



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**BOARD OF DIRECTORS SPECIAL
MEETING
JULY 21, 2021**

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

- **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

- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE
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- **THOSE PARTICIPATING BY PHONE WHO WOULD LIKE TO MAKE A
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YOUR APPLICATION IS UP TO DATE**

BOARD OF DIRECTORS SPECIAL MEETING AGENDA

WEDNESDAY
JULY 21, 2021
8:30 A.M.

Chairperson, Cindy Chavez

1. **CALL TO ORDER - ROLL CALL**

PLEDGE OF ALLEGIANCE

PUBLIC MEETING PROCEDURE

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

This meeting will be webcast. To see the webcast, please visit www.baaqmd.gov/bodagendas at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.

***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 matters on the agenda for the meeting, will have three minutes each to address the Board. No speaker who has already spoken on that item will be entitled to speak to that item again.*

PUBLIC HEARING

Pursuant to the discussion at the June 2, 2021, Board of Directors meeting, members of the public who previously had an opportunity to speak, will not be entitled to speak to this item again. Those who wish to speak on this item will be allowed two minutes.

2. Continued Public Hearing to Consider Adoption of Proposed Amendments to Regulation 6: Particulate Matter, Rule 5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units (Rule 6-5)

G. Nudd/4786
gnudd@baaqmd.gov

The Board of Directors will consider adoption of proposed amendments to Regulation 6: Particulate Matter, Rule 5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units (Rule 6-5).

END OF PUBLIC HEARING

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Members of the public who wish to speak on matters not on the agenda for the meeting, will have three minutes each to address the Board.

BOARD MEMBERS' COMMENTS

4. *Any member of the Board, 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)*

OTHER BUSINESS

5. Report of the Executive Officer/APCO

6. Chairperson's Report

7. Time and Place of Next Meeting:

Wednesday, August 4, 2021, at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

8. Adjournment

The Board meeting shall be adjourned by the Board Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
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(415) 749-4941
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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 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, Terri Levels, at (415) 749-4667 or by email at tlevels@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

JULY 2021

| <u>TYPE OF MEETING</u> | <u>DAY</u> | <u>DATE</u> | <u>TIME</u> | <u>ROOM</u> |
|--|------------|-------------|-------------|--|
| Board of Directors Stationary Source and Climate Impacts Committee | Monday | 19 | 9:00 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation – CANCELLED & RESCHEDULED TO WEDNESDAY, JULY 7, 2021 at 9:00 A.M. | Wednesday | 21 | 9:00 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Special Meeting | Wednesday | 21 | 8:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Administration Committee – CANCELLED | Wednesday | 21 | 9:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Legislative Committee - CANCELLED | Wednesday | 21 | 1:00 p.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Mobile Source and Climate Impacts Committee - CANCELLED | Thursday | 22 | 9:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |

AUGUST 2021

| <u>TYPE OF MEETING</u> | <u>DAY</u> | <u>DATE</u> | <u>TIME</u> | <u>ROOM</u> |
|--|------------|-------------|-------------|--|
| Board of Directors Meeting | Wednesday | 4 | 9:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Community Equity, Health and Justice Committee - CANCELLED | Thursday | 5 | 9:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Stationary Source and Climate Impacts Committee - CANCELLED | Monday | 16 | 9:00 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Administration Committee - CANCELLED | Wednesday | 18 | 9:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Mobile Source and Climate Impacts Committee - CANCELLED | Thursday | 26 | 9:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |

SEPTEMBER 2021

| <u>TYPE OF MEETING</u> | <u>DAY</u> | <u>DATE</u> | <u>TIME</u> | <u>ROOM</u> |
|---|------------|-------------|-------------|--|
| Board of Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation | Wednesday | 1 | 9:00 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Meeting | Wednesday | 1 | 9:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Community Equity, Health and Justice Committee | Thursday | 2 | 9:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Administration Committee | Wednesday | 15 | 9:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Legislative Committee | Wednesday | 15 | 1:00 p.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Technology Implementation Office (TIO) Steering Committee | Friday | 17 | 1:00 p.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Stationary Source and Climate Impacts Committee – CANCELLED & RESCHEDULED TO MONDAY, SEPTEMBER 27, 2021 at 9:00 A.M. | Thursday | 20 | 9:00 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Mobile Source and Climate Impacts Committee | Thursday | 23 | 9:30 a.m. | Webcast only pursuant to Executive Order N-29-20 |
| Board of Directors Stationary Source and Climate Impacts Committee | Monday | 27 | 9:00 a.m. | Webcast only pursuant to Executive Order N-29-20 |

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 8, 2021

Re: Continued Public Hearing to Consider Adoption of Proposed Amendments to
Regulation 6: Particulate Matter, Rule 5: Particulate Emissions from Petroleum
Refinery Fluidized Catalytic Cracking Units (Rule 6-5)

RECOMMENDED ACTION

Recommend the Board of the Directors consider adoption of proposed amendments to Regulation 6, Rule 5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units (Rule 6-5).

BACKGROUND

California Assembly Bill 617 (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. In December 2018, the Air District Board of Directors adopted the AB 617 Expedited BARCT Implementation Schedule which identified several potential rule development efforts to further reduce emissions of criteria pollutants at these sources. One of the potential rule development efforts was amending Rule 6-5 to further reduce particulate matter (PM) emissions from petroleum refinery fluidized catalytic cracking units (FCCUs).

Air District staff proposes amendments to Rule 6-5 to address emissions of particulate matter, including condensable particulate matter, from petroleum refinery FCCUs. FCCUs are some of the largest individual sources of PM emissions in the San Francisco Bay Area. The Bay Area does not currently attain all state and national ambient air quality standards for PM, therefore further reductions of these emissions are needed to ensure progress towards attainment of state and national ambient air quality standards and to provide cleaner air and public health benefits. PM causes adverse respiratory health effects, and recent evidence also indicates that fine PM is the most significant air pollution health hazard in the Bay Area.

Reducing PM from FCCUs will also yield held benefits to communities living near refineries, which will further the goals of AB 617. Under AB 617, BARCT standards are one of the regulatory tools to use to reduce the impacts of air pollutants such as PM on disadvantaged communities. One of the FCCUs, which is located at the Chevron Products Refinery in Richmond, is near a disadvantaged community identified through the AB 617 process. Modeling exercises conducted by the Air District suggest that the emissions impact is substantial, and emissions reductions associated with proposed amended Rule 6-5 would benefit the communities surrounding the FCCU.

The Air District Board of Directors initiated a public hearing to consider adoption of the proposed amendments to Rule 6-5 on June 2, 2021, and will continue the public hearing on July 21, 2021. At the June 2, 2021, public hearing, Air District staff provided information and presentations on the rule development process and the proposed amendments to Rule 6-5. Materials from the June 2, 2021 public hearing are available on the Air District website at <http://www.baaqmd.gov/bodagendas> or <http://www.baaqmd.gov/reg6rule5>.

PROPOSED AMENDMENTS TO RULE 6-5

The proposed amendments to Rule 6-5 include new and modified limits on ammonia, sulfur dioxide, and total particulate matter less than 10 microns in diameter (total PM₁₀), which includes both filterable and condensable particulate matter. The proposed amendments would also include modifications to existing rule language to clarify existing provisions and improve monitoring requirements. The current proposal asks the Board of Directors to consider adopting the most stringent level of control identified, a total PM₁₀ limit of 0.010 gr/dscf.

The proposed amendments would apply to the four FCCUs in the Bay Area at the following refineries: Chevron Products Richmond, PBF Martinez Refinery, Marathon Martinez Refinery, and Valero Benicia Refinery. Staff anticipates that Chevron Products Richmond, PBF Martinez Refinery, and Marathon Martinez Refinery would be required to install wet gas scrubbing systems at their FCCUs to comply with the proposed amendments. The proposed amendments would result in PM emissions reductions of 493 tons per year. (Note that these figures include impacts that would be anticipated at the Marathon Martinez Refinery under normal operations of the FCCU. The Marathon Martinez Refinery has been idled since April 2020, and the company has announced there are currently no plans to restart normal refining operations.) An analysis of the potential environmental impacts of the proposed amendments concluded that installation of these wet gas scrubbing systems would result in potentially significant air quality impacts during construction of the control equipment, and potentially significant water demand impacts from the operation of the wet gas scrubbers. The proposed amendments may also result in potentially significant economic impacts due to the estimated cost of the wet gas scrubbing installations. Further information is provided in the materials from the June 2, 2021 public hearing, which are available on the Air District website at <http://www.baaqmd.gov/bodagendas> or <http://www.baaqmd.gov/reg6rule5>.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Provisions in this rule proposal will have minor impacts on the following divisions within the Air District: Engineering, Compliance and Enforcement, and Meteorology and Measurements. In each case, staff will fit the minor increases in work into existing workload priorities. No increase in personnel or costs is anticipated.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: David Joe
Reviewed by: Elizabeth Yura