



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS  
STATIONARY SOURCE COMMITTEE

COMMITTEE MEMBERS

JOHN BAUTERS - CHAIR  
DAVID CANEPA  
CAROLE GROOM  
NATE MILEY  
JIM SPERING

KAREN MITCHOFF – VICE CHAIR  
JOHN GIOIA  
TYRONE JUE  
MARK ROSS  
BRAD WAGENKNECHT

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY  
EXECUTIVE ORDER N-29-20 ISSUED BY  
GOVERNOR GAVIN NEWSOM**

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST BY  
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ORDER TO RECEIVE THE FULL ZOOM EXPERIENCE, PLEASE MAKE SURE  
YOUR APPLICATION IS UP TO DATE**

**THURSDAY  
DECEMBER 17, 2020  
11:30 A.M.**

## **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.*

*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. Members of the public who wish to speak on matters on the agenda for the meeting, will have three minutes each to address the Committee. No speaker who has already spoken on that item will be entitled to speak to that item again.*

**Staff/Phone (415) 749-**

**2. APPROVAL OF THE MINUTES OF OCTOBER 1, 2020**

**Clerk of the Boards/5073**

*The Committee will consider approving the draft minutes of the Stationary Source Committee meeting of October 1, 2020.*

**3. UPDATE ON THE STATUS OF THE ASSEMBLY BILL (AB) 617 EXPEDITED BEST AVAILABLE RETROFIT CONTROL TECHNOLOGY (BARCT) IMPLEMENTATION SCHEDULE RULE DEVELOPMENT EFFORTS**

**J. Broadbent/5052**

**[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)**

*The Committee will receive a status update on the six rules, included in the Assembly Bill (AB) 617 Expedited Best Available Retrofit Control Technology (BARCT) Implementation Schedule.*

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

*Members of the public who wish to speak on matters not on the agenda for the meeting, will have three minutes each to address the Committee*

5. **COMMITTEE MEMBER COMMENTS**

*Any member of the Committee, 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)*

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

*At the Call of the Chair.*

7. **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)

- 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, Terri Levels, at (415) 749-4667 or by email at [tlevels@baaqmd.gov](mailto:tlevels@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 MEETINGS

### DECEMBER 2020

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Ad Hoc Committee on Equity, Access, and Inclusion	Monday	14	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Special Meeting	Wednesday	16	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors & Advisory Council Joint Meeting	Wednesday	16	10:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source Committee	Thursday	17	11:30 a.m.	Webcast only pursuant to Executive Order N-29-20

### JANUARY 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting - CANCELLED	Wednesday	6	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community and Public Health Committee - CANCELLED	Thursday	7	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Monday	11	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Special Meeting/Retreat	Wednesday	20	8:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Climate Protection Committee	Thursday	21	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee - CANCELLED	Thursday	28	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson John Bauters and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 8, 2020

Re: Approval of the Minutes of October 1, 2020

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RECOMMENDED ACTION

Approve the attached draft minutes of the Stationary Source Committee (Committee) meeting of October 1, 2020.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of October 1, 2020.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 2A: Draft Minutes of the Committee Meeting of October 1, 2020

## AGENDA: 2A – ATTACHMENT

Draft Minutes – Stationary Source Committee Meeting of October 1, 2020

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

### **DRAFT MINUTES**

Summary of Board of Directors  
Stationary Source Committee Meeting  
Thursday, October 1, 2020

**This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.**

#### **1. CALL TO ORDER – ROLL CALL**

Stationary Source Committee (Committee) Chairperson John Bauters called the meeting to order at 9:30 a.m.

Present: Committee Chairperson John Bauters; Vice Chairperson Karen Mitchoff; and Directors David Canepa, John Gioia, Carole Groom, Nate Miley, Mark Ross, Jim Spering, and Brad Wagenknecht.

Absent: Director Tyrone Jue.

Also Present: Board Chairperson Rod Sinks.

#### **2. APPROVAL OF THE MINUTES OF JULY 29, 2020**

##### Public Comments

No requests received.

##### Committee Comments

None.

### Committee Action

Vice Chair Mitchoff made a motion, seconded by Director Wagenknecht, to approve the Minutes of July 29, 2020; and the motion carried by the following vote of the Committee:

AYES: Bauters, Canepa, Gioia, Groom, Miley, Mitchoff, Ross, Sinks, Spring, Wagenknecht.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Jue.

### **3. UPDATE ON THE DEVELOPMENT OF AMENDMENTS TO REGULATION 6, RULE 5 (RULE 6-5): PARTICULATE EMISSIONS FROM PETROLEUM REFINERY FLUIDIZED CATALYTIC CRACKING UNITS (FCCU)**

Greg Nudd, Deputy Air Pollution Control Officer of Policy, introduced David Joe, Assistant Rule Development Manager, who gave the staff presentation *Update on the Development of Amendments to Rule 6-5*, including: outline; overview and background; draft amendments to Rule 6-5; other potential control options; potential; and next steps.

Mr. Nudd then introduced Dr. Phil Martien, Director of Assessment, Inventory, and Modeling, who gave the staff presentation *Fine Particulate Matter (PM)<sub>2.5</sub> Impacts from Two Bay Area Petroleum Refineries*, including: overview; modeling approach; modeled sources; modeled emissions; modeled PM<sub>2.5</sub>; modeled impacts; demographics; population exposures; exposure per capita; health impact; impact per ton; key insights – exposure, equity, benefits; and next steps.

### Public Comments

Public comments were given by Kathy Helgerson, Cupertino resident; Dan Sakaguchi on behalf of Richmond Our Power Coalition; Kevin Buchan, Western States Petroleum Association; Christopher Palacio, United Steelworkers; Ann Vorderbrueggen, PBF Energy; Iren Suhami, Valero Refining Co.; Nick, United Steelworkers Local 5; Andrew Solak, PBF Energy; Jed Holtzman, 350 Bay Area; Jennifer Wood, United Steelworkers; Paula Capasi, PBF Energy; Andres Novoa, PBF Energy; Dr. Stephen Rosenblum, Palo Alto resident; Sharon Shearer, PBF Energy; Todd Osterberg, Chevron; Tyler Earl, Communities for a Better Environment (CBE); Denny Khamphanthong, Asian Pacific Environmental Network; Richard Gray, 350 Bay Area; Steve Nadel, Sunflower Alliance; Ladonna Williams, All Positives Possible; Jan Warren, Interfaith Climate Action Network of Contra Costa County; Todd (last name unknown); Daniel Sakaguchi, CBE; Brian Hubinger, Chevron; Jason Burton, PBF Energy; Adam Hanna, PBF Energy; Igor Kobrinovitch, PBF Energy; Andres Soto, CBE; and Greg Karras, Community Energy resource.

### Committee Comments

The Committee and staff discussed if the of 0.020 gr/dsc limit on total PM<sub>10</sub> is based on electrostatic precipitator technology, and the estimated PM reduction for refineries if this technology is implemented for all facilities vs wet scrubbers; which and whose fluid catalytic cracking unit (FCCU) tests results are used to determine cost effectiveness of controls, and how to determine whether the results are accurate; whether there is a way to verify the refineries' profits



accurately; whether estimated socioeconomic impacts shown in this presentation are based on Rule 6-5 in isolation, versus other Air District regulations; whether ‘annual costs as % of annual net profit’ for 2019 include refineries’ capital and operational costs; whether refineries are using reclaimed water supplies for wet gas scrubbing; when the PM<sub>2.5</sub> source testing results from the Chevron and PBF refineries will be available; when the data from the Air District’s ongoing modeling study of PM<sub>2.5</sub> impacts from other major industrial sources will be available; the extent of the Air District’s engagement with stakeholders and interested parties in the development of proposed rule amendments; the baseline contribution of the Chevron and PBF refineries compared to the Air District’s total permitted source inventory and Bay Area total of PM<sub>2.5</sub>; whether the Air District can estimate the cost effectiveness of Rule 6-5 at Lehigh Cement Plant in Cupertino, once the proposed Consent Decree is approved and the facility is required to install emissions control technology for nitrogen oxides and sulfur dioxide; the percentage of total Bay Area PM<sub>2.5</sub> represented by the Chevron and PBF refineries’ FCCUs; the cost effectiveness of similar rules adopted by the South Coast Air Quality Management District; whether the Air District’s modeling results are consistent with data from its monitoring stations; the contribution of filterable and condensable PM compared to total PM; the request for more detailed maps of modeled impacts for all permitted sources of PM<sub>2.5</sub> at Chevron and PBF; concerns regarding cost assumption that under the more stringent control option; and the request for additional socioeconomic projections to include health impacts to be incorporated into the rule making process, and the suggestion that the Air District’s Advisory Council provides input on how to evaluate those impacts.

#### Committee Action

None; receive and file.

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

Public comments were given by Jed Holtzman, 350 Bay Area; Andres Soto, Communities for a Better Environment; Greg Karras, Community Energy reSource; Sonja Hansen, Stanford University student; and Rhoda Fry, Cupertino resident.

#### **5. COMMITTEE MEMBER COMMENTS**

None.

#### **6. TIME AND PLACE OF NEXT MEETING**

At the conclusion of the meeting, the next meeting was scheduled for Tuesday, December 15, 2020, but after the meeting adjourned, the next meeting was scheduled for Thursday, December 17, 2020, at 11:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

**7. ADJOURNMENT**

The meeting adjourned at 12:39 p.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson John Bauters and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: December 8, 2020

Re: Update on the Status of the Assembly Bill (AB) 617 Expedited Best Available Retrofit Control Technology (BARCT) Implementation Schedule Rule Development Efforts

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**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

California AB 617 amended California Health and Safety Code section 40920.6 et seq. and directed local air districts in nonattainment for one or more air pollutants to adopt an expedited schedule for implementation of BARCT by January 1, 2019. The expedited BARCT schedule requirements apply to each industrial source that as of January 1, 2017, was subject to the Cap-and-Trade program. The AB 617 Expedited BARCT Implementation Schedule was adopted by the Air District Board of Directors in December 2018 and identified six potential rule development efforts to further reduce emissions of criteria pollutants at these sources.

In developing the Expedited BARCT Implementation Schedule, Air District staff reviewed the status of BARCT implementation for all source categories at affected facilities and, as a result of that review, staff identified six potential rule development projects aimed at addressing emissions from:

- 1) Petroleum refinery fluid catalytic cracking units (FCCU) and carbon monoxide gas boilers—Amendments to Regulation 6: Particulate Matter, Rule 5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units (Rule 6-5);
- 2) Organic liquid storage tanks—Amendments to Regulation 8: Organic Compounds, Rule 5: Storage of Organic Liquids (Rule 8-5);
- 3) Petroleum wastewater treating Amendments to Regulation 8: Organic Compounds, Rule 8: Wastewater Collection and Separation Systems (Rule 8-8);
- 4) Refinery heavy liquids leaks—Amendments to Regulation 8: Organic Compounds, Rule 18: Equipment Leaks (Rule 8-18);
- 5) Portland cement manufacturing—Amendments to Regulation 9: Inorganic Gaseous Pollutants, Rule 13: Nitrogen Oxides, Particulate Matter, and Toxic Air Contaminants from Portland Cement Manufacturing (Rule 9-13); and

- 6) Petroleum coke calcining operations—Amendments to Regulation 9: Inorganic Gaseous Pollutants, Rule 14: Petroleum Coke Calcining Operations (Rule 9-14).

## DISCUSSION

Following the adoption of the AB 617 Expedited BARCT Implementation Schedule, staff continued the evaluation and review of these sources in support of potential BARCT rulemaking. Each individual rule development effort follows the Air District's standard rule development process, including making specific finding and assessments required pursuant to California Health and Safety Code sections 40727 and 40728.5. Air District staff will present an update on the efforts to date and the current status of these six rule development projects.

## BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Victor Douglas  
Reviewed by: Elizabeth Yura