

FILED

DEC 10 2025

HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

BEFORE THE HEARING BOARD
OF THE
BAY AREA AIR QUALITY MANAGEMENT DISTRICT
STATE OF CALIFORNIA

In the Matter of the Application of
Air Products
For Emergency Variance from Air District
Permit Condition #12271, Parts 29 and 31

) Docket No.: 3767

) ORDER GRANTING EMERGENCY
VARIANCE

The above-entitled matter, being an Application for Emergency Variance (EV) from the provisions of Air District Permit Condition #12271, Parts 29 and 31, was filed on December 3, 2025, after initial contact on the same day, and having been considered by the Hearing Board, THE HEARING BOARD STATES as the reasons for its decision and FINDS as to those matters in which findings are required:

A. Applicant filed an application under the Hearing Board Rules, Section 7.11(a), and the Hearing Board determined that this Application properly could be ruled upon without notice and hearing. Prior to making this determination, and in accordance with Hearing Board Rules Section 7.11(c), the Hearing Board requested and received a response to this Application from the Executive Officer/Air Pollution Control Officer for the Bay Area Air Quality Management District (Air District). The Air District staff response recommended the Application for EV be granted.

B. Applicant operates the industrial hydrogen plant at the Martinez Refining Company (MRC) in Martinez, California.

C. In November 2025, Applicant became aware that the operating data indicated that the electric heating element (E-119) associated with the HP-3 unit (S-4160) Steam Methane Reformer (SMR) furnace (S-4161) was underperforming. Applicant confirmed that the electric

1 heating element (E-119) is degrading at a faster rate than expected and would require
2 replacement to ensure NOx emissions from the SMR stack meet the Title V limit of 10 ppmv,
3 dry, corrected to 3% oxygen, averaged over 3 hours per permit condition 12271 part 29.
4 Applicant stated that they have a new electric heat element (E-119) on site, fully functional,
5 and that the changeout should take no longer than 12 hours (one shift).

6 D. Applicant requested an emergency variance period of December 8, 2025, to
7 December 19, 2025. Total emissions from granting this Variance are less than the emissions
8 from the shutdown and startup where the emissions are exempt from the Permit Condition
9 limits. Calculations provided by the Applicant and checked by Air District staff, calculate
10 approximately 153 pounds of NOx emissions to the atmosphere with the assumption of 90%
11 destruction efficiency for the variance and approximately 541 pounds NOx emissions to
12 shutdown and restart the Hydrogen Plant. Applicant shall submit any required Reportable
13 Compliance Activity (RCA) for indicated excesses as well as any deviations for deviating from
14 the Major Facility Review (Title V) permit conditions during the Emergency Variance period.

15 E. The Applicant does meet the good cause standard for an issuance of an
16 Emergency Variance under either the Hearing Board Rules or the applicable provisions of the
17 Health and Safety Code.

18 THEREFORE, THE HEARING BOARD ORDERS:

19 The Application for Emergency Variance from Air District Permit Condition #12271, Parts 29
20 and 31, is hereby granted, for a period from December 11 or 12, 2025 (whichever of those two
21 dates on which the work begins), until midnight on December 12, 2025.

22
23
24 *Rajiv Dabir*

25 _____
26 Rajiv Dabir, P.E.
27 Hearing Board Member
28 Bay Area Air Quality Management District

_____ 12/10/2025 _____

Date

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2 OF THE
3 BAY AREA AIR QUALITY MANAGEMENT DISTRICT
4 STATE OF CALIFORNIA

4 In the Matter of the Application of)
5 Air Products)
6 For Emergency Variance from Air District)
7 Permit Condition #12271, Parts 29 and 31)

Docket No.: 3767
CERTIFICATE OF SERVICE



8
9
10 STATE OF CALIFORNIA)
11 City and County of San Francisco) ss.

12 I, Marcy Hiratzka, do hereby certify under penalty of perjury as follows:
13 That I am a citizen of the United States, over the age of 18 years and not a party to the above-
14 entitled action; that I served a true copy of the attached **Order Granting Emergency
Variance** on:

15 Scott Pierce, Environmental Specialist
16 Air Products
17 110 Waterfront Road
18 Martinez, CA, 94553
19 pierceas@airproducts.com

via email on December 10, 2025 and on:

20 Brian Case, Esq., Assistant Counsel
21 Bay Area Air Quality Management District
22 375 Beale Street, 6th Floor
23 San Francisco, California 94105
24 bcase@baaqmd.gov

via email on December 10, 2025

25 DATED: December 10, 2025

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27
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Marcy Hiratzka
Clerk of the Boards