

Bay Area Air Quality Management District
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APPROVED MINUTES

Summary of Board of Directors
Stationary Source and Climate Impacts Committee Meeting
Monday, May 17, 2021

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 and Climate Impacts Committee (Committee) Co-Chairperson John Bauters called the meeting to order at 9:00 a.m.

Present: Committee Co-Chairpersons John Bauters and Karen Mitchoff; Vice Chairperson Teresa Barrett; and Directors Rich Constantine, John Gioia, Erin Hannigan, David Haubert, Davina Hurt, Tyrone Jue, and Mark Ross.

Absent: Carole Groom.

Also Present: None.

2. APPROVAL OF THE MINUTES OF APRIL 19, 2021

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Hannigan made a motion, seconded by Co-Chair Mitchoff, to approve the Minutes of April 19, 2021; and the motion carried by the following vote of the Committee:

AYES: Barrett, Bauters, Gioia, Hannigan, Haubert, Hurt, Jue, Mitchoff, Ross.
NOES: None.
ABSTAIN: None.
ABSENT: Constantine, Groom.

3. UPDATE ON LAND USE, CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AND AIR DISTRICT PERMITS

Henry Hilken, Director of Planning and Climate Protection, and Alfonso Borja Jr., Supervising Air Quality Engineer, gave the staff presentation *Land Use, California Environmental Quality Act (CEQA), and Permitting*, including: outcome; requested action; outline; local land use planning; Air District goals for local land use planning; Air District role; Air District CEQA guidelines update; outline; purpose of Permitting Program; and New Source Review (NSR) – overview, key permit criteria, key review elements, and permitting process.

Public Comments

Public comments were given by Steve Nadel, Sunflower Alliance; and Jed Holtzman, 350 Bay Area.

NOTED PRESENT: Director Constantine was noted present at 9:30 a.m.

Committee Comments

The Committee and staff discussed the anticipated timeline for the Air District's CEQA Thresholds and Guidelines, and how they might be used by cities and counties; the suggestion that the Air District play a greater role in land use planning for siting new facilities that could produce new pollution; the suggestion that the Air District submits letters with recommended model policies and proposed land use conditions on city and county projects, especially regarding general plan policies, which are required to have environmental justice, health, and sustainability principles; and whether Regulation 2, Rule 1 (Permits: General Requirements) and Regulation 2, Rule 2 (Permits: New Source Review) will address cost effectiveness.

Committee Action

None; receive and file.

4. PROPOSED CONCEPTS TO AMEND THE PERMITTING REGULATION

Jacob Finkle, Senior Air Quality Specialist, gave the staff presentation *Proposed Concepts to Amend the Permitting Regulation*, including: outcome; outline; requested action; background - exposure and vulnerability; initial rule development concepts; May 12, 2021, concepts workshop discussion and feedback; tentative timeline; and feedback requested/prompt.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area; and Steve Nadel, Sunflower Alliance.

Committee Comments

The Committee and staff discussed what more stringent cancer risk and exposure-based limits might be, and whether the Air District would create stricter limits for overburdened communities versus non-overburdened communities; how to get communities engaged in this topic and whether the Air District feels that public workshop attendees represented all counties and areas of the Air District's jurisdiction; the status of Air District-sponsored legislation to expand Air District authority over indirect sources; the South Coast Air Quality Management District's Warehouse Indirect Source Rule and how a similar

rule can be accomplished in the Bay Area; Air District staff's opinion on the environmental justice community's request that the Air District suspends permits in overburdened communities until new regulations are adopted; how often CalEnviroScreen data is updated; the anticipated timeline for staff's priorities from the rule development concepts to amend the Air District's permitting regulation; whether the Air District has authority over underground gas storage tanks; the request for a comparison of Air District Particulate Matter (PM) and Toxic Air Contaminants regulations with those of other comparable California air districts; and how much time it would take to conduct a review of PM in communities that are overburdened by high levels of pollution or community health vulnerability.

Committee Action

While this item did not require action, the Committee gave staff direction supporting the following rule development concepts to amend the Air District's permitting regulation:

- ***Develop a more stringent cancer risk limit for overburdened communities.*** The Committee would like to see the updated cancer risk limit be less than ten in a million. While several Board members present wished to apply the updated risk limit to the entire Bay Area, versus to just overburdened areas, the consensus of the Board members present did not seek this.
- ***Require enhanced noticing and analysis of potential impacts from Toxic Air Contaminants in overburdened communities.*** The Committee requested a slide at a future presentation to address the anticipated timeline for a New Source Review of *Particulate Matter*, as Toxic Air Contaminants are already being addressed.
- ***Update the risk assessment procedures for gas station permitting.***
- ***Evaluate exposure-based limits for fine particulate matter emissions; and***
- The Committee would like to see a comparison between Particulate Matter and Toxic Air Contaminants regulations of the Air District and those of other comparable California air districts.
- The Committee supported the proposed timelines presented by staff.

5. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

6. COMMITTEE MEMBER COMMENTS

None.

7. TIME AND PLACE OF NEXT MEETING

Monday, June 21, 2021, at 9:00 a.m., via webcast pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

8. ADJOURNMENT

The meeting adjourned at 1:03 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards