

Bay Area Air Quality Management District
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APPROVED MINUTES

Summary of Board of Directors
Stationary Source and Climate Impacts Committee Meeting
Monday, March 15, 2021

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 and Climate Impacts Committee (Committee) Co-Chairperson John Bauters called the meeting to order at 9:01 a.m.

Present: Committee Co-Chairpersons John Bauters and Karen Mitchoff; Vice Chairperson Teresa Barrett; and Directors Rich Constantine, John Gioia, Carole Groom, Erin Hannigan, David Haubert, Davina Hurt, Tyrone Jue, and Mark Ross.

Absent: None.

Also Present: None.

2. APPROVAL OF THE MINUTES OF THE STATIONARY SOURCE COMMITTEE MEETING OF DECEMBER 17, 2020

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Groom made a motion, seconded by Director Hannigan, to approve the Minutes of the Steering Committee Meeting of December 17, 2020; and the motion carried by the following vote of the Committee:

AYES: Barrett, Bauters, Constantine, Gioia, Groom, Hannigan, Haubert, Hurt, Jue, Mitchoff.
NOES: None.
ABSTAIN: None.
ABSENT: Ross.

3. UPDATE ON THE DEVELOPMENT OF AMENDMENTS TO REGULATION 6, RULE 5 (RULE 6-5): PARTICULATE EMISSIONS FROM PETROLEUM REFINERY FLUIDIZED CATALYTIC CRACKING UNITS (FCCU) (OUT OF ORDER, ITEM 4)

Co-Chair Bauters reported that the Air District held a virtual Public Workshop on Draft Amendments to Rule 6-5 on February 4, 2021, which featured “Control Scenario A” and “Control Scenario B”. Since the public workshop, Air District staff has a new proposal, which includes a third possible approach, “Stair Step approach for early reductions” (Path 3”).

NOTED PRESENT: Director Ross was noted present at 9:07 a.m.

Greg Nudd, Deputy Air Pollution Control Officer of Policy, gave the staff presentation *Update on the Development of Amendments to Rule 6-5*, including: outcome; outline; requested action; background; most recent draft amendments (Control Scenarios A and B - estimated impacts and health impacts); study area for health impacts; public workshop; public comments; key comments and issues; possible new approach; potential paths forward; next steps for Paths 1 or 2; next steps for Path 3; and feedback requested/prompt.

Public Comments

Public comments were given by Brian Nippa, Martinez Refining Co.; Andres Soto, Communities for a Better Environment (CBE); Rhoda Fry, Cupertino resident; Sarah Theiss, Richmond resident; Jed Holtzman, 350 Bay Area; Meredith Lewis, PBF Energy; Kevin Olson, Chevron; Dr. Cynthia Mahoney, Climate Health Now; Chris Palacio, PBF Energy; Tyler Earl, CBE; Bob Brown, Western States Petroleum Association; Kris Keener, Martinez Refining Company (MRC); Patrick Owens; Dr. Tompkins, African-American Community Health Equity Council; Michael Coody, Rodeo Citizens Association; Gordon Johnson, PBF Energy; Jeff Kilbreth, Richmond resident; Nick Plurkowski, PBF Energy; Steve Nadel, Sunflower Alliance; Floy Andrews, Richmond resident; Jessica Scheiber, MRC; Paula Kapfenstein, MRC; Todd Snyder; Bettina Hughes, 350 Bay Area; Janet Johnson, Sunflower Alliance; Jean Tepperman, Sunflower Alliance; Steve (last name unknown); Ann Vorderbrueggen, MRC; Jennifer Wood, PBF Energy; LaDonna Williams, All Positives Possible; heather Slinde, MRC; Gabriel Goffman, Democratic Socialists of America; Nancy Peace, Richmond resident; Ada Marquez, California State University at San Jose; Eduardo Martinez, Richmond City Council; Dan Sakaguchi, CBE; Todd Osterberg, Chevron; Richard Gray, 350 Bay Area; Jackie Garcia Mann, 350 Contra Costa; Marilyn Bardet, Benicia resident; Susan Nelson, PBF Energy; Marc Wright, MRC; Janet Pygeorge, Rodeo resident; Jan Warren, Interfaith Climate Action Network of Contra Costa County; David McCoard, Sierra Club; Kathy Kerridge, Benicia resident; Rob Jaques, San Francisco resident; Greg Karras, Community Energy resource; Tyler Brown, Oakland resident; Suzanne Castalano, Chevron; Brandon Matson, MRC; Shirley Shelangoski; Pamela Meigs; Jackie Barshak; Charles Davidson, Hercules resident; Lisa Jackson,

350 Contra Costa; Dr. Bret Andrews; John Middleton, Richmond resident; and Frances Keeler, California Council for Environmental and Economic Balance.

Committee Comments

The Committee and staff discussed concerns that pursuing Path 3 would delay implementation of wet gas scrubber (WGS)-equivalent control level, and how long it would take to get the rule ready for Board Approval; which of the three potential paths will be presented to the Board; Congressman Mark DeSaulenier's new energy transition model (from fossil fuel); allegations that the Air District used inaccurate modeling data to determine localized Particulate Matter_{2.5} health impacts in Richmond and Martinez; Path 3's objective of achieving early PM reductions, and whether the refineries will be able to monitor themselves and conduct their own source testing under this approach; the projected increase on gas prices under Path 2 (Control Scenario B); whether Path 2 (Control Scenario B) would achieve the highest reduction of PM at refineries; projected water usage per year under Path 2 (Control Scenario B), concerns about water resources, and whether that water may be recycled or desalinated for use in a wet scrubber; why Control Scenario B is anticipated to take longer than Control Scenario A; whether costs to refineries who have installed wet gas scrubbers have exceeded 10% of estimated plant profits; the comparison between implementation costs for Path 2 (Control Scenario B) and Path 3; the required effective dates of Path 2 (Control Scenario B) and Path 3; whether the Air District is required to support wet gas scrubbers under Assembly Bill 617 Expedited Best Available Retrofit Control Technology (BARCT) Implementation requirements; the comparison of costs for wet scrubbers at different refineries; the effectiveness of electrostatic precipitator technology versus wet gas scrubbing technology; concern about potential job loss at refineries; whether safer technology should be considered; and the concern that the longer the delays, the more expensive construction work and retrofitting will cost.

As this was not an action item. Following discussion, the Committee directed staff to prepare a rule and staff report for Path 2 (Control Scenario B) for consideration by the Board of Directors.

Committee Action

None; receive and file.

4. DISCUSSION ON STATIONARY SOURCE AND CLIMATE IMPACTS COMMITTEE MISSION STATEMENT AND SCHEDULE FOR 2021 (ITEM 3)

Damian Breen, Senior Deputy Executive Officer of Operations, gave the staff presentation *Mission Statement and Schedule for 2021*, including: outcome; outline; requested action; background; previous committees' missions statements; committee calendar; and feedback requested/prompt.

Public Comments

Public comments were given by Janet Pygeorge, Rodeo resident; Rhoda Fry, Cupertino resident; and Jed Holtzman, 350 Bay Area.

Committee Comments

The Committee and staff discussed ways in which the Air District engaged with communities about the Proposed 2021 Stationary Source and Climate Impacts Committee Workplan.

Committee Action

Vice Chair Mitchoff made a motion, seconded by Director Hannigan, to recommend the Board approve the following mission statement and workplan with the addition of a statement around equity to be added by staff and approved as an amendment to the administrative code by the Full Board.

Proposed Stationary Source and Climate Impacts Committee Mission Statement

“The Stationary Source and Climate Impacts Committee will consider and recommend policies to the Board of Directors relating to stationary sources. The Committee shall recommend positions to the Board of Directors on stationary source policy issues affecting the implementation of the State and Federal Air Quality Management Plans and key planning policy issues such as federal and State Air Quality Management Plan development and air quality and economic modeling. The Committee shall review and make recommendations to the Board of Directors regarding major stationary source programs including: permitting, compliance, small business assistance, toxics, source education, and rule development. The Committee shall recommend to the Board of Directors positions concerning federal and state regulations that affect stationary sources. The Committee shall recommend policies to the Board of Directors for disbursement of supplemental environmental project grants.

The Committee will also consider and recommend to the Board of Directors policies and positions of the District relating to climate protection activities and funding relative to stationary sources. The Committee will keep itself informed on actions and proposed actions by local, regional, state, federal, and international agencies and organizations relating to climate protection relative to stationary sources.”

Proposed 2021 Stationary Source and Climate Impacts Committee Workplan
revised by Stationary Source and Climate Impacts Committee on March 15, 2021

Meeting Schedule	Topics
March	<ul style="list-style-type: none">• Update on Amendments to Regulation 6, Rule 5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units (Rule 6-5)
April	<ul style="list-style-type: none">• Building De-Carbonization Discussion• Overview of Datacenters in the Bay Area• Source Test 101
May	<ul style="list-style-type: none">• Update on Potential Modifications to the Air District’s Permitting Program• Update on the Air District’s CEQA Thresholds

June	<ul style="list-style-type: none"> • Update on the Implementation of Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18) • Next Steps on the Particulate Matter Strategy
July	<ul style="list-style-type: none"> • Update on Amendments to Regulation 6, Rule 5: Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units (Rule 6-5)
August – No Meeting	
September	<ul style="list-style-type: none"> • Update on Building De-Carbonization Efforts • Update on Amendments to Regulation 8, Rule 5: Storage of Organic Liquids (Rule 8-5);
October	<ul style="list-style-type: none"> • Update on the South Bay Odor Study • Update on Methane Strategy Implementation • F-Gas Strategy Discussion
November	<ul style="list-style-type: none"> • Updates on Rules from Community Emission Reduction Plans
December	<ul style="list-style-type: none"> • Update on the Implementation of Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18) • Overview of Bay Area Woodsmoke Impacts • Update on Amendments to Regulation 8, Rule 8: Wastewater Collection and Separation Systems (Rule 8-8) • Update on Amendments to Regulation 8, Rule 18: Equipment Leaks (Rule 8-18)

The motion carried by the following vote of the Committee:

- AYES: Barrett, Bauters, Constantine, Gioia, Hannigan, Haubert, Hurt, Jue, Mitchoff, Ross.
 NOES: None.
 ABSTAIN: None.
 ABSENT: Groom.

5. SOURCE TEST 101

This presentation was continued to April 19, 2021.

6. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public comments were given by LaDonna Williams, All Positives Possible; and Rhoda Fry, Cupertino resident.

7. COMMITTEE MEMBER COMMENTS

None.

8. TIME AND PLACE OF NEXT MEETING

Monday, April 19, 2021 at 9:00 a.m., via webcast pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

9. ADJOURNMENT

The meeting adjourned at 12:55 p.m.

/s/ Marcy Hirtzka
Marcy Hirtzka
Clerk of the Boards