

# CEH&J Committee Decisions on Steering Committee Structure



AGENDA: 14

Steering Committee Structure	Committee Decisions
Number Seats	27-31
% Residents of the communities who live in Richmond, North Richmond, and San Pablo	70%
Co-Chair Structure	Voting members of the CERP CSC will select two Co-chairs
Role of Industry	Two non-voting seats designated for members of local, industrial companies (not associations)
How the Committee Will Report to the Board	Voting members of the CERP CSC will appoint a Board Liaison who shall provide report backs to the full Board.
Committee's Rules of Order	Robert's Rules of Order

# Slate of Recommended Steering Committee Members



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Alfredo Rafael Angulo-Castro	Gloria Ruiz	Lucia Castello
Amanda Booth	Hakim Johnson	Micaela Zaragoza-Soto
Arto Rinteela	Heidi V. Swillinger	Nancy Aguirre
Bret Andrews	Dr. Henry Clark	Dr. Omoniyi Omotoso
Darlena David	Jeffrey L. Kilbreth	Patricia A. Daniels
Darlene Rios Drapkin	Jessica Range	Phillip Mitchell
Dave Severy	Jim Holland	Roberta Feliciano
Erika Ramirez	Kevin Ruano Hernandez	Suzanne Coffee
Fabiola Reyes	Lizbeth Ibarra	Vernon Whitmore
Francisco Avila	Lizette Bernal	Y'Anad Burrell

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# *The Role of Environmental Justice and Community in Air Quality Policy Making*

**Katie Valenzuela**

Sacramento City Councilmember

Environmental Justice Advocate

# About Me

- Born and raised in Oildale, California
- Bachelors and Masters Degree in Community Development from UC Davis
- 20 years of community organizing and advocacy experience, including:
  - Co-Chair of AB 32 Environmental Justice Advisory Committee
  - Principal Consultant of the Joint Legislative Committee on Climate Change Policies
  - Policy & Political Director for the California Environmental Justice Alliance
- Sacramento City Councilmember, District 4
- Consultant for environmental justice organizations working on state policy



# *Legislative Authority for Air Districts*

- 40000
  - The Legislature finds and declares that local and regional authorities have the primary responsibility for control of air pollution from all sources, other than emissions from motor vehicles.
- 40702
  - A district shall adopt rules and regulations and do such acts as may be necessary or proper to execute the powers and duties granted to, and imposed upon, the district by this division and other statutory provisions.



*AB 617 – Community Air  
Protection Program*

# AB 617 (C. Garcia, 2017) - Monitoring

## “Monitoring Devices”

- HSC Section 42700
- HSC Section 42701
- HSC Section 42702
- HSC Section 42703
- HSC Section 42704
- HSC Section 42705
- **HSC Section 42705.5**  *New section for targeted monitoring program*
- HSC Section 42705.6
- HSC Section 42706
- HSC Section 42707
- HSC Section 42708

# AB 617 (C. Garcia, 2017) - Monitoring

## “Monitoring Devices”

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- HSC Section 42703
- HSC Section 42704
- HSC Section 42705
- **HSC Section 42705.5**
- HSC Section 42705.6
- HSC Section 42706
- HSC Section 42707
- HSC Section 42708



*(c) The Legislature further finds and declares that all districts, especially the bay district, the districts located, in whole or part, within the South Coast Air Basin, and the San Diego County Air Pollution Control District, should be encouraged to require that monitoring devices be installed in each stationary source of air contaminants that emits into the atmosphere 100 tons or more each year of nonmethane hydrocarbons, oxides of nitrogen, oxides of sulfur, reduced sulfur compounds, or particulate matter or 1,000 tons or more each year of carbon monoxide.*



# AB 617 (C. Garcia, 2017) - Monitoring

## “Monitoring Devices”

- HSC Section 42700
- HSC Section 42701
- HSC Section 42702
- HSC Section 42703
- HSC Section 42704
- HSC Section 42705
- **HSC Section 42705.5**
- HSC Section 42705.6
- HSC Section 42706
- HSC Section 42707
- HSC Section 42708



*This chapter shall not prevent any local or regional authority from adopting monitoring requirements more stringent than those set forth in this chapter or be construed as requiring the installation of monitoring devices on any stationary source or classes of stationary sources.*

# AB 617 (C. Garcia, 2017) - CERPs

“Air Toxics ‘Hot Spots’ Information and Assessment: Facility Toxic Air Contaminant Risk Reduction Audit and Plan”

- HSC Section 44390
- HSC Section 44391
- HSC Section 44391.2 ← *New section for CERPs*
- HSC Section 44391.3
- HSC Section 44391.4
- HSC Section 44392
- HSC Section 44393
- HSC Section 44394

# AB 617 (C. Garcia, 2017) - CERPs

- HSC Section 44391.2(c) (emphasis added)
  - (1) Based on the assessment and identification pursuant to paragraph (1) of subdivision (b), the state board shall select, concurrent with the strategy, locations around the state for preparation of community emissions reduction programs. The state board shall select additional locations annually thereafter, as appropriate.
  - (2) Within one year of the state board's selection, the district encompassing any location selected pursuant to this subdivision shall adopt, in consultation with the state board, individuals, community-based organizations, affected sources, and local governmental bodies in the affected community, a community emissions reduction program to achieve emissions reductions for the location selected using cost-effective measures identified pursuant to paragraph (4) of subdivision (b).
  - (3) The community emissions reduction programs shall be consistent with the state strategy and include emissions reduction targets, specific reduction measures, a schedule for the implementation of measures, and an enforcement plan.
  - (4) The community emissions reduction programs shall be submitted to the state board for review and approval within 60 days of the receipt of the program. Programs that are rejected shall be resubmitted within 30 days. To the extent that a program, in whole or in part, is not approvable, the state board shall initiate a public process to discuss options for achievement of an approvable program. Concurrent with the public process to achieve an approvable program, the state board shall develop and implement the applicable mobile source elements in the draft program to commence achievement of emission reductions.
  - (5) **The programs shall result in emissions reductions in the community, based on monitoring or other data.**
  - (6) **In implementing the program, the district and the state board shall be responsible for measures consistent with their respective authorities.**

# AB 617 (C. Garcia, 2017) - CERPs

“Air Toxics ‘Hot Spots’ Information and Assessment: Facility Toxic Air Contaminant Risk Reduction Audit and Plan”

- HSC Section 44390
- HSC Section 44391 ← (a) Whenever a health risk assessment approved pursuant to Chapter 4 (commencing with Section 44360) indicates, in the judgment of the district, that there is a significant risk associated with the emissions from a facility, the facility operator shall conduct an airborne toxic risk reduction audit and develop a plan to implement airborne toxic risk reduction measures that will result in the reduction of emissions from the facility to a level below the significant risk level within five years of the date the plan is submitted to the district. The facility operator shall implement measures set forth in the plan in accordance with this chapter.
- HSC Section 44391.2
- HSC Section 44391.3
- HSC Section 44391.4
- HSC Section 44392
- HSC Section 44393
- HSC Section 44394

# AB 617 (C. Garcia, 2017) - CERPs

“Air Toxics ‘Hot Spots’ Information and Assessment: Facility Toxic Air Contaminant Risk Reduction Audit and Plan”

- HSC Section 44390
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- HSC Section 44394



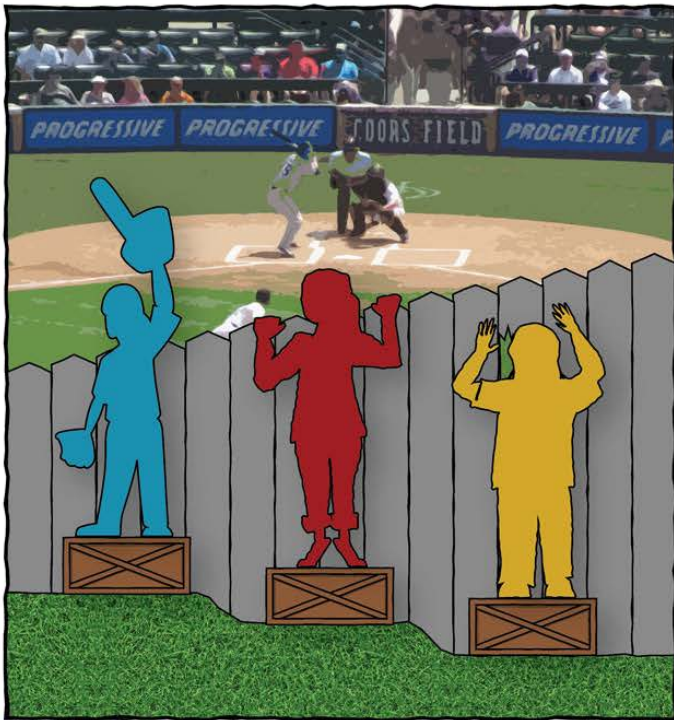
Any facility operator who does not submit a complete airborne toxic risk reduction audit and plan or fails to implement the measures set forth in the plan as set forth in this chapter is subject to the civil penalty specified in subdivision (a) of Section 44381, and any facility operator who, in connection with the audit or plan, knowingly submits any false statement or representation is subject to the civil penalty specified in subdivision (b) of Section 44381.



# *What does environmental justice look like?*

Focus | Process | Outcomes

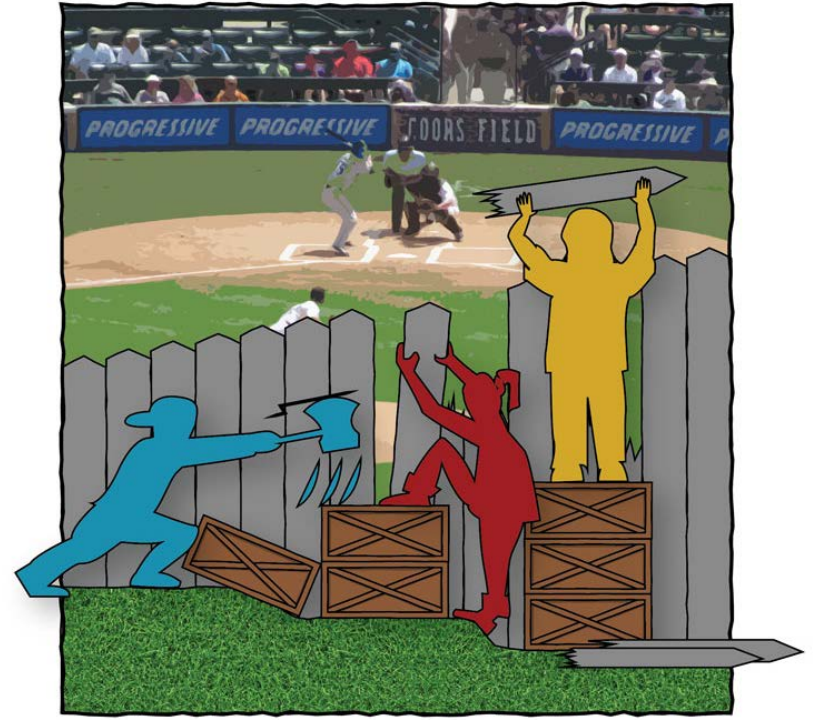
# Focus



**EQUALITY**



**EQUITY**



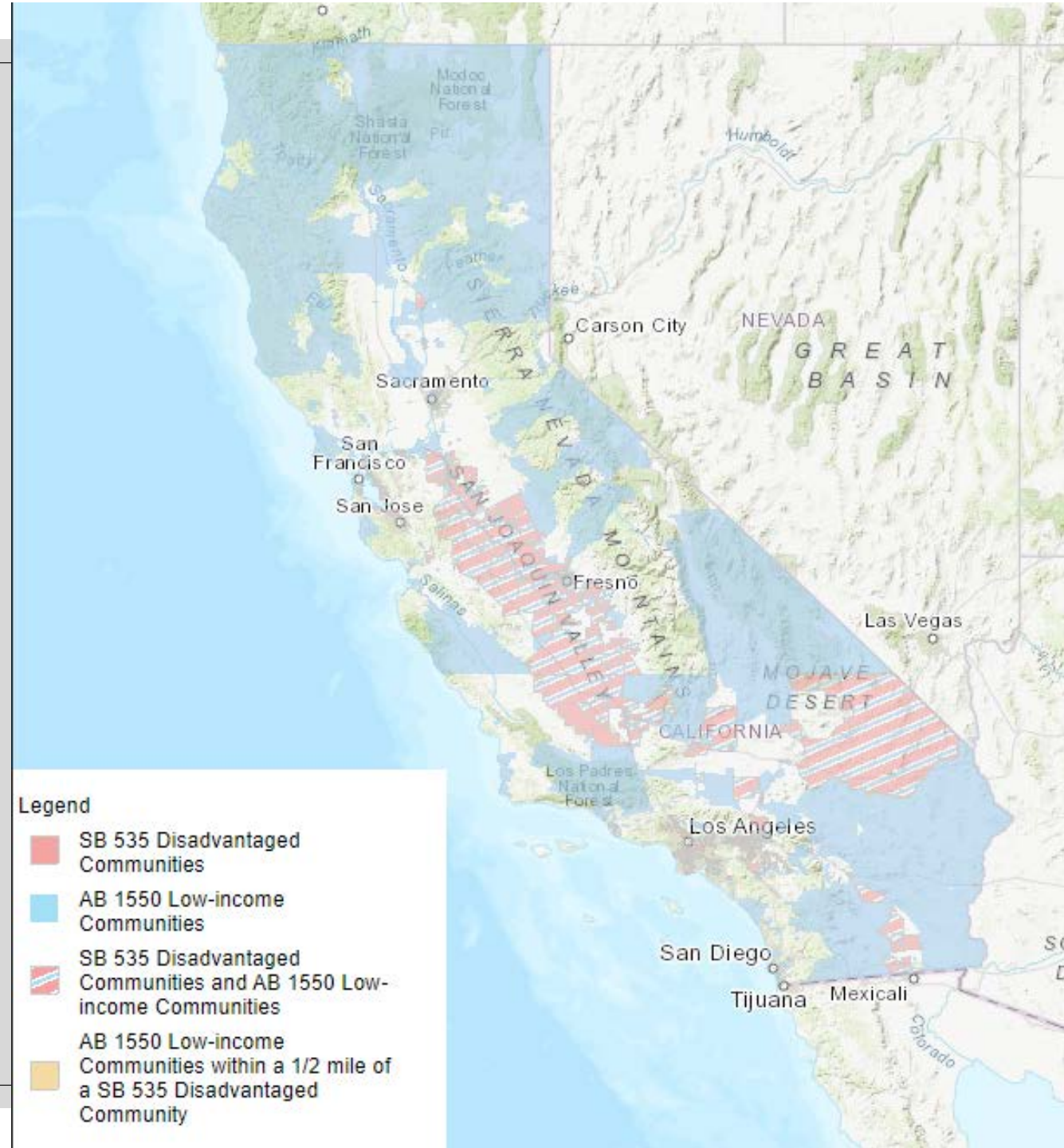
**JUSTICE**



# Low-Income and Disadvantaged Communities

Source: CARB Auction Proceeds Targeting Map,

<https://ww3.arb.ca.gov/cc/capandtrade/auctionproceeds/communityinvestments.htm>





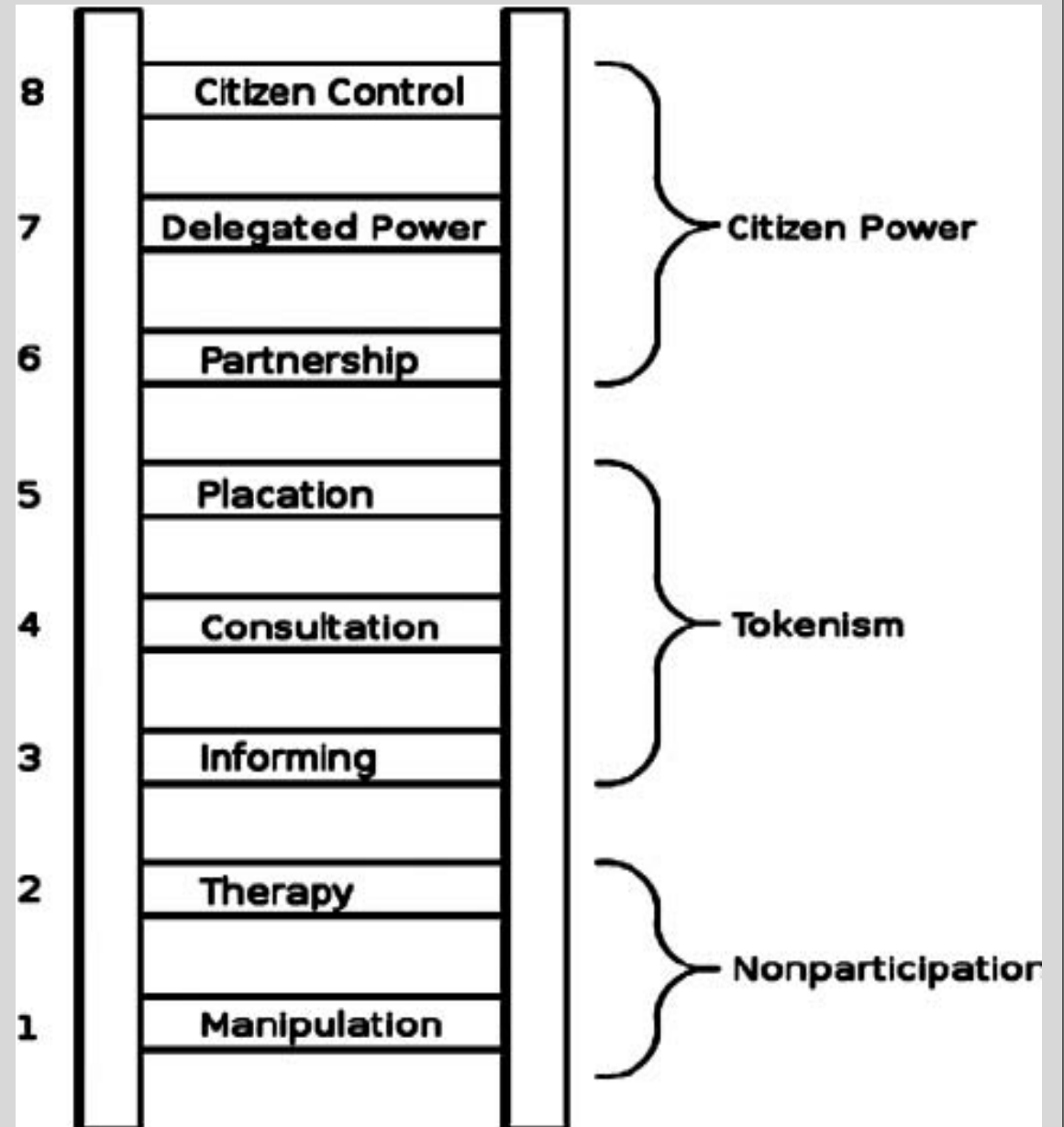
# Process



- As amended by AB 1628 (R. Rivas, 2019) – Public Resources Code Section 30107.3 with emphasis added:
  - (a) “Environmental justice” means the fair treatment and **meaningful involvement** of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.
  - (b) “Environmental justice” includes, but is not limited to, all of the following:
    - (1) The availability of a healthy environment for all people.
    - (2) The deterrence, reduction, and elimination of pollution burdens for populations and communities experiencing the adverse effects of that pollution, so that the effects of the pollution are not disproportionately borne by those populations and communities.
    - **(3) Governmental entities engaging and providing technical assistance to populations and communities most impacted by pollution to promote their meaningful participation in all phases of the environmental and land use decisionmaking process.**
    - (4) At a minimum, the meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.

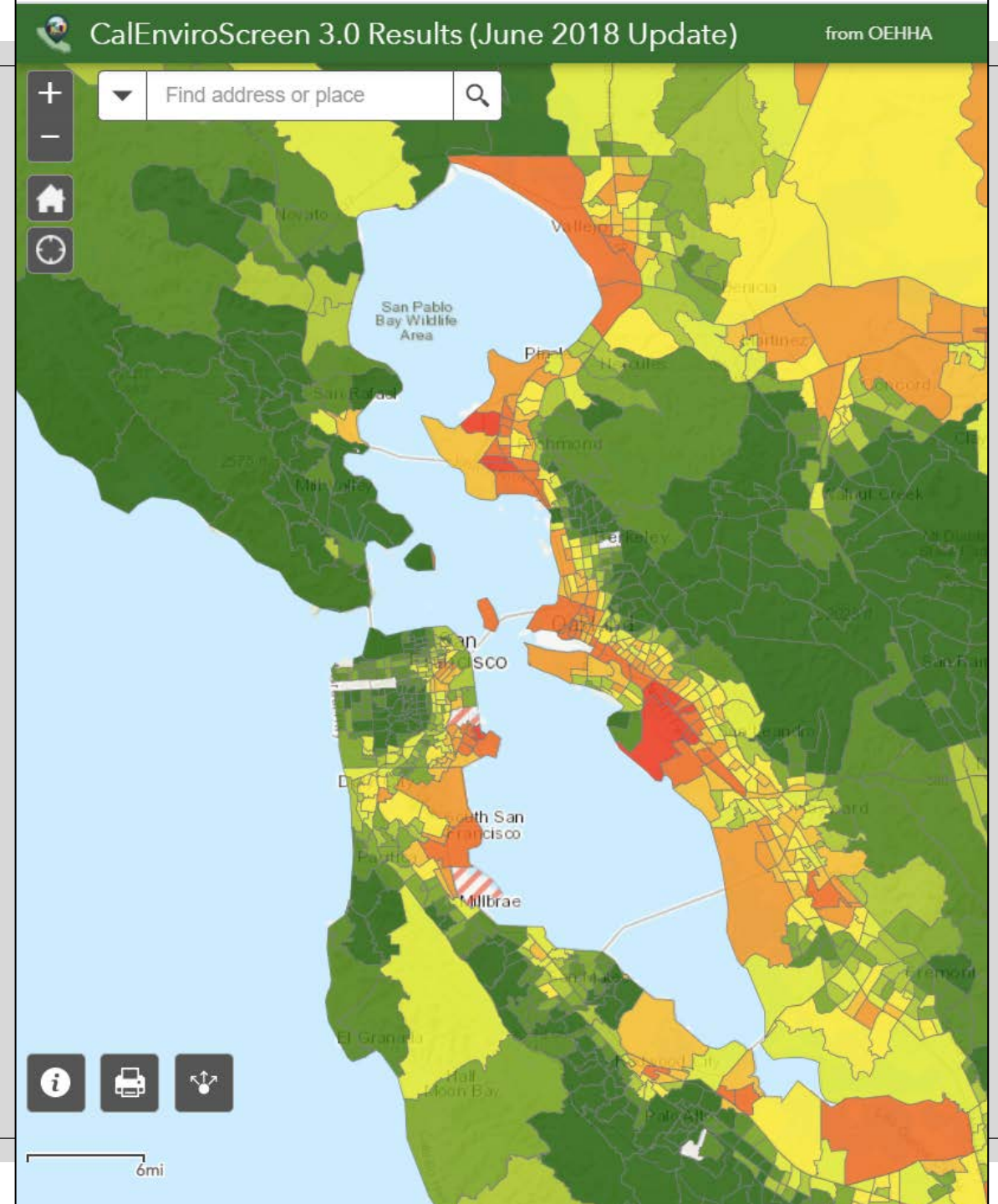
# Process

- Proactive outreach
- Education on the issues and learning from other communities - *folks don't know what they don't know*
- Independent facilitation
- Open agendas
- Transparency in decision-making and process



# Outcomes

- Direct emissions measures
- Economic justice
- Self-determination





# What does 2045 look like?



Photo: Anesti Vega/Maluco Studios

# *From one elected to another...*

- COVID recovery = economic justice
- Recognize your shared goals with community leaders – and partner together to make change
- Walk fearlessly toward racial justice
- Act like each term is your last



*Thank you*



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

**AGENDA: 18A**

# **Chevron Oil Spill Summary February 9, 2021**

**Board of Directors Meeting  
March 3, 2021**

**Damian Breen  
Sr. Deputy Executive Officer  
[dbreen@baaqmd.gov](mailto:dbreen@baaqmd.gov)**

# Chevron Richmond Refinery February 9, 2021 Spill Summary



## Facility Overview

- Chevron's Long Wharf is where vessels dock to bring crude to the refinery and load up with finished product including gasoline and diesel fuel
- The wharf extends about a mile out from shore, with several pipelines extending that length to convey organic liquids to and from tanks on shore





# Chevron Richmond Refinery February 9, 2021 Spill Summary



## Event Details – February 9, 2021

- 2:32 *pm* - Chevron was alerted to an oil sheen on the water by a community member
- Spill location: 16” ballast line on the refinery long wharf
  - “nickel-sized hole” in the line
  - Black arrow on photo details leak point
- Reported Amount spilled into the bay: 500-750 gallons
- California Department of Fish and Wildlife lab results
  - Mixture of diesel and water in the Bay
- 3:43 *pm* -Contra Costa County Early Warning System Level 2 called
- 4:30 *pm* - Chevron reports the leak was stopped
  - Temporary clamp placed on pipe to repair hole
  - The line was emptied, and Chevron will not use the line until a permanent repair is made.



# Chevron Richmond Refinery February 9, 2021 Spill Summary



## Air District Response

### February 9, 2021

- Multiple inspection staff respond
  - Report to onsite incident command
  - Investigate complaints (two (2) total complaints received by the Air District)

### February 11, 2021

- Inspection staff at Chevron Refinery to investigate ballast line and spill location
  - Toxic vapor analyzer (TVA) used to check for hydrocarbon vapor leaks and determine compliance with applicable Air District Regulation emissions standards (Regulation 8 Rule 18 Equipment Leaks)
    - No emissions above background concentrations were found (2 parts per million (ppm))



# Chevron Richmond Refinery February 9, 2021 Spill Summary



Questions?





BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

**AGENDA: 18A**

# **Phillips 66 Refinery Hydrogen Sulfide Release February 23, 2021**

**Board of Directors Meeting  
March 3, 2021**

**Damian Breen  
Sr. Deputy Executive Officer  
[dbreen@baaqmd.gov](mailto:dbreen@baaqmd.gov)**



# Phillips 66 Refinery February 23, 2021 Hydrogen Sulfide Release



## Facility Overview

- Phillips 66 Refinery is located in Contra Costa County near the Carquinez Bridge
- The refinery uses large tanks to store crude, refined organic liquids and off-spec organic liquids



Photo Source Phillips 66

# Phillips 66 Refinery February 23, 2021 Hydrogen Sulfide Release



## Event Details

- *Approximately 8:00 pm* – Tank at Phillips 66 releases hydrogen sulfide-rich gas via a pressure relief valve on the top of the tank
  - Tank contains cracked naphtha, a partially refined petroleum liquid
  - Amount of gas released not yet known, no liquid spilled
- *8:53 pm* -Contra Costa County Early Warning System Level 1 called
- *10:45 pm* – Phillips has identified the source and stopped the gas leak
- Ground level monitor H<sub>2</sub>S readings elevated in Tormey (18 parts per billion (ppb)) and Benicia (7 ppb) during the event

# Phillips 66 Refinery February 23, 2021 Hydrogen Sulfide Release



## Air District Response

### February 23, 2021

- Inspector at Phillips and patrolling surrounding area at 10:18 pm to document odors and investigate complaints
  - 40 complaints received by BAAQMD including 13 from Crockett and Rodeo or directly alleging Phillips 66, 19 from Benicia or alleging Valero Refinery, and 8 from Vallejo
- Inspection staff is in the process of collecting information to determine and document violations as a result of the release
  - Ground level monitor ambient hydrogen sulfide data for Phillips and Valero refineries
  - Tank pressure and liquid level data from Phillips
  - Run reports from Benicia and Vallejo Fire Department response to the odors

# Phillips 66 Refinery February 23, 2021 Hydrogen Sulfide Release



Questions?



# Summary of Ozone Seasons

Year	National 8-Hour	State 1-Hour	State 8-Hour
2017	6	6	6
2018	3	2	3
2019	9	6	9
2020	9	6	10
2021	0	0	0

- Spare the Air Alerts (0): none
- Days > 0.070 ppm 8-hour NAAQS (0): none

# Winter PM<sub>2.5</sub> Seasons

Year	Days > 35 µg/m <sup>3</sup>	Winter Spare the Air Alerts
2017/2018	8	19
2018/2019	14	16
2019/2020	0	2
2020/2021	1	3

- Spare the Air Alerts (3): 12/5, 12/21, 12/22
- Days > 35 µg/m<sup>3</sup> 24-hr NAAQS (1): 12/3

# Calendar Year PM<sub>2.5</sub>

Year	Days > 35 $\mu\text{g}/\text{m}^3$ due to Wildfires (PM <sub>2.5</sub> )	Total Days > 35 $\mu\text{g}/\text{m}^3$ (PM <sub>2.5</sub> )	PM <sub>2.5</sub> Spare the Air Alerts
2017	14	18	33
2018	16	20	21
2019	1	1	10
2020	23	25	46
2021	0	0	0

- Spare the Air Alerts (0): none
- Days > 35  $\mu\text{g}/\text{m}^3$  24-hr NAAQS (0): none