



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
STATIONARY SOURCE COMMITTEE

COMMITTEE MEMBERS

JOHN BAUTERS - CHAIR
DAVID CANEPA
CAROLE GROOM
NATE MILEY
JIM SPERING

KAREN MITCHOFF – VICE CHAIR
JOHN GIOIA
TYRONE JUE
MARK ROSS
BRAD WAGENKNECHT

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY
EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

- **MEMBERS OF THE COMMITTEE MUST PARTICIPATE BY
TELECONFERENCE**
- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST OF
THE MEETING BY CLICKING THE LINK AVAILABLE ON THE AIR
DISTRICT'S AGENDA WEBPAGE FOR THE MEETING AVAILABLE AT**

www.baaqmd.gov/bodagendas

**PLEASE CLICK THE LINK BELOW TO JOIN THE WEBINAR
WEBINAR ID: 975 0003 4987**

<https://bayareametro.zoom.us/j/97500034987>

- **PUBLIC COMMENTS WILL BE TAKEN DURING THE TELECONFERENCE.
INSTRUCTIONS WILL BE PROVIDED ON HOW TO COMMENT AT THE
START OF THE MEETING. COMMENTS MAY ALSO BE SUBMITTED AT**

Comments@baaqmd.gov

**WEDNESDAY
JUNE 17, 2020
9:30 A.M.**

AGENDA

1. CALL TO ORDER - ROLL CALL

PUBLIC MEETING PROCEDURE

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

***Comment on Agenda Items:** The public may comment on each item on the agenda. Email Comments for items on the agenda must be submitted to Comments@baaqmd.gov prior to the Committee taking up the particular item and indicate the agenda item to which the comment relates. Emailed comments will be considered as the agenda item is taken up by the Committee. Emailed comments containing 250 words or less will be read aloud by staff. Emailed comments exceeding 250 words may be summarized during the meeting, if feasible. Comments may also be made during the teleconference. Instructions will be provided at the start of the meeting.*

Staff/Phone (415) 749-

2. APPROVAL OF THE MINUTES OF APRIL 22, 2020

Clerk of the Boards/5073

The Committee will consider approving the draft minutes of the Stationary Source Committee meeting of April 22, 2020.

3. UPDATE ON THE DEVELOPMENT OF DRAFT AMENDMENTS TO REGULATION 6, RULE 5 (RULE 6-5): PARTICULATE EMISSIONS FROM PETROLEUM REFINERY FLUIDIZED CATALYTIC CRACKING UNITS

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Committee will receive an update to discuss the current status of rule development efforts for Rule 6-5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units.

4. **UPDATE ON THE IMPLEMENTATION OF REGULATION 11, RULE 18 (RULE 11-18): REDUCTION OF RISK FROM AIR TOXIC EMISSIONS AT EXISTING FACILITIES**

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Committee will receive an update on the Air District's implementation of Rule 11-18: Reduction of Risk from Air Toxic Emission at Existing Facilities. Including a review of the rule requirements and a discussion of the implementation status for Phase I facilities.

5. **UPDATE ON THE ODOR ATTRIBUTION STUDY IN THE SOUTH BAY**

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Committee will receive an update on the Air District's South Bay Odor Study.

6. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

Emailed comments indicating the comment pertains to non-agenda matters will be considered under this item. Emailed comments containing 250 words or less will be read aloud by staff. Emailed comments exceeding 250 words may be summarized during the meeting, if feasible. Comments may also be made during the teleconference. Instructions will be provided at the start of the meeting.

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**

At the Call of the Chair.

9. **ADJOURNMENT**

The Committee meeting shall be adjourned by the Committee 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 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 Quality Management 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, Rex Sanders, at (415) 749-4951 or by email at rsanders@baaqmd.gov.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

EXECUTIVE OFFICE:

MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

JUNE 2020

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Stationary Source Committee	Wednesday	17	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee	Thursday	18	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Climate Protection Committee	Thursday	18	11:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Budget & Finance Committee - CANCELLED	Wednesday	24	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee - CANCELLED & RESCHEDULED TO THURSDAY, JUNE 25, 2020 AT 9:30 A.M.	Wednesday	24	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee – CANCELLED & RESCHEDULED TO THURSDAY, JUNE 18, 2020 AT 9:30 A.M.	Wednesday	24	11:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source Committee – CANCELLED & RESCHEDULED TO WEDNESDAY, JUNE 17, 2020 AT 9:30 A.M.	Wednesday	24	12:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Climate Protection Committee – CANCELLED & RESCHEDULED TO THURSDAY, JUNE 18, 2020 AT 11:30 A.M.	Wednesday	24	2:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Thursday	25	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

MV – 6/4/2020 – 12:58 P.M.

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John Bauters and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 10, 2020

Re: Approval of the Minutes of April 22, 2020

RECOMMENDED ACTION

Approve the attached draft minutes of the Stationary Source Committee (Committee) meeting of April 22, 2020.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of April 22, 2020.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 2A: Draft Minutes of the Committee Meeting of April 22, 2020

AGENDA: 2A – ATTACHMENT

Draft Minutes – Stationary Source Committee Meeting of April 22, 2020

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

DRAFT MINUTES

Summary of Board of Directors
Stationary Source Committee Meeting
Wednesday, April 22, 2020

This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.

1. CALL TO ORDER – ROLL CALL

Stationary Source Committee (Committee) Chairperson John Bauters called the meeting to order at 12:59 p.m.

Present: Committee Chairperson John Bauters; Vice Chairperson Karen Mitchoff; and Directors John Gioia, Nate Miley, Mark Ross, and Brad Wagenknecht.

Absent: Directors David Canepa, Carole Groom, Tyrone Jue, and Jim Spering.

Also Present: Board Chairperson Rod Sinks.

2. APPROVAL OF THE MINUTES OF FEBRUARY 26, 2020

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Wagenknecht made a motion, seconded by Director Ross, to approve the Minutes of February 26, 2020; and the motion carried by the following vote of the Committee:

AYES: Bauters, Gioia, Miley, Mitchoff, Ross, Sinks, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Canepa, Groom, Jue, Spering.

3. RULE MAKING UPDATE AND STATUS UPDATE

Greg Nudd, Deputy Air Pollution Control Officer of Policy, gave the staff presentation *Update on Rule Development Efforts*, including: outline; Assembly Bill (AB) 617 expedited Best Available Retrofit Control Technology (BARCT) implementation schedule; amendments to Rules 6-5 (Petroleum Refinery Fluidized Catalytic Cracking Units), 8-5 (Storage of Organic Liquids), and 8-8 (Wastewater Collection and Separation Systems); methane strategy; and new rules 13-2 (Organic Material Handling Operations), 13-3 (Composting Operations), and 13-5 (Petroleum Refinery Hydrogen Systems).

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the type and amount of field work that is being conducted by Air District staff during counties' shelter-in-place orders and whether sheltering in place is delaying Air District rulemaking schedules; the status of the Air District's Odor Attribution study in the South Bay; and the fact that the Committee will not be meeting in the month of May.

Committee Action

None; receive and file.

4. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

Public comments were given by Deepti Jain, City of Sunnyvale; Steve Nadel, Sunflower Alliance; and Janet Callahan, Rodeo Citizens Association.

5. COMMITTEE MEMBER COMMENTS

None.

6. TIME AND PLACE OF NEXT MEETING

The next meeting had originally been scheduled for Wednesday, June 24, 2020, at 9:30 a.m. via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. After the meeting adjourned, the next meeting was scheduled for Wednesday, June 17, 2020, at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

7. ADJOURNMENT

The meeting adjourned at 1:25 p.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John Bauters and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 10, 2020

Re: Update on the Development of Draft Amendments to Regulation 6, Rule 5 (Rule 6-5):
Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

California Assembly Bill (AB) 617 directed local air districts to adopt an expedited schedule for implementation of Best Available Retrofit Control Technology (BARCT) at industrial Cap-and-Trade sources. The AB 617 Expedited BARCT Implementation Schedule was adopted by the Air District Board of Directors in December 2018, and identified several potential rule development efforts to further reduce emissions of criteria pollutants at these sources.

DISCUSSION

Air District staff is developing amendments to Rule 6-5 to address emissions of particulate matter, including condensable particulate matter, from petroleum refinery fluidized catalytic cracking units. Petroleum refinery fluidized catalytic cracking units are some of the largest individual sources of particulate matter emissions in the San Francisco Bay Area, and further reductions of these emissions are needed to ensure progress towards attainment of state and national ambient air quality standards and to achieve further clean air and public health benefits. The current amendment effort follows previous Air District work to address these sources and was identified as a potential area for further rule development in the Air District's 2017 Clean Air Plan and AB 617 Expedited BARCT Implementation Schedule.

Following the adoption of the AB 617 Expedited BARCT Implementation Schedule, Air District staff continued work on the development of amendments to Rule 6-5. An update on the implementation of currently adopted refinery rules and rule development efforts on amendments to Rule 6-5 was presented at a Board of Directors Stationary Source Committee meeting in April 2019. Air District staff conducted early stakeholder outreach on this rule development effort in meetings of the Refinery Rules Technical Working Group in 2019. Members of the technical working group, which include representatives from industry, community-based organizations,

and regulatory agencies, provided input on control technologies and testing/monitoring methods related to fluidized catalytic cracking units and particulate matter control.

Air District staff released draft amendments to Rule 6-5 and an Initial Staff Report in May 2020, for public review and comment. The draft amendments include new and modified limits on ammonia and sulfur dioxide, which can contribute to the formation of condensable and secondary particulate matter. The draft amendments also include a limit on total Particulate Matter₁₀ (PM₁₀), which includes both filterable and condensable particulate matter. The draft total PM₁₀ limit represents an achievable level of control that has been demonstrated to be feasible at multiple facilities through the use of various control technologies, including electrostatic precipitators and wet gas scrubbers. Staff estimates that the draft amendments could reduce total PM₁₀ emissions by approximately 250 tons per year.

Air District staff is soliciting comments on the draft amendment materials and will consider input received during the public comment period in the further development of these amendments. Staff anticipates presenting proposed amendments for the Board of Directors consideration in the fourth quarter of 2020.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: David Joe
Reviewed by: Victor Douglas

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John Bauters and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 10, 2020

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

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Rule 11-18 established stringent risk action levels for existing facilities. Effective January 1, 2020, the final risk action levels for facility health impacts are:

- Cancer risk of 10 in a million;
- Chronic hazard index of 1.0; and
- Acute hazard index of 1.0.

Rule 11-18 requires that existing facilities either:

- (a) Reduce all health risks from stationary sources below the final Rule 11-18 risk action levels above; or
- (b) Install best available retrofit control technology for toxics (TBARCT) on all significant sources of health risks.

DISCUSSION

The Air District will provide an overview of the Rule 11-18 implementation process and describe the facilities affected by this rule. The implementation process includes (1) screening facilities, (2) collecting and validating Health Risk Assessment (HRA) input data, (3) conducting HRAs, (4) approving risk reduction plans, and (5) implementing risk reductions.

Facilities are screened on an annual basis using the facility's prioritization score. Any facility with a prioritization scores greater than 10 will require a comprehensive facility-wide health risk assessment. Phase I facilities have a prioritization score greater than 250, and Phase II facilities have a prioritization score greater than 10. Based on the most recent screening assessment, the Air District has 36 Phase I facilities and 288 Phase II facilities.

During the first year after Rule 11-18 was adopted, the Air District developed the infrastructure necessary to collect and store the HRA input data and began collecting data for each of the Phase I facilities. This data collection process is followed by a thorough engineering review and update of the toxic emission inventory, emission release parameters, and other HRA input data. The Air District developed draft guidance documents and procedures to assist with the review process. Initially, this data review process took longer than anticipated, but it is now taking about seven months for each facility.

During the second year after rule adoption, the Air District began conducting HRAs for Phase I facilities. Once the Air District completes an HRA, the preliminary HRA is provided to the facility for a 90-day comment period. After responding to facility comments, the draft HRA is posted for a 45-day public comment period. The Air District will respond to public comments before finalizing the HRA and determining the Rule 11-18 risk reduction requirements. This HRA preparation and review process takes about 11 months for each facility.

Phase I facilities include petroleum refineries, chemical companies, power plants, manufacturing operations, landfills, and a crematory. Currently, HRAs are underway for about one-third of the Phase I facilities. Staff just posted the Air District's first Rule 11-18 HRA for public comment and has shared preliminary HRAs with two additional facilities. By September 2020, staff expects to have HRAs under way for 12 more facilities including the Chevron refinery. By the end of 2020, staff plans to have preliminary HRAs complete for about two-thirds of the Phase I facilities. These HRAs will be posted for public comment in stages through mid-2021. Additionally, staff expects to post HRAs for the last third of the Phase I facilities by the end of 2021.

Meanwhile, the Air District will start the data collection process for Phase II facilities later this year. Data collection for the Phase II facilities will be phased in over several years starting in 2020 prioritizing those facilities indicated to have the highest risk (facilities that have a prioritization score greater than 100). These facilities include wastewater treatment plants, landfills, energy plants, manufacturing operations, hospitals, universities, airlines, and crematories.

In anticipation of the Rule 11-18 HRA and risk reduction requirements, facilities have been conducting source tests and other on-site measurements to improve their emissions inventories. In addition, several sites have requested authorities to construct for process changes or abatement devices that will reduce health impacts in their communities. As part of this agenda item staff will brief the Committee on the schedule and results of Rule 11-18 and on some of the changes being made at facilities based on the program.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Carol Allen

Reviewed by: Sanjeev Kamboj, Pamela Leong, and Damian Breen

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John Bauters and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 10, 2020

Re: Update on the Odor Attribution Study in the South Bay

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Communities in and around Milpitas, near a cluster of waste handling facilities, have experienced air quality and odor issues for many years. These facilities include the Newby Island Landfill and associated composting facility, operated by Republic Services; the San Jose-Santa Clara Regional Wastewater Facility, operated by the City of San Jose; and a dry anaerobic food waste digestion facility, operated by ZeroWaste Energy Development Company. There have been improvements to air quality in Milpitas due to Air District actions with assistance from the community. However, odors continue to be a concern.

The South Bay Odor Stakeholder Group (SBOSG) was formed in 2015, to provide a transparent forum to address odors that affect the Milpitas community and discuss enforcement activities, permit and regulatory requirements, and odor mitigation and controls measures. Quarterly meetings are attended by community and industry stakeholders; Air District staff; staff representing the Cities of Fremont, Milpitas and San Jose; staff representing Assembly Member Kansen Chu, Congressman Ro Khanna and Senator Bob Wieckowski; and Rod Sinks, Stationary Source Committee Chair, representing Santa Clara County. Over recent years, the SBOSG has identified the need for an odor study to better understand the contribution of different odor sources on the Milpitas community.

DISCUSSION

In January 2019, the Air District committed to conduct an Odor Attribution Study to identify compounds from odor-producing facilities that are impacting Milpitas and nearby communities. The three facilities are located close together and have similar odor profiles. The proximity and similarity of the facilities has made it difficult to trace the odors experienced by community members to specific facilities, which is required for the Air District to be able to take regulatory or enforcement actions. The goal of the Odor Attribution Study is to determine the contribution and variability of odors from these facilities and measure how often and at what concentration these odors may be passing into the local community to inform future actions to reduce odors.

The Air District staff will present an update on the progress the Odor Attribution Study in the South Bay.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Funding for this contract has come from the General Fund Budget for Fiscal Year Ending 2020, which will be carried over to Fiscal Year Ending 2021.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jerry Bovee
Reviewed by: Wayne Kino