Mid-Year Review of the 2022 Regulatory Agenda

Stationary Source and Climate Impacts Committee Meeting
June 13, 2022

Elizabeth Yura
Director of Rules and Strategic Policy
eyura@baaqmd.gov
• Provide a mid-year update on the 2022 Objectives for the Rules & Strategic Policy Division
Presentation Outline

- Review of 2022 Objectives
- Progress and Proposed Updates
- Discussion
Presentation Requested Action

• None; informational item
Review of 2022 Objectives

• Prioritization Framework: Work with community on developing a framework to prioritize future projects

• Permitting Regulations: Begin Phase 2
  • Address PM
  • Work with stakeholders to address additional concerns not included in amendments approved in Dec. 2021

• Finalize in-process rules:
  • Rule 13-5: Hydrogen Plants
  • Amendments to Rules 9-4/9-6: Building Appliances
Review of 2022 Objectives (Cont.)

• Continue supporting the Richmond-North Richmond-San Pablo Path to Clean Air process

• Assembly Bill (AB) 617 Expedited Best Available Retrofit Technology (BARCT) Implementation Schedule:
  • Discuss path forward for amendments to Rule 9-13: Portland Cement Manufacturing and Rule 9-14: Petroleum Coke Calcining Operations
  • Goal to finalize 1-2 of the following amendment efforts:
    Rule 8-5: Storage of Organic Liquids
    Rule 8-8: Wastewater Separators
    Rule 8-18: Equipment Leaks
Review of 2022 Objectives (Cont.)

- Begin white papers on additional sources from the AB 617 West Oakland Community Action Plan (WOCAP)
- Select/begin work on “clean up” rule
Prioritization Framework: Work with community on developing a framework to prioritize future projects

*Status*: On hold pending Community Advisory Council (CAC) engagement

*Next Steps*: Develop public engagement strategy later this year as stopgap if needed
Progress and Proposed Updates (Cont.)

Permitting Regulations: Begin Phase 2
• Address Particulate Matter (PM)
• Work with stakeholders to address additional concerns not included in amendments approved in Dec. 2021

Status: On hold. Feedback from community to prioritize near term efforts first, also waiting for Air District PM$_{2.5}$ health impacts methodology

Next Steps: Move forward when methodology is complete, continue to check-in with community/other stakeholders
Progress and Proposed Updates (Cont.)

Finalize in-process rules:

• **Rule 13-5: Hydrogen Plants**
  
  *Status*: Completed – Public Hearing on May 4, 2022

• **Amendments to Rules 9-4/9-6: Building Appliances**
  
  *Status*: Moving forward, California Environmental Quality Act (CEQA) Scoping Meeting held June 9, 2022

*Next Steps:*

- End of Public Comment Period on Initial Study and Revised Draft Amendments – June 21, 2022
- Update to SSCI Committee on Implementation Working Group – Q4 2022
- Release of final rule package – Q4 2022
Progress and Proposed Updates (Cont.)

Continue supporting the Richmond-North Richmond-San Pablo Path to Clean Air process

_Status_: Ongoing

*Next Steps*: Steering Committee entering strategy development phase this summer
Progress and Proposed Updates (Cont.)

AB 617 Expedited BARCT Implementation Schedule:
• Amendments to Rule 9-13: Portland Cement Manufacturing

Status: Regulatory amendments on hold.
• Cement kiln in Cupertino only facility affected
• Not operational since March 2020
• Consent Decree in place – cannot guarantee additional emission reductions

Next Steps: Propose to remove from BARCT Schedule
Progress and Proposed Updates (Cont.)

AB 617 Expedited BARCT Implementation Schedule:
• Amendments to Rule 9-14: Petroleum Coke Calcining Operations

Status: Regulatory amendments on hold.
  • Phillips 66 only facility affected
  • Alternative fuels project proposes to shut down source

Next Steps: Propose to remove from BARCT Schedule
Progress and Proposed Updates (Cont.)

AB 617 Expedited BARCT Implementation Schedule:
• Amendments to Rule 8-5: Storage of Organic Liquids

Status:
• Volatile Organic Compound (VOC) emissions substantially lower than originally estimated
• Toxics still of a concern – will be addressed through Rule 11-18

Next Steps: Propose to remove from BARCT Schedule
Progress and Proposed Updates (Cont.)

AB 617 Expedited BARCT Implementation Schedule:

- Amendments to Rule 8-8: Wastewater Separators

*Status:* Currently working with stakeholders to revise the emissions inventory

*Next Steps:*
  - Public engagement this summer
  - Update to the Committee in Quarter 3 of 2022
Progress and Proposed Updates (Cont.)

AB 617 Expedited BARCT Implementation Schedule:
• Amendments to Rule 8-18: Equipment Leaks

Status: Heavy Liquids Study published in April 2022

Next Steps:
• Update to the Committee in Quarter 4 of 2022
Progress and Proposed Updates (Cont.)

Begin white papers on additional sources from the AB 617 West Oakland Action Plan (WOCAP)

WOCAP Further Study Measure #3: The Air District will investigate potential rulemaking to limit fugitive dust from construction activity

**Status:**
- Focus on dust from construction and concrete batch plants
- Identifying measures to potentially update rules to be more health protective

**Next Steps:** Completion of white paper this summer
Progress and Proposed Updates (Cont.)

Select/begin work on “clean up” rule

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

Status: Feb 2022 Committee Meeting: recommended a discussion Rule 11-18 amendments

Next Steps: Staff proposes moving forward with amendments to Rule 11-18, but limit scope to timeline reduction opportunities
Progress and Proposed Updates (Cont.)

New Projects

• Engagement with the East Oakland AB 617 Steering Committee:
  • East Oakland is the Bay Area’s third AB 617 community,
  • Steering Committee is anticipated this summer
  • Need resources to support their strategy development needs

• Additional White Papers as capacity allows:
  • Sources from the WOCAP: metal recycling and foundries, autobody operations, wastewater treatment plants and anaerobic digestion facilities, commercial cooking, and woodburning
Feedback Requested/Prompt

Questions and Comments?