



BOARD OF DIRECTORS
STATIONARY SOURCE COMMITTEE
June 11, 2025

COMMITTEE MEMBERS

KEN CARLSON– CHAIR
DIONNE ADAMS
JOHN GIOIA
GABE QUINTO
STEVE YOUNG

LYNDA HOPKINS – VICE CHAIR
BRIAN COLBERT
RICO MEDINA
LENA TAM

**MEETING LOCATION(S) FOR IN-PERSON ATTENDANCE BY
COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC**

Bay Area Metro Center
1st Floor Yerba Buena
375 Beale Street
San Francisco, CA 94105

Office of Contra Costa County
Supervisor John Gioia
Conference Room
11780 San Pablo Ave., Suite D
El Cerrito, CA 94530

Marin County Civic Center
3501 Civic Center Dr
Room 326
San Rafael, CA 94903

Pittsburg City Hall
City Manager's Office
Mayor/Council Conference Room, 301A
65 Civic Ave., 3rd Floor
Pittsburg, California 94565

City of San Bruno
567 El Camino Real, Room 138
San Bruno, CA 94066

Alameda County
Board of Supervisors District 3
101 Callan Ave., Suite 103
San Leandro, CA 94577

THE FOLLOWING STREAMING OPTIONS WILL ALSO BE PROVIDED

These streaming options are provided for convenience only. In the event that streaming connections malfunction for any reason, the Stationary Source Committee reserves the right to conduct the meeting without remote webcast and/or Zoom access.

The public may observe this meeting through the webcast by clicking the link available on the air district's agenda webpage at www.baaqmd.gov/bodagendas.

Members of the public may participate remotely via Zoom at <https://bayareametro.zoom.us/j/88460774022>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 884 6077 4022

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 a matter on the agenda will have two minutes each to address the Committee on that agenda item, unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again.

The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is *per se* disruptive to a meeting and will not be tolerated.

STATIONARY SOURCE COMMITTEE MEETING AGENDA

WEDNESDAY, JUNE 11, 2025

10:00 AM

Chairperson, Ken Carlson

1. Call to Order - Roll Call

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

2. Pledge of Allegiance

CONSENT CALENDAR (Item 3)

The Consent Calendar consists of routine items that may be approved together as a group by one action of the Committee. Any Committee member or member of the public may request that an item be removed and considered separately.

3. Approval of the Draft Minutes of the Stationary Source Committee Meeting of May 14, 2025

The Committee will consider approving the Draft Minutes of the Stationary Source Committee Meeting of May 14, 2025.

INFORMATIONAL ITEM(S)

4. Mid-Year Review of the 2025-2026 Regulatory Agenda

The Committee will discuss an overview of 2025-2026 rule development efforts currently being undertaken, those queued for development, and potential rule development projects to be considered for the five-year plan. This item will be presented by Bradley Cole, Manager in the Rules and Strategic Policy Division.

5. Development of a Targeted Inspection Program and Policy

The Committee will discuss opportunities to integrate new strategies to prioritize inspections in overburdened and Assembly Bill (AB) 617 communities. Air District staff will share new approaches to review compliance trends, identify patterns of non-compliance, and utilize the knowledge of our regulatory partners and impacted communities to transform the current inspection program. This item will be presented by Dennis Quach, Air Quality Specialist, Compliance & Enforcement Division.

OTHER BUSINESS

6. Public Comment on Non-Agenda Matters

Pursuant to Government Code Section 54954.3, members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Committee. Members of the public will have two minutes each to address the Committee, unless a different time limit is established by the Chair. The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is per se disruptive to a meeting and will not be tolerated.

7. 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)

8. Time and Place of Next Meeting

Wednesday, July 9, 2025, at 10:00 a.m. at Contra Costa County Administration Building, 1025 Escobar St. Conference Rooms 110 A, B, & C Martinez, CA 94553. The meeting will be in-person for the Stationary Source Committee members and members of the public will be able to either join in-person or via webcast.

9. Adjournment

The Committee meeting shall be adjourned by the Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
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 Air 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 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 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, Diana Ruiz, Acting Environmental Justice and Community Engagement Officer at (415) 749-8840 or by email at druiz@baaqmd.gov.

BAY AREA AIR DISTRICT
375 BEALE STREET, SAN FRANCISCO, CA 94105
FOR QUESTIONS PLEASE CALL (415) 749-4941

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

JUNE 2025

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Stationary Source Committee	Wednesday	11	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Community Equity, Health and Justice Committee - CANCELLED	Wednesday	11	1:00 p.m.	1 st Floor, Yerba Buena Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	18	10:00 a.m.	1 st Floor Board Room
Board of Directors Finance and Administration Committee - CANCELLED	Wednesday	18	1:00 p.m.	1 st Floor Board Room

JULY 2025

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	2	10:00 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Special Committee	Wednesday	9	10:00 a.m.	Contra Costa County Administration Building 1025 Escobar St. Conference Rooms 110 A, B, & C Martinez, CA 94553
Board of Directors Community Equity, Health, and Justice Special Committee	Wednesday	9	1:00 p.m.	Contra Costa County Administration Building 1025 Escobar St. Conference Rooms 110 A, B, & C Martinez, CA 94553
Board of Directors Policy, Grants and Technology Committee	Wednesday	16	10:00 a.m.	1 st Floor Board Room
Board of Directors Finance and Administration Committee	Wednesday	16	1:00 p.m.	1 st Floor Board Room
Community Advisory Council Meeting	Thursday	17	6:00 p.m.	1 st Floor, Yerba Buena Room

SS 6/6/25 – 10:39 a.m.

G/Board/Executive Office/Moncal

BAY AREA AIR DISTRICT
Memorandum

To: Chairperson Ken Carlson and Members
of the Stationary Source Committee

From: Philip M. Fine
Executive Officer/APCO

Date: June 11, 2025

Re: Approval of the Draft Minutes of the Stationary Source Committee Meeting of
May 14, 2025

RECOMMENDED ACTION

Approve the Draft Minutes of the Stationary Source Committee Meeting of May 14, 2025.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the Draft Minutes of the Stationary Source Committee Meeting of May 14, 2025.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENT(S):

1. Draft Minutes of the Stationary Source Committee Meeting of May 14, 2025

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

Stationary Source Committee Meeting
Wednesday, May 14, 2025

DRAFT MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Stationary Source Committee (Committee) Chairperson, Ken Carlson, called the meeting to order at 10:11 a.m.

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, 1st Floor Yerba Buena Room, San Francisco, California, 94105): Chairperson Ken Carlson; and Director Rico E. Medina.

Present, In-Person Satellite Location: (Office of Contra Costa County Supervisor John Gioia, 11780 San Pablo Ave., Suite D Conference Room, El Cerrito, CA 94530): Directors John Gioia, Gabe Quinto and Steve Young.

Present, In-Person Satellite Location: (Office of Alameda County Supervisor Lena Tam, 103 Callan Ave., Suite #103, San Leandro, CA 94577): Director Lena Tam.

Present, In-Person Satellite Location: (Santa Rosa Junior College Campus, Doyle Library, Room 148, 1501 Mendocino Ave., Santa Rosa, CA 95401): Vice Chairperson Lynda Hopkins.

Present, In-Person Satellite Location: (Marin County - District 2, Supervisor Brian Colbert, 3501 Civic Center Drive, Suite 329, San Rafael, CA 94903): Director Brian Colbert.

Absent: Director Dionne Adams.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR

3. APPROVAL OF THE DRAFT MINUTES OF THE STATIONARY SOURCE COMMITTEE MEETING OF APRIL 9, 2025

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Medina made a motion, seconded by Director Tam, to **approve** the Draft Minutes of the Stationary Source Committee meeting of April 9, 2025; and the motion **carried** by the following vote of the Committee:

AYES:	Carlson, Colbert, Gioia, Hopkins, Medina, Quinto, Tam, Young.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Adams.

INFORMATIONAL ITEM

4. TOXIC AIR CONTAMINANT (TAC) CONTROL PROGRAM ANNUAL REPORT – 2025

Kevin Oei, Acting Engineering Manager, gave the staff presentation *Toxic Air Contaminant Control Annual Report*, including: outline; introduction and purpose of the Report; what are air toxics; overview of toxic control initiatives; air toxics new source review; facility risk reduction programs; facility air toxics emissions inventory; air toxics ambient air monitoring; community health protection; conclusions; and acknowledgements.

Public Comments

Public comments were given by Kevin Buchan, Western States Petroleum Association.

Committee Comments

The Committee and staff discussed when data from the Air District's regulatory air monitoring network and community refinery fenceline monitors will be publicly available; the Air District's methods of public outreach regarding air toxics data/inventory; whether Particulate Matter_{2.5} and woodsmoke are included in this presentation; and whether refineries transitioning to producing renewable materials will cause a decrease in benzyne emissions.

Committee Action

No action taken.

OTHER BUSINESS

5. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

6. COMMITTEE MEMBER COMMENTS

None.

7. TIME AND PLACE OF NEXT MEETING

Wednesday, June 11, 2025, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Stationary Source Committee members and members of the public will be able to either join in-person or via webcast.

8. ADJOURNMENT

The meeting was adjourned at 10:37 a.m.

Marcy Hiratzka
Clerk of the Board

BAY AREA AIR DISTRICT
Memorandum

To: Chairperson Ken Carlson and Members
of the Stationary Source Committee

From: Philip M. Fine
Executive Officer/APCO

Date: June 11, 2025

Re: Mid-Year Review of the 2025-2026 Regulatory Agenda

RECOMMENDED ACTION

None; the Committee will discuss this item, but no action is requested at this time.

BACKGROUND

The Air District's *2024-2029 Strategic Plan* specifies four specific goals:

1. Achieve Impact
2. Advance Environmental Justice
3. Foster Cohesion and Inclusion
4. Be Effective, Accountable, and Customer-Oriented.

Effective rules—including our permitting rules—are essential to achieving every one of these goals. Air District staff is developing a Five-Year Rule Development Schedule that would span the duration of the *Strategic Plan*. The rule development efforts that are recommended for inclusion in this schedule were prioritized based on input from several sources and include rule development efforts that are currently underway, efforts that have been identified as essential to the implementation of the Air District's *2024-2029 Strategic Plan*, and the regulatory measures listed in the two adopted community emissions reduction plans – the West Oakland Community Action Plan “Owning Our Air” and the Richmond-North Richmond-San Pablo “Path to Clean Air.” Also taken into consideration were the priorities identified by the Board of Directors, Community Advisory Council and Air District staff to improve operational efficiency and effectiveness.

DISCUSSION

Air District staff will present an overview of the rule development efforts for the next 18 months, including upcoming key milestones for each project and a prioritized list of pending rulemaking projects. As the Air District completes each rulemaking project, new projects will be started from the list of pending projects.

All the rule development efforts that are included in the current schedule and list of pending projects are associated with at least one of the goals and strategies in the *2024-2029 Strategic Plan* and/or align with the community emission reduction plans. For example, the Air District has initiated efforts to amend our flaring rules, Rule 12-11: Flare Monitoring at Petroleum Refineries, and Rule 12-12: Flares at Petroleum Refineries. This effort aligns with the Strategic Plan by Strategy 1.3: Minimizing Flaring and the Richmond-North Richmond-San Pablo Path to Clean Air Strategy Fuel Refining 2.6. This rule development effort would involve the initiation of a Refinery Technical Working Group including participants from the refineries and industrial hydrogen plants that serve the refineries, the Western States Petroleum Association, the Richmond-North Richmond-San Pablo Community Steering Committee, labor, refinery community members, one other governmental agency, and non-governmental organizations, like Earthjustice.

The list of pending rulemaking projects comes from several sources, including Board direction, commitments made in community emissions reduction plans, and recommendations from Air District staff based on analysis of emissions data and/or discussions with community members. The list of pending rulemaking projects is prioritized based on air quality impacts and level of effort. Air quality impacts are evaluated across three criteria:

1. Improving overall air quality in the region.
2. Reducing exposure to air toxics or Particulate Matter (PM)_{2.5}.
3. Reducing disparities in air pollution exposure.

The level of effort for a particular rulemaking project depends on factors such as the technical complexity of the project, the numbers and diversity of stakeholders, and policy challenges associated with cost or the potential for negative environmental impacts on other media. The attached document provides an overview of the list of pending rulemaking projects along with our current assessment of their air quality benefits and level of effort. Our understanding of these projects will change over time as our research continues, and these rankings may change based on new and better information.

On Saturday, May 17, 2025, the Community Advisory Council considered the list of pending projects and provided their recommendations on priorities. The recommendations of the Community Advisory Council helped guide Air District staff's current recommended priorities for new rule development projects.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Bradley Cole
Reviewed by: Greg Nudd and Victor Douglas

ATTACHMENT(S):

1. Rules for Potential Inclusion into the Strategic Plan Five-Year Rulemaking Calendar
2. Mid-Year Review of the 2025-2026 Regulatory Agenda Presentation

Overview of Rules for Potential Inclusion into the Strategic Plan Five-Year Rulemaking Schedule

Permitting Efficiencies and Clean-up for New Sources – Regulation 2: Permits, Rules 1, 2, and 5: Permits, New Source Review, and Toxic Air Contaminants	
Adopted:	<p>Rule 2-1: December 31, 1979</p> <p>Rule 2-2: December 19, 2012</p> <p>Rule 2-5: June 14, 2005</p>
Last Amended:	<p>Rule 2-1: December 15, 2021</p> <p>Rule 2-2: December 6, 2017</p> <p>Rule 2-5: December 15, 2021</p>
Purpose:	<p>These rules address the permitting of new and modified sources of criteria and toxic air pollutants. (See definition below). Substantive changes to Rule 2-5 are addressed separately. The rules set the requirements and standards for all new sources of pollution at stationary sources (sources of pollution with a long-term location), including requiring the installation of best available control technology (BACT) for all new air pollution sources. Most Air District rules to reduce air pollution are implemented through enforceable permit conditions. Moreover, the permit rules prevent sources from starting or increasing operations without complying with local, state, and federal health protective rules. The Air District has hundreds of backlogged permit applications, including abatement equipment and important public works projects. Direct impacts of these significant permit delays include the following: unpermitted operations with unknown health impacts, stalled health-protective projects, diversion of enforcement effort to deal with unpermitted operations, implementation of rules without adequate oversight, delayed implementation of rules and the related air quality benefits, and lack of permitting rule clarity that undermines effective enforcement.</p> <p>The amendments to these rules would increase the efficiency and effectiveness of the permitting process to reduce delays and backlogs. First and foremost, effective implementation of Air District rules cannot happen without an efficient permit process. Further, improving the efficiency of the permitting process will allow engineering staff to focus on key agency priorities, including addressing environmental injustice in permitting and toxics risk reduction. The amendments may also revisit some of the existing exemptions and consider other ways to advance the cleanest technologies and reduce impacts in overburdened communities.</p>

Pollutants:	<p>The United States Environmental Protection Agency (US EPA) identifies and sets standards to protect human health and welfare for six pollutants. The term "criteria pollutants" derives from the requirement that the US EPA must describe the characteristics and potential health and welfare effects of these pollutants. US EPA periodically reviews new scientific data and may propose revisions to the standards as a result. There are six Criteria Air Pollutants:</p> <ul style="list-style-type: none"> - Carbon monoxide - Nitrogen dioxide - Sulfur dioxide - Ground-level ozone - Lead - Particulate matter <p>The US EPA and California Air Resources Board have not listed particulate matter as a toxic pollutant, but it is the most harmful air pollutant and can have significant impacts on nearby communities.</p> <p>Toxic Air Contaminants</p>
Sources Affected:	<p>All new or modified sources of criteria and toxic air pollutants: e.g.: Refineries, data centers, autobody facilities, dry cleaners, gas stations, hospitals, crematoria, foundries, etc.</p> <p><u>Exemptions:</u> There are several categories of sources that are generally exempt from the Air District's permitting rules (Rules 2-1 and 2-2). Highlighted below are some familiar sources:</p> <ul style="list-style-type: none"> - Single and multiple family dwellings - Agricultural Sources - Motor Vehicles - Tank vehicles with vapor recovery systems - Road Construction - Restaurants and cafeterias - Paints and coatings
Air Quality Benefits: HIGH	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality–High:</u> The permitting process implements the enforceable limits that are established by Air District rules. Rules 2-1, 2-2, and 2-5 address new and modified sources of pollution. New or modified sources are required to meet ever-tightening air quality requirements and this cannot happen effectively, without an efficient permit process for new and modified sources. Moreover, the permit process is intended to prevent sources from starting or increasing operations that violate local, state, or federal rules. Effective, efficient permitting is a cornerstone of implementing local and regional air quality improvements. This rulemaking would be primarily

	<p>focused on making the permit process more efficient. The direct benefits include the following: assurance that sources are properly operating within health-based limits, especially in overburdened communities, careful review of exempted sources, and installation of cleaner technologies and abatement equipment. The indirect benefit is to free up staff for strategic priorities.</p> <ul style="list-style-type: none"> - <u>Reducing exposure to Toxic and Particulate Matter (PM) pollution–medium</u>: Unclear permit rule language and delays in permit application review has resulted in unpermitted operations and releases of pollutants in communities, and subsequent diversion of enforcement staff from other priorities. Further, it will free staff to focus on Civil Rights in permitting and risk reduction programs for Rule 11-18. - <u>Reducing Disparities–Low</u>: This is a general efficiency effort that may have some moderate benefit for emission reductions. While it's not specifically targeting reductions for overburdened communities, inefficient permit process creates uncertainty for communities living adjacent to sources of pollution.
<p>Level of Effort: Phase 1: Low Phase 2/3: Medium to High</p>	<ul style="list-style-type: none"> - Phase 1 requires significant edits to rule language, but minimal revisions to Air District procedures that aren't already being implemented through the Engineering Corrective Action Plan. It is unlikely to be controversial and would have significant efficiency benefits. - Phases 2/3 would likely require major revisions to the criteria pollutant permitting rules and internal Air District procedures. Expect significant involvement and scrutiny from industry and other stakeholders. - May also require US EPA approval
<p>Impetus / Source:</p>	<ul style="list-style-type: none"> - Strategic Plan: 4.1: Timely Permits, 4.2: Transparent Permit Process, 4.3: Consistent Permits, 4.7: Customer Service

Toxic New Source Review / Cumulative Impacts - Regulation 2: Permits, Rule 5: New Source Review of Toxic Air Contaminants	
Adopted:	June 14, 2005
Last Amended:	December 15, 2021
Purpose:	<p>This rule would provide additional consideration of the combined effects of multiple health stressors when permitting new and modified facilities.</p> <p>In overburdened communities, defined as areas scoring in the top 30 percent of CalEnviroScreen 4.0 or within 1,000 feet of them, the health risk thresholds are currently more protective than other areas:</p> <ul style="list-style-type: none"> - Cancer risk must be below 6 in a million (vs. 10 in million elsewhere) - Non-cancer hazard indices (acute and chronic) must be below 1.0 <p>These areas often face greater pollution, have more vulnerable populations, and fewer resources to cope with health impacts.</p> <p>This project would extend and strengthen the consideration of cumulative impacts in our permitting program.</p>
Pollutants:	Toxic air contaminants, PM _{2.5}
Sources Affected:	New or modified sources of toxic air contaminants and/or PM _{2.5} that are required to have an authority to construct or permit to operate.
Benefits: MEDIUM	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality–Low</u>: Fuller consideration of cumulative impacts would likely further discourage the location of polluting facilities in overburdened communities. It's possible that these facilities would be located in other areas, leading to no net reduction on a regional basis. - <u>Reducing exposure to Toxic and PM pollution–Medium</u>: This project would likely further tighten emissions controls for health-harming emissions. Most exposure is from existing sources, though, and this only covers new and modified sources. - <u>Reducing Disparities–High</u>: This effort would specifically address projects which propose to increase toxic and PM emissions in overburdened communities.
Level of Effort: HIGH	<ul style="list-style-type: none"> - This effort would be highly controversial, resulting in a highly scrutinized rule development effort. - When the Air District previously restricted permitting in overburdened communities, the business community raised a

	lot of concerns regarding the economic implications for those communities. We would expect similar economic concerns to be raised if permitting is further restricted in these areas.
Impetus / Source	<ul style="list-style-type: none"> - Strategic Plan 1.1: Change Approach to Air Quality, 1.2: Stronger Regulations - Richmond-North Richmond-San Pablo Path to Clean Air - Air District staff Recommendation

NEW: Backup Generators – Regulation 11: Hazardous Pollutants, Rule (TBD)	
Adopted:	TBD
Last Amended:	N/A
Purpose:	This new rule would limit the emissions of diesel particulate matter from stationary diesel engines used as backup generators, including the recent proliferation of large data centers and encourage non-diesel technologies.
Pollutants:	Diesel particulate matter
Sources Affected:	Facilities and operations that have a diesel backup generator
Air Quality Benefits: MEDIUM	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality –Low</u>: Diesel backup generators are used intermittently and during emergencies. As a result, they are a relatively small contributor to overall air pollution in the region. But their local impacts can be very significant. - <u>Reducing exposure to Toxic and PM pollution–High</u>: Diesel particulate matter is the most impactful toxic air pollutant. Diesel engines are the largest source of this pollutant that are under the Air District’s authority. Many of these backup generators are located close to where people live, work, and study. Ideally, this rulemaking would encourage alternative technologies, such as batteries and natural gas-powered engines. This rule, combined with more stringent toxic permitting requirements, could significantly reduce toxic risk from these sources. - <u>Reducing Disparities–Medium</u>: Because these sources are often located in overburdened communities, reducing the emissions of and exposures due to toxic emissions would contribute significantly to reduction of disparities resulting from stationary sources. However, it would not impact toxic pollution from mobile sources such as diesel emissions from trucks, which are also concentrated in overburdened communities.
Level of Effort: HIGH	<ul style="list-style-type: none"> - Requires development of new rule. There may not be feasible alternatives for many of the uses of diesel generators. In

	addition, there will likely be controversy about how to assess the risk from emergency operations.
Impetus / Source:	<ul style="list-style-type: none"> - Strategic Plan 2.1: Community Partnership - Richmond-North Richmond-San Pablo Path to Clean Air

Toxic Risk at Existing Facilities Phase II – Regulation 11: Hazardous Pollutants, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities	
Adopted:	November 14, 2017
Last Amended:	N/A
Purpose:	<p>The Phase I amendments, currently under development, focus on process efficiency to complete Health Risk Assessments and achieve risk reduction on a faster schedule.</p> <p>Rule 11-18 was adopted by the Air District in 2017 to address facilities whose emissions of toxic air contaminants pose a significant risk to nearby residents and workers. The purpose of Rule 11-18 is to target existing facilities with the highest health impacts across the Bay Area and require them to reduce those impacts. Rule 11-18 requires existing facilities with health risks above Risk Action Level (RAL) thresholds to either reduce those health risks below the rule's risk action thresholds or implement Best Available Retrofit Control Technology for Toxics (TBARCT) on all significant sources of health risks.</p> <p>The Risk Action Levels are 10 in a million for cancer risk and 1.0 for both acute and chronic hazard non-cancer indices.</p> <p>The Phase II amendments would increase the stringency of this rule to make it more health protective (e.g., lower Risk Action Levels). Some ideas under consideration include the following: Lowering risk reduction action levels for the most impacted communities. Considering the overall health risk “burden” (the number of individuals impacted instead of only the risk at point of highest impact). And, requiring the facility to reduce its risk below the action level regardless of availability of technology.</p>
Pollutants:	<p>Toxic air contaminants: Toxic air contaminants are “[a]ir pollutants that may cause or contribute to an increase in mortality or in serious illness or that may pose a present or potential hazard to human health.”</p> <p>Source: Rule 2-5: New Source Review of Toxic Air Contaminants, Section 2-5-22: Toxic Air Contaminant, or TAC.</p>
Sources Affected:	Existing facilities whose emissions of toxic air contaminants may result in a significant risk level to nearby receptors, such as

	residents, workers, and students. These can include foundries, refineries, gas stations, chemical plants, metal recyclers, etc.
Air Quality Benefits: HIGH	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality–Low</u>: Regionally, risk from toxic air contaminants is dominated by cancer risk from diesel particulate matter, which is overwhelmingly from mobile sources outside the regulatory authority of the Air District. - <u>Reducing exposure to Toxic and PM pollution–High</u>: These amendments have the potential to reduce facilities’ risks and community exposures to toxic compounds. - <u>Reducing Disparities–Medium-to-High</u>: Overburdened communities host a disproportionate share of the industrial sources which would reduce emissions under this rule. But mobile sources not subject to Air District regulations still drive most of the risk from toxic air pollution in these communities.
Level of Effort: HIGH	<ul style="list-style-type: none"> - Revising this rule would be potentially costly to the affected facilities in terms of the efforts to better characterize the toxic risk and burden impacting communities and the cost of reducing that risk to acceptable levels. Those costs could raise concerns regarding potential for reductions in employment at impacted facilities and compliance costs passed along to consumers. A very detailed technical and economic analysis will be required, along with a wide-ranging outreach plan.
Impetus / Source:	<ul style="list-style-type: none"> - Strategic Plan 2.1: Community Partnership - Richmond-North Richmond-San Pablo Path to Clean Air

NEW: Refinery Nitrogen Oxides (NOx) Emissions – Regulation 9: Inorganic Pollutants, Rule (TBD)	
Adopted:	TBD
Last Amended:	N/A
Purpose:	This new rule (or rule amendments) would further limit the emissions of nitrogen oxides from various combustion sources at refineries.
Pollutants:	Nitrogen oxides (a precursor to secondary particulate matter and ozone) (NOx)
Sources Affected:	<p>Refineries, primarily combustion sources (e.g. steam boilers, process furnaces, process heaters, heat transfer operations).</p> <p>Currently, many of these refinery sources nitrogen oxides are covered by:</p> <p>Regulation 9: Inorganic Gaseous Pollutants:</p> <ul style="list-style-type: none"> - Rule 3: Nitrogen Oxides from Heat Transfer Operations (Rule 9-3)

	<ul style="list-style-type: none"> - Rule 7: Nitrogen Oxides and Carbon Monoxide from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters (Rule 9-7); and - Rule 10: Nitrogen Oxides and Carbon Monoxide from Boilers, Steam Generators and Process Heaters in Refineries (Rule 9-10)
Air Quality Benefits: HIGH	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality</u> –High: Refineries are a significant source of regional NOx emissions. These NOx emissions also combine with other pollutants in the atmosphere to form particulate matter, significantly impacting public health. - <u>Reducing exposure to Toxic and PM pollution</u>–High: Significant reductions in NOx from refineries is likely to also reduce PM exposure regionally. - <u>Reducing Disparities</u>–Unclear: NOx emissions from refineries tend to be well dispersed in the atmosphere. Computer modeling will be required to assess how much of the health benefits from reductions of nitrogen oxides would disproportionately benefit communities near refineries.
Level of Effort: HIGH	<ul style="list-style-type: none"> - Significantly reducing nitrogen oxide emissions from refineries would require wholesale review of the many combustion sources at refineries, their level of control, and a review of the control technologies and approaches available to reduce those emissions. Refiners would be extremely resistant to incurring the costs associated with these controls and, therefore, be resistant to these potential changes. - The potentially high costs of controls will raise concerns about the possibility of reductions in employment in the refining sector and about the cost impacts on gasoline consumers.
Impetus / Source:	<ul style="list-style-type: none"> - Strategic Plan 2.1: Community Partnership - Richmond-North Richmond-San Pablo Path to Clean Air

NEW: Refinery Sulfur Oxides (SOx) Emissions – Regulation 9: Inorganic Pollutants, Rule (TBD)	
Adopted:	TBD
Last Amended:	N/A
Purpose:	This rule would limit the emissions of sulfur oxides from various combustion sources at refineries.
Pollutants:	Sulfur oxides (a precursor to secondary particulate matter)(SOx)
Sources Affected:	<ul style="list-style-type: none"> - Refineries, primarily combustion sources (e.g. steam boilers, process furnaces, and process heaters). Currently, sources of sulfur dioxide at refineries are subject to Regulation 9: Inorganic Gaseous Pollutants, Rule 1: Sulfur Dioxide (Rule 9-1), which is a general rule for all sources of sulfur dioxide.

Air Quality Benefits: HIGH	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality –Medium to High:</u> Reducing SOx emissions would reduce the secondary formation of particulate matter, which would reduce regional PM exposure. - <u>Reducing exposure to Toxic and PM pollution–High:</u> In absolute terms, we would expect the PM exposure reductions to be significant. These might be more localized benefits than from NOx given the shorter time required to SOx emissions to convert to particulate matter in the atmosphere. - <u>Reducing Disparities–Unclear:</u> SOx emissions from refineries tend to be well dispersed in the atmosphere. Computer modeling will be required to assess how much of the health benefits from reductions of sulfur dioxides would disproportionately benefit communities near refineries and other combustion sources.
Level of Effort: HIGH	<ul style="list-style-type: none"> - Significantly reducing sulfur dioxide emissions from refineries would require wholesale review of the many combustion sources at refineries, their level of control, and a review of the control technologies and approaches available to reduce those emissions. Refiners would be extremely resistant to incurring the costs associated with these controls and, therefore, be resistant to these potential changes. - The potentially high costs of controls will raise concerns about the possibility of reductions in employment in the refining sector and about the cost impacts on gasoline consumers.
Impetus / Source	<ul style="list-style-type: none"> - Strategic Plan 2.1: Community Partnership - Richmond-North Richmond-San Pablo Path to Clean Air

NEW: Refinery-Specific Toxic Rules – Regulation 11: Hazardous Pollutants, Rule (TBD)	
Adopted:	TBD
Last Amended:	N/A
Purpose:	These rules would limit the emissions of toxic air contaminants from specific sources at refineries. The health risk assessment performed due to Rule 11-18 should identify any significant sources of toxic emissions from refineries. If Rule 11-18 doesn't achieve sufficient risk reductions at those sources, the development of source specific toxic risk rules would further reduce toxic emissions and risk.
Pollutants:	Toxic air contaminants
Sources Affected:	Refineries
Air Quality Benefits: MEDIUM	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality –Medium:</u> Refineries are some of the largest stationary sources of toxic pollution. But this won't impact diesel exposure from mobile sources, which is the dominant regional source of air toxics.

	<ul style="list-style-type: none"> - <u>Reducing exposure to Toxic and PM pollution–Medium</u>: The resulting toxic emissions and risk from this rule would be in addition to the reductions achieved by Rule 11-18. However, source specific rules can be simpler to implement since they set clear performance standards and don't rely on industry-developed, site-specific, implementation plans. - <u>Reducing Disparities–Medium-High</u>: The additional reduction of toxic emissions would limit the exposure of nearby residents, students, and workers, which would help to reduce localized disparities.
Level of Effort: HIGH	<ul style="list-style-type: none"> - It would be important to ensure the requirements of this rule work in concert with and are not duplicative of those of Rule 11-18. Further, the refineries would likely be resistant to these requirements due to potentially high costs. - The potentially high costs of controls will raise concerns about the possibility of reductions in employment in the refining sector and about the cost impacts on gasoline consumers.
Impetus / Source	<ul style="list-style-type: none"> - Strategic Plan 2.1: Community Partnership - Richmond-North Richmond-San Pablo Path to Clean Air

NEW: Health-Based Particulate Matter Rules – Regulation 6: Particulate Matter, Rule (TBD)	
Adopted:	TBD
Last Amended:	N/A
Purpose:	<p>These rules would assess and regulate localized health risks and impacts from exposure to particulate matter emitted from sources. Rule 11-18 takes a similar approach with listed TACs. This is distinct from source-specific rules which typically specify exactly how much emissions must be reduced from identified sources.</p> <p>Particulate matter is the most health-impactful pollutant in the Bay Area, but because it is not listed as a TAC, it isn't currently considered in risk-based analysis for new and modified permits or through the Rule 11-18 process.</p>
Pollutants:	Particulate matter (PM)
Sources Affected:	Existing and new commercial and industrial sources of particulate matter, e.g.: fuel refining (refineries) and other combustion sources
Air Quality Benefits: MEDIUM	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality –Medium</u>: There are a limited number of particulate matter sources that pose a significant health impacts to nearby residents, workers, and students that are not already sufficiently addressed by current rules or rules under development.

	<ul style="list-style-type: none"> - <u>Reducing exposure to Toxic and PM pollution–High</u>: Because these rules would directly target sources of particulate matter, they could significantly reduce the public’s exposure to direct particulate matter, especially episodic exposures. - <u>Reducing Disparities–Medium</u>: Further reducing particulate matter emission would help to reduce disparities; however, it would not address particulate matter from mobile sources or transported from other areas. In West Oakland, for example, only about 10 percent of the particulate matter exposure was due to stationary sources in the neighborhood, and most of that was from mobile sources.
Level of Effort: HIGH	<ul style="list-style-type: none"> - Regulatory development in this area could be technically and legally complex as this would be a new approach to regulating particulate matter.
Impetus / Source	<ul style="list-style-type: none"> - Strategic Plan 1.1: Change Approach to Air Quality, 1.2: Stronger Regulations - Richmond-North Richmond-San Pablo Path to Clean Air - Air District staff Recommendation

NEW: Organics Materials Handling and Composting Operations - Regulation 13: Climate Pollutants, Rule 2: Organic Material Handling Operations and Rule 3: Composting Operations	
Adopted:	TBD – The formal rule development process was suspended for Rule 13-2: Organic Material Handling Operations and Rule 13-3: Composting Operations. Prior to suspension of formal rule development, the Air District presented regulatory concepts in late 2018, followed by drafts of regulatory language in June 2019 and January 2020.
Last Amended:	N/A
Purpose:	These rules would minimize emissions of methane, volatile organic and toxic compounds, and odorous substances from facilities processing organic materials, which can impact nearby residents, workers, and students.
Pollutants:	Methane, volatile organic, toxic and odor causing compounds
Sources Affected:	Solid waste processing facilities managing organic waste
Air Quality Benefits: MEDIUM	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality –Medium</u>: Organic waste management facilities are significant sources of volatile organic compounds and toxic air contaminants. Volatile organic compounds combine with other chemicals in the atmosphere to form ozone (smog) and particulate matter.

	<ul style="list-style-type: none"> - <u>Reducing exposure to Toxic and PM pollution–Medium</u>: While the emissions of toxic compounds are inconsistent, they are emitted close to ground level and have the potential to cause nearby exposures. This effort would minimize those exposures. - <u>Reducing Disparities–Medium-High</u>: Reducing exposures to toxic and odorous compound emissions would improve air quality in the neighboring communities. Many of these facilities are in overburdened communities. Further analysis would be required to better understand the potential benefits for reducing disparities.
Level of Effort: MEDIUM	<ul style="list-style-type: none"> - Considerable research has already gone into this effort. Additional effort is needed that would involve reaching out to these operations, working with state and local agencies, and engaging impacted communities. Further developing requirements that are consistent with permitting requirements are needed.
Impetus / Source	<ul style="list-style-type: none"> - Strategic Plan 4.1: Timely Permits, 4.2: Transparent Permit Process, 4.3: Consistent Permits - Air District staff Recommendation

Organic Storage Tanks – Regulation 8: Organic Compounds, Rule: 5 Storage of Organic Liquids	
Adopted:	January 1, 1978
Last Amended:	November 3, 2021
Purpose:	This rule regulates emissions of volatile organic compounds (VOCs) from the storage of organic liquids in tanks. Many of these compounds are toxic. It establishes requirements for tank design, vapor control equipment, inspection, and maintenance practices to minimize emissions from both new and existing storage tanks. Fugitive emissions from storage tanks can impact nearby residents, workers, or students. Many of these sources will also be addressed in Rule 11-18.
Pollutants:	Volatile organic compounds and toxic air contaminants
Sources Affected:	Above ground storage tanks over 264 gallons that store organic liquids at facilities such as refineries, chemical plants, bulk terminals, and wastewater treatment plants.
Air Quality Benefits: MEDIUM	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality –Medium</u>: Storage tanks such as these are significant sources of volatile organic compounds, many of which are toxic. These volatile organic compounds combine with other chemicals in the air to form ozone and particulate matter. Significant emissions reductions from tanks would be expected to have regional pollution benefits.

	<ul style="list-style-type: none"> - <u>Reducing exposure to Toxic and PM pollution–High</u>: Emissions from tanks contain toxic compounds such as benzene, toluene, ethylbenzene and xylene, and can be emitted at air temperatures and near ground level. Because of these reasons, these sources have a high potential of exposing nearby residents, workers, and students. - <u>Reducing Disparities–Medium</u>: Many of the tanks associated with refineries are located in overburdened communities. It's likely that reductions from these sources would reduce toxic emission exposure disparities. But it will vary from refinery to refinery depending on the proximity to those communities.
Level of Effort: MEDIUM	<ul style="list-style-type: none"> - This effort was included in the Assembly Bill 617 Expedited Best Available Retrofit Control Technology Schedule and Air District staff conducted some preliminary work on the source category. Additional work is needed to continue this effort.
Impetus / Source	<ul style="list-style-type: none"> - Strategic Plan: 1.1: Change Approach to Air Quality, 1.2: Stronger Regulations - Air District staff Recommendation

Industrial Boilers, Steam Generators, Process Heaters – Regulation 9: Inorganic Gaseous Pollutants, Rule 7: Nitrogen Oxides and Carbon Monoxide from Industrial, Institutional and Commercial Boilers, Steam Generators and Process Heaters	
Adopted:	Sept 16, 1992
Last Amended:	May 4, 2011
Purpose:	This rule limits nitrogen oxides and carbon monoxide emissions from boilers, steam generators, and process heaters in industrial, institutional, and commercial settings. It sets emission standards, monitoring and recordkeeping requirements, and compliance schedules to control pollution from combustion equipment.
Pollutants:	Nitrogen oxides (NOx) and carbon monoxide
Sources Affected:	Boilers, steam generators, and process heaters with heat input ratings of 1 million BTU/hour or greater—including those at food processing plants, manufacturing facilities, hospitals, universities, and commercial buildings. Refineries are subject to Rule 9-10 and are exempt from Rule 9-7.
Air Quality Benefits: MEDIUM	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality –High</u>: Reducing nitrogen oxides from this sector is expected to reduce the secondary formation of particulate matter regionally. Potential control approaches could also reduce direct particulate and climate pollutants emissions. - <u>Reducing exposure to Toxic and PM pollution–Medium</u>: This effort would reduce secondary particulate matter formation which would have an overall regional benefit. - <u>Reducing Disparities–Unclear</u>: Because it takes time for NOx to convert to particulate matter, it's unclear where the benefits of this rule would accrue. Modeling would be required to determine if this would reduce disparities in overburdened communities.
Level of Effort: HIGH	<ul style="list-style-type: none"> - Transitioning from fossil fuel energy to electricity may result in costly modifications at the impacted facilities and operations, even for highly efficient equipment like heat pumps. - Any rule that is expensive to implement will raise concerns about impacts to employment and costs being passed on to consumers.
Impetus / Source	<ul style="list-style-type: none"> - Strategic Plan: 1.1: Change Approach to Air Quality, 1.2: Stronger Regulations - Air District staff Recommendation

Autobody Operations – Regulation 8: Organic Compounds, Rule 45: Motor Vehicle and Mobile Equipment Coating Operations	
Adopted:	June 7, 1989
Last Amended:	December 3, 2008
Purpose:	This rule limits volatile organic compound (VOC) emissions from motor vehicles and mobile equipment finishing and refinishing operations. It applies to coating, surface preparation, and solvent cleaning processes used in painting vehicles. The rule sets VOC content limits for coatings and cleaning materials, requires use of high-efficiency application equipment, and establishes work practice standards to minimize emissions. The rule also incorporates the requirements of the US EPA’s federal regulation: Subpart HHHHHH—National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources
Pollutants:	Volatile Organic Compounds (VOCs) and toxic air contaminants: methylene chloride (MeCl), chromium (Cr), lead (Pb), manganese (Mn), nickel (Ni), and cadmium (Cd)
Sources Affected:	A facility or operation involved in the coating of motor vehicles and mobile equipment: e.g.: Autobody shops, Dealerships, Fleets, Mobile refinishing units, etc. (Light and medium-duty motor vehicle assembly plants are subject to Rule 8-13 and are exempt from Rule 8-45.)
Benefits: MEDIUM	<ul style="list-style-type: none"> - <u>Improving Regional Air Quality –High</u>: Many of these operations are located in residential areas and can have localized impacts. This effort would reduce emissions for particulate matter from overspray and toxic compounds such as parachlorobenzotrifluoride (PCBTF) from these operations. With enhanced inspection combined with community awareness and action, rogue operators can be located and addressed. - <u>Reducing exposure to Toxic and PM pollution–High</u>: This effort would reduce particulate matter from overspray and toxic compounds from these operations. - <u>Reducing Disparities–medium</u>: Ensuring the impacts from these operations would greatly reduce their impacts on their neighbors, but their general benefits from reducing their emissions may not extend to the larger communities.
Level of Effort: MEDIUM	<ul style="list-style-type: none"> - Most of these operations may already be using the control techniques that will be considered. Further, CARB and the South Coast Air Quality Management District develop control approaches for these operations. These efforts could benefit

	reducing the impacts of these operations here in the Air District.
Impetus / Source	<ul style="list-style-type: none"> - West Oakland Community Action Plan; - Richmond- North Richmond,-San Pablo Path to Clean Air



Mid-Year Review of the 2025-2026 Regulatory Agenda

Stationary Source Committee

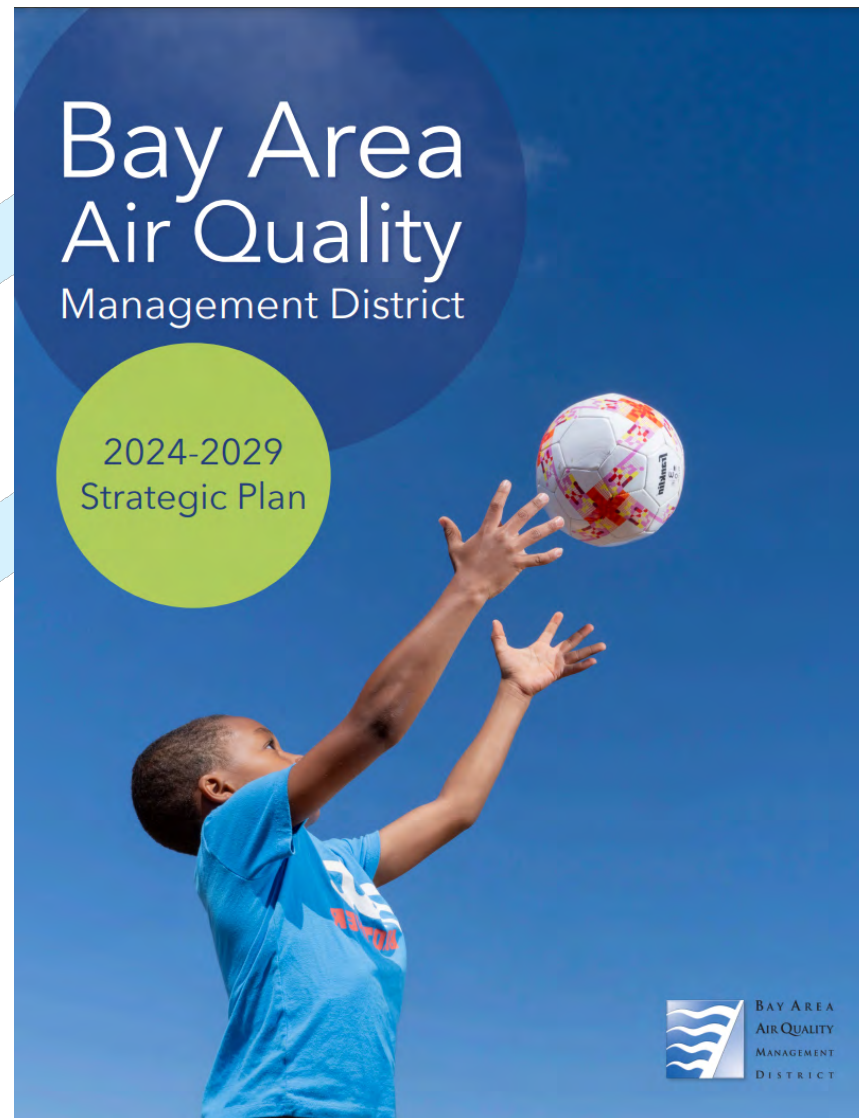
June 11, 2025

Bradley Cole
Manager
Regulatory Development Division

Overview

- Rule Development Plan Background
- How do we prioritize rule projects?
- Current and Planned Rule Development
- Next Steps

Strategic Plan Goals



Four Primary Goals:

- Achieve Impact
- Advance Environmental Justice
- Foster Cohesion and Inclusion
- Maintain an Effective, Accountable, and Customer-Oriented Organization

Strategic Plan Goals and Strategies

Effective rules are critical to achieving every Goal in the Air District's Strategic Plan

Our rules and regulatory development efforts are powerful tools that will help achieve beneficial impacts and further address environmental justice concerns



Prioritization Criteria

- Board Direction
- Air Quality Benefits & Impacts
- Air Quality Mandates (e.g., SIP, legislation)
- Community Concerns / Stakeholder Input
- Community Emissions Reduction Plans
- Strategic Plan Alignment
- Effective and Accountable Governance



Note: SIP: State Implementation Plan

Rule Development Impetus Sources

Path to Clean Air (PTCA)

- Richmond-North Richmond-San Pablo Community Steering Committee

West Oakland Community Action Plan (WOCAP)

- WOCAP Steering Committee
- West Oakland Environmental Indicators Project

Community Advisory Council

Air District staff input

Current & Planned Rule Development

Project	Milestone / Timing
Fugitive Dust (Rules 6-1 & 6-6)	Publish Draft / July 2025
Metal Recycling and Shredding Operations (Rule 6-4)	Kick-off Workshop / June 2025
Toxic Risk at Existing Facilities Phase I (Rule 11-18)	Publish Draft / August 2025
Appliance Rules Flexibility (Rules 9-4 & 9-6)	Kick-off Workshop / August 2025
Woodburning Devices (Rule 6-3) and Open Burning (Reg 5)	Kick-off Workshop / June 2025
Minimize Flaring (Rules 12-11 & 12-12)	RTWG Kick-off / June 2025

Note:

- **Kick-off:** Officially Initiates the Public Process
- **Draft:** Draft Rule Language for Public Comment
- **RTWG:** Refinery Technical Working Group

Current & Planned Rule Development

Project	Milestone / Timing
State Implementation Plan (SIP) - (Federal Clean Air Act Requirements) Amendment Package	RACT/RACM Initiated / Q2 2025
Indirect Source Rule (Reg 11 or 12)	Initiate Rule Development / Q2 2025
Refinery Fenceline Monitoring (Rule 12-15)	Initiate Rule Development / Q3 2025
Refinery Emissions Inventory (Rule 12-15)	Initiate Rule Development / Q3 2025
Permitting Efficiencies, Including Backup Generators (Rules 2-1, 2-2, 2-5)	Initiate Rule Development / Q3 2026

Note:

- **RACT:** Reasonably Available Control Technology
- **RACM:** Reasonably Available Control Measure

Level of Effort

Air District Effort due to Complexity, Costs, Impacts and Policy Concerns	Duration	Example Rulemaking
Highly Complex / Policy Concerns	>2.5 yrs	Appliance Nitrogen Oxide Emissions (Rules 9-4 & 9-6)
Complex / Policy Concerns	1.5 – 2.5 yrs	Fluidized Catalytic Cracking Units (Rule 6-5)
Straightforward / Some Policy Concerns	1 – 2 yrs	Residential Woodburning (Rule 6-3)
“Clean-Up” / Policy Neutral	0.5 – 1.5 yrs	Definition of “Refinery,” Permit Efficiency

Air Quality Impacts

Criteria	Benefits	Organic Storage Tanks (Rule 8-5)
Improving Regional Air Quality	Air quality improvements across the region	VOCs as precursor to Ozone and PM
Reducing Exposure to Toxic and PM Pollution	Lessen public's exposure to PM and toxics	Emissions contain toxic compounds at ground level
Reducing Disparities	Impacts locally in overburdened communities	Refineries located in overburdened communities

Considered Rule Development

Project by Priority	AQ Benefits	Level of Effort	CAC Tally
Toxic Risk at Existing Facilities Phase II (Rule 11-18)	High	High	10
Backup Generators / Data Centers (new)	Medium	High	4
Toxic New Source Review / Cumulative Impacts (Rule 2-5)	Medium	High	6
Refinery-Specific Toxic Rules (new)	Medium	High	1
Health-Based PM Rules (new)	Medium	High	9
Permitting Upgrades (Rules 2-1, 2-2, & 2-5)	High	Medium to High	1

Considered Rule Development (cont.)

Project	AQ Benefits	Level of Effort	CAC Tally
Refinery Sulfur Oxides (SOx) Emissions (new)	High	High	0
Refinery Nitrogen Oxides (NOx) Emissions	High	High	1
Organics Materials Handling and Composting Operations	Medium	Medium	1
Organic Storage Tanks (Rule 8-5)	Medium	Medium	1
Industrial Boilers, Steam Generators, Process Heaters (Rule 9-7)	Medium	High	0
Autobody Operations (Rule 8-45)	Medium	Medium	1

Next Steps

Frequently evaluate resource needs to stay on track

- Limited Term Contract Employee (LTCE) positions supporting Assembly Bill (AB) 617 (2x)
- 3 Full Time Equivalents (FTE) approved in 2025-2026 Budget

Continually consult with communities

- AB 617 Community Meetings
- Refinery Corridor Bimonthly

Routinely report to the Committee and Board of Directors

Questions & Discussion

For more information:

Bradley Cole | Manager, Rules & Strategic Policy | bcole@baaqmd.gov

BAY AREA AIR DISTRICT
Memorandum

To: Chairperson Ken Carlson and Members
of the Stationary Source Committee

From: Philip M. Fine
Executive Officer/APCO

Date: June 11, 2025

Re: Development of a Targeted Inspection Program and Policy

RECOMMENDED ACTION

None; the Committee will discuss this item, but no action is requested at this time.

BACKGROUND

The Air District is developing and implementing a new Targeted Inspection Program and Policy as part of our 2024-2029 Strategic Plan. The program is aimed at advancing Environmental Justice initiatives and enhancing enforcement by utilizing comprehensive data analyses and tools to better identify compliance issues, prioritize inspections, and target enforcement resources. The Targeted Inspection Program and Policy will integrate new enforcement strategies, starting in Assembly Bill (AB) 617 communities, and create a more robust program that strives to identify and resolve community concerns more efficiently and effectively. The program and policy will help transform the current General Inspection Program into one that seeks to identify and reduce disparities and align with the Air District's Environmental Justice initiatives.

The new Targeted Inspection Program and Policy will organize the general inspection frequencies for routine inspections by source categories and implement targeted strategies where potential non-compliance and health impacts are high. A key focus will be on leveraging compliance and enforcement data, health risk data, and utilizing community experience and knowledge to pinpoint local air quality issues. Identifying and analyzing compliance trends will be an important aspect of the program to prioritize inspections and direct staff resources more efficiently and effectively. By focusing on the most significant sources of noncompliance, the policy aims to allocate enforcement resources where they are most needed, while still maintaining a rigorous inspection program throughout the Bay Area.

DISCUSSION

The development of a Targeted Inspection Program and Policy represents a significant shift in how air quality enforcement is approached. By leveraging information-driven

decision-making, the program aims to improve existing routine-based inspections and focus enforcement efforts on sources that have the highest potential for impacting air quality and public health. This strategic shift is essential in addressing both compliance challenges and environmental justice concerns, particularly in AB 617 and overburdened communities.

Traditional inspection models often rely on predetermined schedules or random site visits based on the last inspection conducted. While these methods ensure broad regulatory coverage, they do not always effectively identify the most significant polluters or emerging non-compliance trends. An information-driven approach allows the Air District to target and allocate limited resources more effectively by prioritizing inspections based on:

- **Compliance History** – Facilities with repeat violations can be subject to more frequent and/or focused inspections
- **Non-Compliance Trends Identified through Enforcement Data** – Identify patterns of violations across specific source categories or operation types
- **Sources with the Highest Potential Impact on Public Health** – Leverage prioritization scores and emissions inventory data to target inspections at facilities with the highest potential risk to public health
- **Community Engagement and Partnership** – Utilize community knowledge and understanding of local air quality issues to better address compliance concerns

A targeted inspection approach represents a modernization of air quality enforcement, ensuring that inspections are more strategic, equitable, and impactful. Engaging AB 617 and other overburdened communities, and coordinating with our regulatory partners will be a key facet of the program to increase inspection transparency and spotlight compliance concerns. The benefits of improving compliance, protecting vulnerable communities, and optimizing enforcement efforts make this program and policy shift a critical step forward to align with the goals and mission of the Air District.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Dennis Quach
Reviewed by: Tracy Lee and Jeff Gove

ATTACHMENT(S):

1. Targeted Inspection Program and Policy Presentation



Development of a Targeted Inspection Program & Policy

Stationary Source Committee

June 11, 2025

Dennis Quach

Air Quality Specialist

Compliance & Enforcement Division

Presentation Outline

- Strategic Plan Framework
- Targeted Inspection Program and Policy: Goals and Objectives
- Current Inspection Program Background
- Overview of Targeted Inspection Program and Policy
 - General Inspection Program Priorities
 - Enhanced Inspection Priorities in Overburdened Communities
 - Analyze Compliance Data to Target Inspections
 - Community Engagement and Partnership
 - Additional Strategies Associated with Policy Changes
 - Pilot Project in Bayview-Hunters Point
- Next Steps
- Discussion Questions

Strategic Plan Framework



Strategy 1.6: New Enforcement Policy

Strategy 4.5: Improve Compliance Investigations

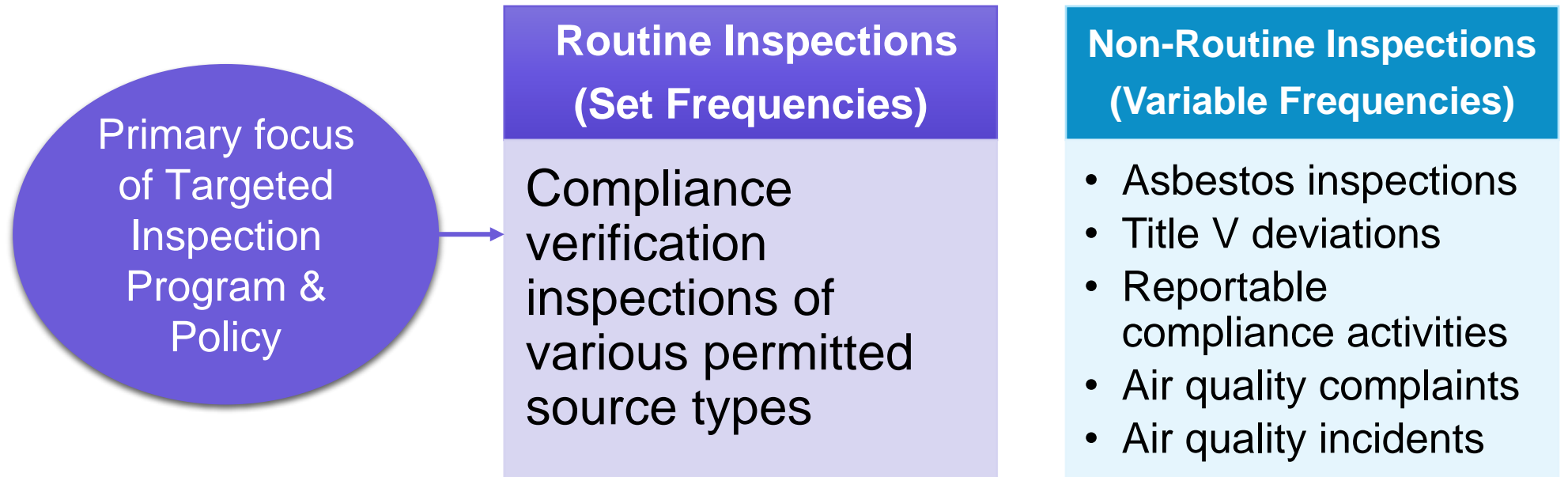
Targeted Inspection Program and Policy Goals & Objectives

- Align with the Air District Strategic Plan to provide **transparency** into how routine compliance work is prioritized across the nine Bay Area counties and with a key focus on overburdened communities, starting with Assembly Bill (AB) 617 communities
- Improve inspection program by incorporating **routine data review and analysis** to identify sites/facilities in AB 617 communities that require additional enforcement efforts
- Integrate internal and external information and **utilize community knowledge and experiences** to pinpoint compliance issues
- Direct staffing resources **more efficiently and effectively** to target non-compliance and repeat violators, and resolve community concerns in AB 617 areas

Current Inspection Program Background

- Permitted sources have set routine inspection frequencies based on:
 - Non-attainment status for Ozone from the 90's
 - Volatile organic compounds (VOCs) such as solvent and coating operations, printing, petroleum refining, electronics and chemical manufacturing, etc.
- The set inspection frequencies are now outdated and do not effectively address other pollutants of concern, changing compliance issues, and community concerns

Compliance Inspection Types



Elements of a Compliance Inspection

An **inspection** typically includes the following activities:

Review Permits

- Review Air District permit for accuracy and applicable regulations

Onsite Inspection

- Inspection of equipment, operations, abatement devices, and controls, including general housekeeping

Records Review

- Ensure compliance with recordkeeping requirements (e.g., usage logs and permit condition limits, emissions testing, monitoring, maintenance, etc.)

Inspection Report

- Document inspection findings in a compliance report with a determination of compliance or Notice of Violation (NOV)

Overview of a Targeted Inspection Program and Policy



General Inspection Program Priorities (*Air District-wide*)

- Update inspection frequencies across the nine counties based on various source types, facilities, and operations
 - Title V facilities
 - Sites/facilities with elevated health risk



AB 617 Priority Areas

- Prioritizes and identifies community concerns
- Incorporates information-driven compliance strategies to target non-compliance

Routine Inspections by Source Types

Title V & Synthetic Minor Facilities

- **Major Facility (Title V):** A facility with the potential to emit 100 tons/yr of criteria air pollutants (CAP) or 10 tons/yr of Hazardous Air Pollutant (HAP)
- **Synthetic Minor:** A facility that emits or has the potential to emit at or above 80% of the Title V threshold
- Federal Environmental Protection Agency (EPA) Compliance Monitoring Strategy (CMS) recommends the following inspection frequency
 - **Title V:** Every **2 fiscal years**
 - **Synthetic Minor:** Every **5 fiscal years**

Fixed Inspection Frequencies	
Title V & Synthetic Minor Facilities	1.5 years
Facilities with Elevated Health Risks	1.5 years
Industrial Sources and Operations (non-Title V/Synthetic Minor Facilities)	
<ul style="list-style-type: none">Landfills and Organic Material Handling OperationsTanks, Terminals, and Bulk PlantsMetal Shredding and Recycling OperationsAggregate, Cement, and Asphalt Plants	2 years
<ul style="list-style-type: none">Surface Coating and Prep, Solvent, Adhesive and Resin OperationsWastewater Treatment OperationsChrome Plating OperationsCombustion SourcesGasoline Dispensing Facilities (Retail)	3 years
<ul style="list-style-type: none">Auto Body Coating OperationsPrinting OperationsSoil Groundwater Remediation / Soil Vapor ExtractionFood & Agricultural ProcessesDry Cleaners	4 years
<ul style="list-style-type: none">Gasoline Dispensing Facilities (Non-Retail)	5 years

Routine Inspections by Source Types

Facilities with Elevated Health Risks

- Focus compliance efforts on facilities that have been identified with elevated health risks
 - Utilize prioritization scores to guide inspection priorities
 - Prioritization scores are based on the quantity of toxic air contaminants (TACs), the relative toxicity of the TACs emitted, and the proximity of the facility to possible receptors
 - Prioritization scores are updated annually

Fixed Inspection Frequencies	
Title V & Synthetic Minor Facilities	1.5 years
Facilities with Elevated Health Risks	1.5 years
Industrial Sources and Operations (non-Title V/Synthetic Minor Facilities)	
<ul style="list-style-type: none">Landfills and Organic Material Handling OperationsTanks, Terminals, and Bulk PlantsMetal Shredding and Recycling OperationsAggregate, Cement, and Asphalt Plants	2 years
<ul style="list-style-type: none">Surface Coating and Prep, Solvent, Adhesive and Resin OperationsWastewater Treatment OperationsChrome Plating OperationsCombustion SourcesGasoline Dispensing Facilities (Retail)	3 years
<ul style="list-style-type: none">Auto Body Coating OperationsPrinting OperationsSoil Groundwater Remediation / Soil Vapor ExtractionFood & Agricultural ProcessesDry Cleaners	4 years
<ul style="list-style-type: none">Gasoline Dispensing Facilities (Non-Retail)	5 years

Routine Inspections by Source Types

- Compliance priorities are based on the type of site, facility, and sources of operation
- Inspection frequencies and source categories to be inspected may occasionally be adjusted or augmented to address:
 - Known causes for potential compliance concerns
 - Community-identified site/facility of significance

Fixed Inspection Frequencies	
Title V & Synthetic Minor Facilities	1.5 years
Facilities with Elevated Health Risks	1.5 years
Industrial Sources and Operations (<i>non-Title V/Synthetic Minor Facilities</i>)	
<ul style="list-style-type: none">• Landfills and Organic Material Handling Operations• Tanks, Terminals, and Bulk Plants• Metal Shredding and Recycling Operations• Aggregate, Cement, and Asphalt Plants	2 years
<ul style="list-style-type: none">• Surface Coating and Prep, Solvent, Adhesive and Resin Operations• Wastewater Treatment Operations• Chrome Plating Operations• Combustion Sources• Gasoline Dispensing Facilities (Retail)	3 years
<ul style="list-style-type: none">• Auto Body Coating Operations• Printing Operations• Soil Groundwater Remediation / Soil Vapor Extraction• Food & Agricultural Processes• Dry Cleaners	4 years
<ul style="list-style-type: none">• Gasoline Dispensing Facilities (Non-Retail)	5 years

Enhanced Inspection Priorities in Overburdened Communities



Methodology in Information-Driven Compliance Strategies

- **Utilize community knowledge and understanding** of local air quality issues to better address compliance concerns
- Review and **analyze the last three years of compliance data** such as Notice of Violation (NOV), Air Quality Complaint, inspection history data
- **Identify non-compliance trends** for inspections and additional actions
 - Allocate staffing resources towards areas or sites/facilities that have patterns of non-compliance for further investigation/inspection

Analyze Compliance Data to Target Inspections

NOV Data & Inspection History

- Identify sites/facilities with reoccurring violations
- Identify reoccurring non-compliance issues at the same sources/operations
- Prioritize additional inspections/investigations

Air Quality Complaint Data

- Identify hotspots, patterns, and reoccurrences of emissions
- Prioritize area patrols and inspections

Collaborative Identification

- Enhance internal collaboration and align priorities across divisions
- Coordinate with external partners and local regulators

Community Engagement and Partnership

- Utilize community knowledge and understanding of local air quality issues to target compliance concerns

Leverage
Information
to Target
Inspections

Community Engagement and Partnership

Collaborate with the Environmental Justice Division to solicit community knowledge and experiences to target air quality concerns

- Identify community partners
- Develop tools for the community to interact with the Air District to collect data on air quality issues (e.g., Air Pollution Log)
- Establish scope, protocol, timeline, resource commitment, and set expectations



Additional Strategies Associated with Policy Changes

- Expand staff coverage *outside of business hours*
- New Data Collection Tools
 - Air Pollution Log
 - Develop a “Whistleblower” Tip Line
- Utilize data to support work across the Air District (e.g., prioritize and inform emissions monitoring and other data analyses)
- Continue to update Targeted Inspection Program & Policy goals and methodologies
- Increase inspection transparency by providing compliance updates on the website

Pilot Project in Bayview-Hunters Point

- **Enforcement Data Analysis**

- Redirect staffing resources to inspect an additional 33 priority sites/facilities in Bayview-Hunters Point (BVHP)

- **Enhance Internal and External Collaboration**

- Identify other potential compliance concerns

- **Expand Enforcement Activities Beyond Regular Business Hours**

- Data and information-driven

- **Inspect New Sources and Facilities Prior to Start-Up**

- **Air Pollution Log**

- New community data collection tool

Community-Identified Concerns

Bayview-Hunters Point (BVHP) community provided a list of 43 sites/facilities of concern

Investigation Results

4 violations issued

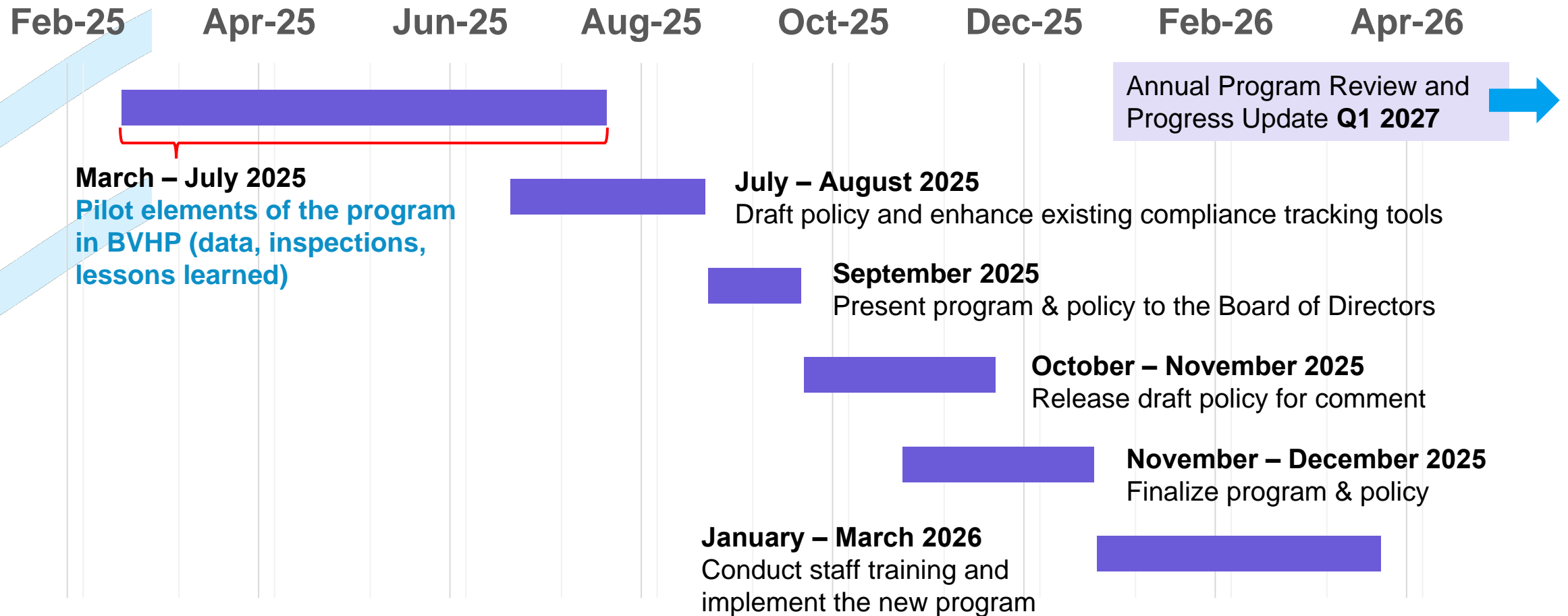
4 unpermitted or not registered

2 have permits

32 exempt from permits

5 pending further review (records)

Next Steps



Questions & Discussion

For more information:

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