

Bay Area Air Quality Management District

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San Francisco, California 94105  
(415) 749-5073

**APPROVED MINUTES**

Summary of Board of Directors  
Stationary Source Committee Meeting  
Monday, January 30, 2017

**1. CALL TO ORDER – ROLL CALL**

Stationary Source Committee (Committee) Chairperson John Gioia called the meeting to order at 9:32 a.m.

Present: Committee Chairperson John Gioia; Vice-Chairperson Rod Sinks; and Directors David Canepa, Scott Haggerty, Karen Mitchoff, and Jim Spering.

Absent: Directors Carole Groom, Nate Miley, and Brad Wagenknecht.

Also Present: None.

**2. APPROVAL OF THE MINUTES OF SEPTEMBER 19, 2016 (OUT OF ORDER, ITEM 3)**

Public Comments:

No requests received.

Committee Comments:

None.

Committee Action:

Director Spering made a motion, seconded by Vice Chair Sinks, to approve the Minutes of September 19, 2016; and the motion carried by the following vote of the Committee:

AYES: Canepa, Gioia, Mitchoff, Sinks, and Spering.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Groom, Haggerty, Miley, and Wagenknecht.

### 3. RULE DEVELOPMENT UPDATES (ITEM 4)

Mr. Broadbent, Executive Officer/Air Pollution Control Officer, briefly described how the three Draft Rules (12-16, 11-18, and 13-1) which are currently under development came about. Mr. Broadbent then introduced Greg Nudd, Rule Development Manager, who gave the staff presentation *Rule Development Updates*, including: overview; refinery rulemaking history - Board Resolution 2014-07, progress, and work on Draft Rule 12-16; Draft Rule 13-1 (first rule of combustion strategy), and how these rules compare; Draft Rule 11-18; schedule; and next steps.

NOTED PRESENT: Director Haggerty was noted present at 9:51 a.m.

#### Public Comments:

Rev. Will Scott, California Interfaith Power and Light; Nohemy Revilla, San Francisco Public Utilities Commission; Katherine Hreib, United Religions Initiative; Charles Stott, San Francisco resident; Roger Lin, Communities for a Better Environment (CBE); Steven Yang, Chevron; Kathy Kerridge, Benicians for a Safe and Healthy Community; Andres Soto, CBE; David Gassman, Sunflower Alliance; Lori Schectel, Central Contra Costa County Sanitary District; Randy Schmidt, Bay Area Clean Water Agencies (BACWA); Rebecca Auerbach, Richmond resident; Pam Ramirez, California Nurses Association (CNA); Pat Toth-Smith, Benicia resident; Rebecca Milliken, Berkeley Climate Action Coalition and Ecology Center; Mark Miner, Unitarian Universalist Church of Berkeley; Susan Segal, Oakland resident; Carolyn Bowden, CNA; Dr. Jody Ullom, M.D.; Carolyn Norr, Families Against Fossil Fuels; Debora Amour, CAN; Nick Despota, Richmond resident; Richard Gray, 350 Bay Area; Daniela Lapidous, San Francisco resident; Shoshana Wechsler, Sunflower Alliance; David McCoard, Sierra Club; Richard Quiroz, Chevron; Steve Nadel, Sunflower Alliance; Larine Fox, Benicia resident; Bob Harlow, United Marin 2020; Louise Chegwidden, Oakland resident; Albert Kueffner, Western Service Workers Association; Ryan Geller, San Pablo resident; Susan Nelson, Shell; Jim Flores, Shell; David Williams, BACWA; Julia Winiarski, Napa resident; Bill Quinn, California Council for Environmental and Economic Balance; Ratha Lai, Asian Pacific Environmental Network; Mike Miller, United Steelworkers Local 326; Brittany King, Sierra Club; Nancy Cuellar, CBE; Laura Gracia, CBE; Aimee Lohr, Phillips 66; Matt Buell, Tesoro; Marc Ventura, Phillips 66; Greg Reed, Chevron; Stacey Gestler, Phillips 66; Bill Gamba, Phillips 66; Jim Wilson, Napa Vision 2050; and Bob Brown, Western States Petroleum Association.

#### Committee Comments Prior to Public Comments:

The Committee and staff discussed provision 38562.5 of AB 197, regarding the prioritization of regulations that result in direct emission reductions at large stationary sources of greenhouse gas emissions sources in disadvantaged communities, and how the California Air Resources Board (CARB) addresses regulatory measures outside of Cap and Trade in its revised Scoping Plan; the origins and intended purpose of Draft Rule 13-1, and whether or not it is complimentary with CARB's revised Scoping Plan and Low Carbon Fuel Standard, and how it could potentially impact the adoption schedule of Draft Rules 12-16 and 11-18; Staff's explanation of why it believes that the court would likely find Draft Rule 12-16 arbitrary and capricious, based on the limits of the District's authority and its selection of approaches for different industries; the types of facilities (cement kilns, chemical operations, power generation) that are likely to be affected by a future set of regulations intended to follow Draft Rule 13-1; the six rules that the Board adopted since 2015,

regarding refinery strategy goals; the reality that the State plans to move away from the reliance on fossil fuels in an effort to achieve a 40% reduction in greenhouse gas (GHG) emissions by 2030; the need to balance the reduction of toxic and GHG emissions; how publicly owned treatment works facilities may be affected by District rules, and the parameters and economic indicators that are examined by the District when a new rule is being considered; the Board's acknowledgement of the fact that District meeting times can conflict with the schedules of those from the public who wish to give comments; assumptions that the District is aligned with the refinery industry at the expense of public health; the potential misconception that the Board has formed a consensus regarding how it plans to vote on the rules currently under development; the public's desire that the May 17, 2017, Board meeting be held in a refinery community at a time that would allow more members of the community to attend; and the hope that the California will exhibit tenacity regarding environmental initiatives and programs, despite a lack of federal support.

Committee Action:

None; receive and file.

**4. PUBLIC COMMENT ON NON-AGENDA MATTERS (ITEM 2)**

Public Comments were made by the following speakers: Elsa Stevens, Richmond resident; Jan Warren, Interfaith Climate Action Network of Contra Costa County; and Martha McAward, Chevron.

**5. COMMITTEE MEMBER COMMENTS**

None.

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

Monday, March 20, 2017, Bay Area Air Quality Management District Office, 375 Beale Street, San Francisco, California 94105 at 10:30 a.m.

**7. ADJOURNMENT**

The meeting adjourned at 12:17 p.m.

*/s/ Marcy Hiratzka*  
Marcy Hiratzka  
Clerk of the Boards