



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS  
STATIONARY SOURCE COMMITTEE

COMMITTEE MEMBERS

ROD SINKS - CHAIR  
JOHN BAUTERS  
JOHN GIOIA  
NATE MILEY  
JIM SPERING  
SHIRLEE ZANE

KAREN MITCHOFF – VICE CHAIR  
DAVID CANEPA  
CAROLE GROOM  
MARK ROSS  
BRAD WAGENKNECHT

MONDAY  
MARCH 18, 2019  
9:30 A.M.

1<sup>ST</sup> FLOOR BOARD ROOM  
375 BEALE STREET  
SAN FRANCISCO, CA 94105

VIDEO CONFERENCE LOCATION  
SANTA ROSA JUNIOR COLLEGE  
DOYLE LIBRARY, ROOM 4248  
1501 MENDOCINO AVENUE  
SANTA ROSA, CA 95401

AGENDA

1. **CALL TO ORDER - ROLL CALL**  
**PLEDGE OF ALLEGIANCE**  
**PUBLIC MEETING PROCEDURE**

*The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members. The Committee Chair shall lead the Pledge of Allegiance.*

*This meeting will be webcast. To see the webcast, please visit [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas) at the time of the meeting. Closed captioning may contain errors and omissions, and are not certified for their content or form.*

**Public Comment on Agenda Items** *The public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.*

2. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

**Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3** *For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have two minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.*

Staff/Phone (415) 749-

3. **APPROVAL OF THE MINUTES OF SEPTEMBER 17, 2018**

Clerk of the Boards/5073

*The Committee will consider approving the draft minutes of the Stationary Source Committee meeting of September 17, 2018.*

4. **UPDATE ON IMPLEMENTATION OF RULE 11-18, REDUCTION OF RISK FROM AIR TOXIC EMISSIONS AT EXISTING FACILITIES** J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will receive an update of the Air District's implementation of Rule 11-18, Reduction of Risk from Air Toxic Emissions at Existing Facilities. The topic will include a review of rule requirements and a discussion of the implementation status for Phase I facilities.*

5. **REFINERY AND FLARE OVERVIEW**

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will receive an overview of refinery operations and the flare regulations including a discussion on flare monitoring, standards, notifications required for flaring events, and determination and reporting of causes of flaring.*

6. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

*Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed two minutes each to address the Board on non-agenda matters.*

7. **COMMITTEE MEMBER COMMENTS**

*Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

8. **TIME AND PLACE OF NEXT MEETING**

*Monday, April 29, 2019, Bay Area Air Quality Management District Office, 375 Beale Street, San Francisco, California 94105 at 9:30 a.m.*

9. **ADJOURNMENT**

*The Committee meeting shall be adjourned by the Committee Chair.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**  
[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Stationary Source Committee” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

**Accessibility and Non-Discrimination Policy**

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at [www.baaqmd.gov/accessibility](http://www.baaqmd.gov/accessibility) to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at [rsanders@baaqmd.gov](mailto:rsanders@baaqmd.gov).

# BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

## EXECUTIVE OFFICE:

### MONTHLY CALENDAR OF AIR DISTRICT ANTICIPATED MEETINGS

#### MARCH 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Community and Public Health Committee	Thursday	14	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Stationary Source Committee	Monday	18	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Executive Committee	Wednesday	20	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Budget and Finance Committee	Friday	22	9:30 a.m.	1 <sup>st</sup> Floor, Board Room
Board of Directors Technology Implementation Office Steering Committee	Monday	25	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Legislative Committee	Wednesday	27	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	28	9:30 a.m.	1 <sup>st</sup> Floor Board Room

#### APRIL 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting	Wednesday	3	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Personnel Committee	Friday	5	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Regular Meeting	Wednesday	17	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Community and Public Health Committee	Thursday	18	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Climate Protection Committee	Monday	22	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Budget and Finance Committee	Wednesday	24	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109

## APRIL 2019

**Board of Directors Legislative Committee**

**Wednesday**

**24**

**10:30 a.m.**

**1<sup>st</sup> Floor, Yerba Buena  
Room #109**

**Board of Directors Mobile Source  
Committee**

**Thursday**

**25**

**9:30 a.m.**

**1<sup>st</sup> Floor Board Room**

**VJ – 3/11/19 – 7:10 p.m.**

**G/Board/Executive Office/Moncal**

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Rod Sinks and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 6, 2019

Re: Approval of the Minutes of September 17, 2018

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RECOMMENDED ACTION

Approve the attached draft minutes of the Stationary Source Committee (Committee) meeting of September 17, 2018.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of September 17, 2018.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 3A: Draft Minutes of the Committee Meeting of September 17, 2018

## AGENDA: 3A – ATTACHMENT

Draft Minutes – Stationary Source Committee Meeting of September 17, 2018

Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, California 94105  
(415) 749-5073

Video Conference Location  
Santa Rosa Junior College  
Doyle Library, Room 4248  
1501 Mendocino Avenue  
Santa Rosa, Ca 95401

### **DRAFT MINUTES**

Summary of Board of Directors  
Stationary Source Committee Meeting  
Monday, September 17, 2018

#### **1. CALL TO ORDER – ROLL CALL**

Stationary Source Committee (Committee) Chairperson John Gioia called the meeting to order at 9:32 a.m., and Chair Gioia announced that Director Zane was participating via videoconference from Santa Rosa Junior College.

Present: Committee Chairperson, John Gioia; Vice Chairperson, Pete Sanchez; and Directors David Canepa, Scott Haggerty, Nate Miley, Karen Mitchoff, Mark Ross, Rod Sinks, Brad Wagenknecht, and Shirlee Zane (remote.)

Absent: Director Carole Groom.

Also Present: Board of Directors Chairperson, David Hudson.

#### **PUBLIC COMMENT ON NON-AGENDA MATTERS**

#### **2. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

Public Comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County.

#### **3. APPROVAL OF THE MINUTES OF JULY 30, 2018**

##### Public Comments

No requests received.

##### Committee Comments

None.



Committee Action

Director Mitchoff made a motion, seconded by Director Canepa, to approve the Minutes of July 30, 2018; and the motion carried by the following vote of the Committee:

AYES: Canepa, Gioia, Hudson, Mitchoff, Sanchez, Sinks, Wagenknecht, and Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Groom, Haggerty, Miley, and Ross.

**4. UPDATE ON ODOR CONTROL ACTIONS AT SOUTH BAY WASTE OPERATIONS**

Wayne Kino, Deputy Air Pollution Control Officer of Operation, introduced Tracy Lee, Manager of Compliance and Enforcement, who gave the staff presentation *Update on Odor Control Actions at South Bay Waste Operations*, including: area overview; complaint summary; odor sources; Newby Island Resource Recovery Park landfill, compost, material recovery facility (MRF), and zero waste energy development (ZWED); San Jose Santa Clara Regional Wastewater Facility; jurisdiction and enforcement activity; enforcement actions and strategies; additional strategies; and next steps.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed contributing factors of the increase of odor complaints in 2015 and their decrease in 2018; whether in-vessel composting results in fewer odors; methane emissions reduction goals of organics in landfill operations as stated in Senate Bill 1383; whether covered aerated static piles of compost substantially mitigate odors, and whether the Air District (District) has a firm commitment from Newby Island Compost that the operation will implement this method; the furthest reported distance of a complaint from the source of composting odors; how the District, lacking enforcement authority to directly issue public nuisances on *compostable* material handling sites, works with local enforcement agencies (LEA) to regulate such odors; the request to quantify monetary penalties to which composting facilities are subject; the concern that multiple odor sources can come together with each other, and the fact that many facilities process the same materials, making it difficult to differentiate which source is responsible for an odor; the effectiveness of misting systems that mask odors at facility fence lines; the City of San Jose Department of Planning, Building, and Code Enforcement's regulation activity at the Newby Island Landfill; the request for a future staff report that differentiates the roles and authority of the District versus a given LEA; the dates on which District violations were issued at Newby Island Landfill, San Jose Santa Clara Regional Wastewater Facility, and Zero Waste Energy Development Company; the fact that the District includes its own performance standards in its permitting language pertaining to composting facilities, in addition to enforcement of the LEAs; whether any political figures representing jurisdictions of Santa Clara County or Alameda County are included in the South Bay Odor Stakeholder Group, and the District's role as a member of that body; the validity and efficacy of the stakeholders group, and the concern that the appropriate

stakeholders are not attending meetings; the fact that the LEAs have the authority to shut down composting operations; the District’s complaint closure/verification rate; the fact that the City of San Jose has jurisdiction over all of the facilities (odor sources) listed in the presentation, and the concern that there is need for additional, or separate, oversight; the suggestion that the District seeks legislation to appoint a third party to oversee the enforcement activity of the LEAs and report back to the District regarding air quality functions only; and the decommissioning of sludge ponds and drying beds at the San Jose Santa Clara Regional Wastewater Facility.

NOTED PRESENT: Director Ross was noted present at 9:53 a.m.; Director Haggerty was noted present at 10:00 a.m.

#### Committee Action

None; receive and file.

#### **5. UPDATE ON RULE DEVELOPMENT EFFORTS FOR RULE 13-2: ORGANIC MATERIAL HANDLING AND RULE 13-3: COMPOSTING OPERATIONS (OUT OF ORDER, ITEM 6)**

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, introduced Robert Cave, Senior Air Quality Specialist, who gave the staff presentation *Update on Rule Development Efforts for Rule 13-2: Organic Material Handling and Rule 13-3: Composting Operations*, including: outline; organic materials handling and composting operations; organics diversion mandates; rule concepts; preliminary rule development; and next steps.

#### Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

#### Committee Comments

The Committee and staff discussed the request for a link to the white paper entitled “Composting in California - Addressing Air Quality Permitting and Regulatory Issues for Expanding Infrastructure”, which was written by CalRecycle, the California Air Resources Board, and the California Air Pollution Control Officers Association; various types of operations that can be found at different waste recovery facilities; and public health impacts from organics processing.

NOTED PRESENT: Director Miley was noted present at 11:11 a.m.

#### Committee Action

None; receive and file.

#### **6. UPDATE ON DEVELOPMENT OF RULE 13-1: SIGNIFICANT METHANE RELEASES (ITEM 5)**

Greg Nudd, Deputy Air Pollution Control Officer of Policy, introduced Will Saltz, Senior Air Quality Specialist, who gave the staff presentation *Regulation 13: Climate Pollutants, Rule 1:*

*Significant Methane Releases*, including: outline; why focus on methane; methane rule development stakeholder outreach effort; and Draft Regulation 13, Rule 1 general concepts, regulatory review, and next steps.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Committee Comments

The Committee and staff discussed how and where methane emissions are measured in parts per million (PPM), and how that data is converted into a measurement of pounds; methane limited exemptions on refinery flaring, and the capturing of methane emissions for electricity generation; which facilities *produce* the most methane and *leak* the most methane; the importance of enforcing equal regulation upon both publicly-owned and privately-owned facilities; the definition of ‘landfill working face’; methane monitoring technologies based on source differentiation; the fact that this will be the first District regulation that focuses on a greenhouse gas (methane); and the rule’s adoption schedule.

Committee Action

None; receive and file.

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

**7. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

No requests received.

**8. COMMITTEE MEMBER COMMENTS**

None.

**9. TIME AND PLACE OF NEXT MEETING**

At the Call of the Chair.

**10. ADJOURNMENT**

The meeting adjourned at 11:43 a.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson Rod Sinks and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 6, 2019

Re: Update on Implementation of Rule 11-18, Reduction of Risk from Air Toxic  
Emissions at Existing Facilities

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**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

The Bay Area Air Quality Management District (Air District) adopted Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities on November 15, 2017. As part of its implementation, the Air District uses air dispersion modeling and the latest science from the Office of Environmental Health Hazard Assessment (OEHHA) to evaluate health risks to communities from permitted facilities.

If a health risk exceeds a Rule 11-18 risk action level (a cancer risk of ten in a million, chronic hazard index of 1.0, and acute hazard index of 1.0.), the facility will be required to either:

- (a) Reduce all health risks below the final risk action levels; or
- (b) Install best available retrofit control technology for toxics (TBARCT) on all significant sources.

The Rule 11-18 Implementation Flow Chart (Attachment 4A) gives an overview of the implementation steps and identifies public comment opportunities. The major implementation steps are: (1) screen facilities, (2) validate data, (3) conduct health risk assessment (HRA), (4) approve risk reduction plans (RRP), and (5) implement risk reduction measures. The public will have the opportunity to comment on the draft HRA and the draft RRP before these reports are finalized.

## DISCUSSION

### *Process and Timeline*

As described in the Rule 11-18 Implementation Procedures, the Air District uses prioritization scores to screen and classify sites as high priority, low priority, or exempt. High priority sites are further separated into two phases (Phase I or Phase II). High priority facilities with the highest potential for health risks are in Phase I. Phase II includes all other non-exempt high priority facilities. Based on a June 2018 screening assessment, the Air District found forty-three Phase I sites and about three hundred Phase II sites. This screening assessment will be conducted again in a few months to identify any new Phase I or Phase II sites.

For the Phase I sites, the Air District has sent 33 data review requests to sites. Data corrections resulted in reclassification of four Phase I sites as either Phase II or exempt. Data requests for the remaining six Phase I sites will be sent to refineries and a related site upon completion of the refinery heavy liquids study. The Air District has received data updates from 13 facilities. Data validation is underway for nine sites and has been completed for four sites. HRAs are underway for three of these sites and one site has been reclassified as exempt. The next set of 20 data updates are due from sites by June 14, 2019.

Overall, staff expects to require HRAs for about 30 of the Phase I sites. Staff expects to publish the first draft HRAs on the web site in the third quarter of 2019. Most of the Phase I HRAs will be published by the end of second quarter 2020. The final six refinery HRAs may be delayed until the end of 2020 due to the heavy liquids study, which may have a significant impact on the toxic inventory.

### *Actions to Date*

To implement the rule, the Air District convened a Rule 11-18 Implementation Workgroup to ensure transparency, provide industry and community perspectives, and facilitate communication with affected communities during the implementation of Rule 11-18. This workgroup includes representatives from environmental and health organizations, industry groups, refineries, and Air District staff. We have had three meetings to date. Recent discussion topics include: implementation plan and schedule, data review and validation process, use of consultants for conducting HRAs, emission factor assessment, and 1-hour emission inventories. The Air District is currently working on guidance documents for determining default emission factors, choosing source-specific emission factors, preparing 1-hour emission inventories, and preparing HRA modeling protocols to assist industry and staff with the first three implementation steps.

The implementation of Rule 11-18 has led to several infrastructure improvements. The Air District developed a new data management process for high priority facilities that will increase accuracy of annual toxic air contaminant (TAC) emission inventories, add new 1-hour TAC emission inventories, and collect all necessary input data for comprehensive HRAs. This process provides regulated facilities with the information needed to understand the basis for their current Air District emission inventory; to identify potentially significant emissions; to easily request corrections to inaccurate data; to provide missing data; and allows for data improvement and

validation by Air District staff. The Air District has also updated the fee structure in Regulation 3 to meet cost recovery goals for the staff time needed to improve TAC inventories, conduct or review HRAs, and approve RRP. In addition, staff updated the Air District web site by reorganizing page locations, consolidating documents, and adding new information related to Rule 11-18 implementation.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted

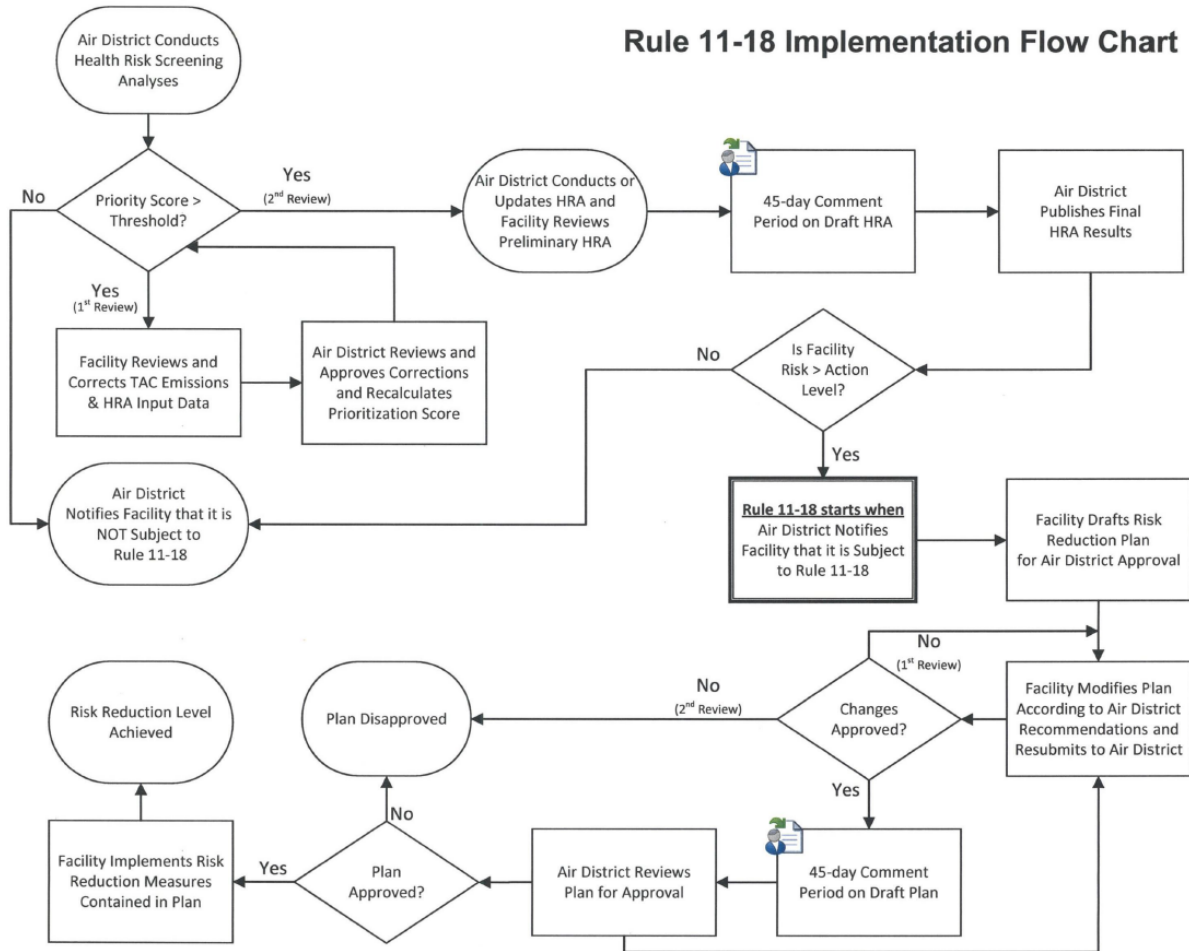
Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Carol Allen

Reviewed by: Sanjeev Kamboj  
Pamela Leong  
Damian Breen

Attachment 4A: Rule 11-18 Implementation Flow Chart

Rule 11-18 Implementation Flow Chart



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
Memorandum

To: Chairperson Rod Sinks and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: March 6, 2019

Re: Refinery and Flare Overview

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**RECOMMENDED ACTION**

None: receive and file.

**BACKGROUND**

The Air District has five major petroleum refineries located in the Bay Area that are significant sources of pollutants. Many Bay Area residents have expressed concerns about the impacts of pollution and public health impacts particularly when flaring occurs.

The Air District adopted Regulation 12 Miscellaneous Standards of Performance, Rule 11 Flare Monitoring at Petroleum Refineries in June 2003 and Rule 12, Flares at Petroleum Refineries in April 2006. These two Rules have reduced flare emissions and refineries continue to improve startup and shutdown procedures to eliminate flaring or significantly reduce the amount of flaring. Regulation 12 Rule 12, prohibits flaring unless it is consistent with an approved Flare Minimization Plan (FMP) and all commitments under that plan are met. The FMP does not apply to flaring that the Executive Officer/APCO determines to be caused by an emergency and is necessary to prevent an accident, hazard or release of vent gas directly to the atmosphere.

**DISCUSSION**

Staff will present a general overview of refinery operations and the flare regulations. The presentation will include a discussion on flare monitoring, standards, notifications required for flaring events, and determination and reporting of causes of flaring.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

None.



Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Jeff Gove and Paul Grazzini  
Reviewed by: Wayne Kino