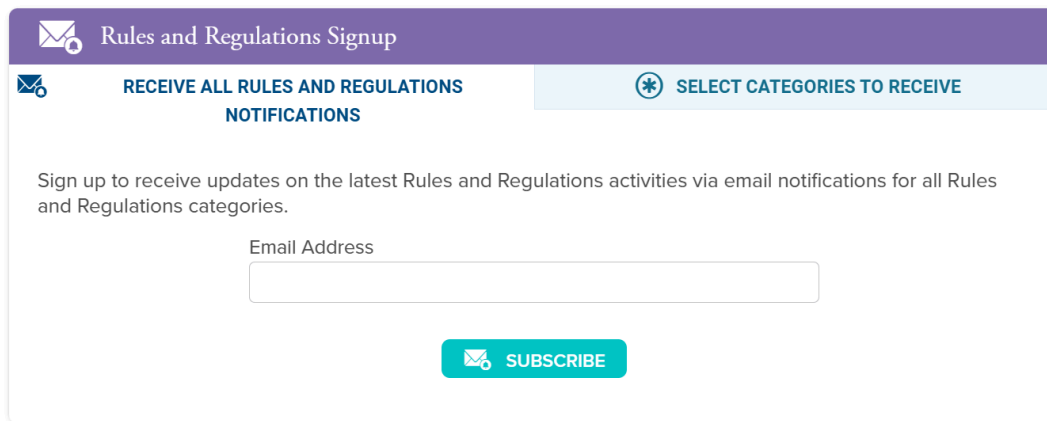
- A ['Rules 101 - Introduction to Rule Development and Strategic Policy'](#) presentation in December 2021 (*Slides 13-30*)
- Followed by a presentation in February 2022 providing extra context about [Rule Development as a tool in the Air District's toolbox](#) (*Slides 14-17*)

What follows in this pre-read offers additional details that build on the introductory presentations and provide a refresher:

Rule Development Webpage

Information on rule development activity, including rules under development and current rules, can be found here:

<https://www.baaqmd.gov/en/rules-and-compliance/rule-development>. This page also includes information on how to sign up for email notifications about Rules and Regulations. You can sign up to receive ALL rules and regulations notification or select specific categories of interest.

The image shows a web form titled "Rules and Regulations Signup". It has a purple header bar with a white envelope icon and the title. Below the header, there are two tabs: "RECEIVE ALL RULES AND REGULATIONS NOTIFICATIONS" (selected) and "SELECT CATEGORIES TO RECEIVE". The main content area has a light blue background. It contains the text: "Sign up to receive updates on the latest Rules and Regulations activities via email notifications for all Rules and Regulations categories." Below this is a text input field labeled "Email Address". At the bottom center is a teal button with a white envelope icon and the word "SUBSCRIBE".

Role of Rule Development in the Air District

The Air District's rule development program is a core tool for protecting public health and improving air quality. The Air District has authority to regulate stationary sources of air pollution across the nine-county Bay Area. Rulemaking allows the Air District to set enforceable requirements for facilities and activities that produce harmful emissions, and to strengthen those requirements over time as new information, technology, and community priorities emerge.

Once adopted by the Air District's Board of Directors, new or amended rules become part of the Air District's regulatory framework and are implemented through permitting, registrations, inspections, and enforcement programs. In this way, rules translate community priorities, technical analyses, and policy direction into tangible, enforceable protections.

Overview of the Rule Development Process

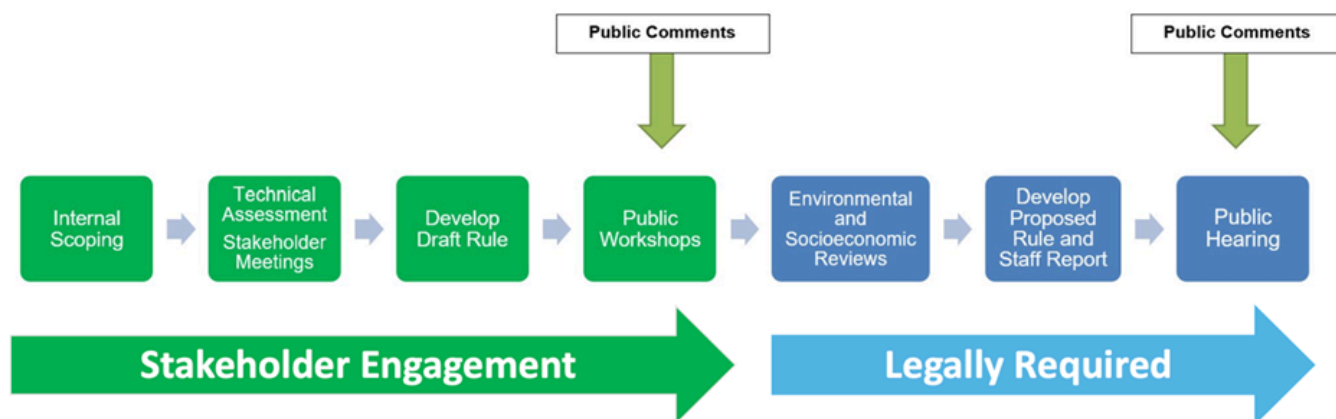
Step 1: Source Identification

Sources where rule development is needed are identified and prioritized through a process that includes: input from the Air District Board of Directors, air quality benefits

and impacts, air quality mandates, stakeholder input, Community Emissions Reduction Plans, alignment with the Air District Strategic Plan and policies that further effective and accountable governance

Once a source type/category is identified for rule development, the process generally has three phases:

1. Initial Steps – Staff conduct internal scoping and technical assessments (white papers, concept papers), and begin early stakeholder engagement to frame the issues and explore potential solutions.
2. Drafting Stages – Draft regulatory language is prepared, released for public review, and discussed in public workshops. Staff evaluate community input and technical impacts.
3. Final Steps – Proposed rules and impacts analyses are finalized, followed by a formal public comment period, responses to comments, and a Board hearing where adoption is considered.



Part 2: PTCA-Relevant Rule Development Projects

As noted under Part 1, the Air Districts posts information about rule development projects on our website. Included below are details about PTCA-relevant rule development projects. These will be presented and discussed at the September 22, 2025 PTCA meeting.

Note: Each header below also contains links to the associated rule webpage(s)

Reduction of Risk from Air Toxic Emissions at Existing Facilities (Regulation 11, Rule 18)

Purpose: Rule 11-18 ensures that existing facilities emitting toxic air contaminants do not pose unacceptable health risks to nearby residents, workers, or students. The rule requires high impact facilities to prepare Risk Reduction Plans that lower risks through emissions controls or retrofit technology. Current amendments are focused on improving efficiency and transparency in implementation, with a particular emphasis on addressing delays in completing Health Risk Assessments and advancing strategies in the PTCA Community Emission Reduction Plan. The amendment process will move forward in two phases. Phase 1 is centered on procedural improvements and implementation efficiency. Phase 2 will evaluate potential increases in rule stringency.

Status: Draft rule language is currently available for public review and comment.

Engagement to Date: In 2025: Presentations at January and February CSC meetings; an informational session in February; ongoing meetings with community-based organizations.

Upcoming Milestones:

- August 28 – October 13, 2025: Public comment period
- October 2, 2025: Virtual public workshop

Fugitive Dust (Regulation 6, Rule 1 and Regulation 6, Rule 6)

Purpose: Rules 6-1 and 6-6 address fugitive dust emissions from various commercial and industrial sources, including construction projects, earth moving, roads, bulk material handling, and industrial facilities. Fugitive dust can cause acute health effects and often impacts nearby communities. The Air District is exploring amendments to strengthen these rules in response to community concerns and Advisory Council recommendations. This effort builds on a white paper that reviewed current programs, identified gaps, and examined strategies from other jurisdictions. Potential amendments are focused on adding requirements to implement specific best management practices, developing a registration program for projects with dust-generating potential, clarifying and updating property line requirements for fugitive dust, updating test methods for enforceability, and developing fenceline monitoring requirements. Staff will evaluate these options while continuing to engage with community groups, industry, and other stakeholders.

Status: Draft amendments are in development.

Engagement to Date: Crown Hill Materials community meetings (March & June 2025); East Oakland CSC presentation (March 2025); Community Advisory Council C&E Ad Hoc meeting (June 2025).

Upcoming Milestones: Release of draft amendments; public comment period and workshop.

[Metal Recycling and Shredding \(Regulation 6, Rule 4\)](#)

Purpose: Metal recycling and shredding facilities emit particulate matter, including toxic metals, and nearby communities have raised concerns about air quality impacts. The Path to Clean Air Plan calls for the Air District to evaluate and pursue amendments to existing rules to further reduce emissions from these operations. This effort builds on a white paper that reviewed current programs, identified challenges and opportunities of the existing rules, and identified potential recommendations for further Air District efforts. Potential amendments are focused on adding requirements to implement specific best management practices, developing a registration program for these facilities, and developing fence-line monitoring requirements.

Status: Draft amendments are in development.

Engagement to Date: Public kickoff workshops were held in June and July 2025.

Upcoming Milestones: Release of draft amendments; public comment period and workshop.

[Wood-Burning Rules \(Regulation 6, Rule 3 and Regulation 5\)](#)

Purpose: Woodsmoke accounts for more than ten percent of annual fine particulate matter emissions in the Bay Area and is a significant wintertime source of air pollution. The Path to Clean Air plans call for stronger action to reduce woodsmoke exposure. In response, the Air District has developed proposed amendments to strengthen burn curtailment under Rule 6-3 and expand access to prescribed burning under Regulation 5. These amendments are intended to lower harmful short-term exposures, reduce long-term health impacts, and support beneficial fire practices for wildfire prevention and land stewardship.

Status: Proposed amendments are published and scheduled for a Board hearing.

Engagement to Date: Stationary Source Committee meetings (May 2024, February 2025); publication of Woodsmoke White Paper (Nov 2024); public workshops (June 2025).

Upcoming Milestone: October 1, 2025 – Board hearing to consider adoption of proposed amendments.

Flaring Rules (Regulation 12, Rule 11 and Regulation 12, Rule 12)

Purpose: Refinery flaring is a source of air pollution that can release large volumes of gas and contribute to localized health risks. Communities in the Path to Clean Air area and across the region have expressed concerns about the frequency and impacts of flaring events. The Air District is developing amendments to Rules 12-11 and 12-12 to minimize flaring and strengthen protections for nearby residents. This effort responds to community priorities and strategies identified in AB 617 Community Emission Reduction Plans and will proceed in phases beginning with the development of a concept paper and a public workshop.

Status: Concepts are under development.

Engagement to Date: Stationary Source Committee meeting (April 2025); PTCA CSC meeting (April 2025); [Refinery Technical Working Group meetings](#) (June & August 2025).

Upcoming Milestones:

- January 2026: Refinery Technical Working Group
- Q1 2026: Concept paper
- Q2 2026: Public workshop on concept paper

Refinery Fenceline Air Monitoring Refinery Fenceline Air Monitoring Rule Development (Regulation 12, Rule 15)

Purpose: Refinery fenceline monitoring provides data on air pollutants at the boundaries of refinery properties to help track emissions and inform community protections. Community members and stakeholders have raised concerns about gaps in current monitoring practices and the accessibility of data. The Air District is beginning rule development to strengthen requirements for refinery fenceline monitoring, improve data quality and transparency, and ensure the information is useful for both regulators and the public.

Status: Pre-draft/conceptual phase.

Engagement to Date: Refinery Communities Bimonthly Meeting (June 2025);
Stationary Source Committee meeting (July 2025).

Upcoming Milestones:

- October 29, 2025: Discussion at the Refinery Technical Working Group
- November 2025: Community stakeholder meeting (date TBD)