



BOARD OF DIRECTORS
STATIONARY SOURCE AND CLIMATE IMPACTS COMMITTEE

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

COMMITTEE MEMBERS

LYNDA HOPKINS – CHAIR
KEN CARLSON
JOHN GIOIA
OTTO LEE
MARK ROSS

DAVID HAUBERT – VICE CHAIR
NOELIA CORZO
TYRONE JUE
MYRNA MELGAR
VICKI VEENKER

**MEETING LOCATION(S) FOR IN-PERSON ATTENDANCE BY
COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC**

**Bay Area Metro Center
1st Floor Yerba Buena Room
375 Beale Street
San Francisco, CA 94105**

**City of Palo Alto City Hall
250 Hamilton Ave.
Palo Alto, CA 94301**

**Office of Santa Clara County
Supervisor Otto Lee
70 W Hedding St
East Wing, 10th Floor
San Jose, CA 95110**

**Office of Contra Costa County
Supervisor John Gioia
Conference Room
11780 San Pablo Ave., Suite D
El Cerrito, CA 94530**

**Office of Alameda County Supervisor
David Haubert
4501 Pleasanton Avenue
Pleasanton, CA 94566**

THE FOLLOWING STREAMING OPTIONS WILL ALSO BE PROVIDED

These streaming options are provided for convenience only. In the event that streaming connections malfunction for any reason, the Stationary Source and Climate Impacts Committee reserves the right to conduct the meeting without remote webcast and/or Zoom access.

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.

Members of the public may participate remotely via Zoom at <https://bayareametro.zoom.us/j/87379277739>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 873 7927 7739

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 a matter on the agenda will have two minutes each to address the Committee on that agenda item, unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again.

The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is *per se* disruptive to a meeting and will not be tolerated.

STATIONARY SOURCE AND CLIMATE IMPACTS COMMITTEE MEETING AGENDA

WEDNESDAY, OCTOBER 11, 2023

10:00 AM

1. **Call to Order - Roll Call**

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

2. **Pledge of Allegiance**

CONSENT CALENDAR (Item 3)

3. Approval of the Draft Minutes of the Stationary Source and Climate Impacts Committee meeting of September 13, 2023

The Committee will consider approving the Draft Minutes of the Stationary Source and Climate Impacts Committee meeting of September 13, 2023.

INFORMATIONAL ITEM(S)

4. Amendments to Regulation 8: Organic Compounds, Rule 18: Equipment Leaks

This is an informational item to provide the Committee with an update on the draft Amendments to Regulation 8: Organic Compounds, Rule 18: Equipment Leaks. This item will be presented by Alex Sohn, Senior Air Quality Engineer in the Rules and Strategic Policy Division.

OTHER BUSINESS

5. Public Comment on Non-Agenda Matters

Pursuant to Government Code Section 54954.3, members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Committee. Members of the public will have two minutes each to address the Committee, unless a different time limit is established by the Chair. The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff

regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is per se disruptive to a meeting and will not be tolerated.

6. 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)

7. Time and Place of Next Meeting

November 8, 2023, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Stationary Source and Climate Impacts Committee members and members of the public will be able to either join in-person or via webcast.

8. Adjournment

The Committee meeting shall be adjourned by the 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 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, Suma Peesapati, at (415) 749-4967 or by email at speesapati@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**

OCTOBER 2023

<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	Wednesday	11	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Mobile Source and Climate Impacts Committee	Wednesday	11	1:00 p.m.	1 st Floor, Yerba Buena Room
Board of Directors Meeting - CANCELLED	Wednesday	18	9:00 a.m.	1 st Floor Board Room
Board of Directors Special Finance and Administration Committee	Wednesday	18	10:00 a.m.	1 st Floor Board Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	18	1:00 p.m.	1 st Floor Board Room

NOVEMBER 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	1	9:00 a.m.	1 st Floor Board Room
Board of Directors Finance and Administration Committee	Wednesday	1	1:00 p.m.	1 st Floor Board Room
Board of Directors Stationary Source and Climate Impacts Committee	Wednesday	8	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Mobile Source and Climate Impacts Committee	Wednesday	8	1:00 p.m.	1 st Floor, Yerba Buena Room
Board of Directors Meeting	Wednesday	15	9:00 a.m.	1 st Floor Board Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	15	1:00 p.m.	1 st Floor Board Room
Community Advisory Council Meeting	Thursday	16	6:00 p.m.	1 st Floor, Yerba Buena Room

MV 10/3/2023 – 11:50 a.m.

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Lynda Hopkins and Members
of the Stationary Source and Climate Impacts Committee

From: Philip M. Fine
Executive Officer/APCO

Date: October 11, 2023

Re: Approval of the Draft Minutes of the Stationary Source and Climate Impacts
Committee meeting of September 13, 2023

RECOMMENDED ACTION

Approve the Draft Minutes of the Stationary Source and Climate Impacts Committee meeting of
September 13, 2023

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the Draft Minutes of the Stationary Source and
Climate Impacts Committee meeting of September 13, 2023.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Stationary Source and Climate Impacts Committee Meeting of September 13, 2023

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

Stationary Source & Climate Impacts Committee
Wednesday, September 13, 2023

DRAFT MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Stationary Source and Climate Impacts Committee (Committee) Vice Chairperson, David Haubert, called the meeting to order at 10:00 a.m.

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, San Francisco, California, 94105): Vice Chairperson David Haubert; Board Chairperson John J. Bauters; and Directors Tyrone Jue, and Myrna Melgar.

Present, In-Person Satellite Location (Office of Contra Costa County Supervisor, John Gioia, Conference Room, 11780 San Pablo Ave., Suite D, El Cerrito, CA 94530): Directors Ken Carlson and Mark Ross.

Present, In-Person Satellite Location (Palo Alto City Hall, 250 Hamilton Ave., 7th Floor, Palo Alto, California, 94301): Director Vicki Veenker.

Present, In-Person Satellite Location (Office of Santa Clara County Supervisor Otto Lee, 70 W Hedding St., East Wing, 10th Floor, San Jose, California, 95110): Director Otto Lee.

Absent: Committee Chairperson Lynda Hopkins; and Directors Noelia Corzo and John Gioia.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR

3. **APPROVAL OF THE DRAFT MINUTES OF THE STATIONARY SOURCE AND CLIMATE IMPACTS COMMITTEE MEETING OF JULY 12, 2023**

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Jue made a motion, seconded by Board Chair Bauters, to **approve** the Draft Minutes of the Stationary Source and Climate Impacts Committee Meeting of July 12, 2023; and the motion **carried** by the following vote of the Committee:

AYES: Bauters, Carlson, Haubert, Jue, Lee, Melgar, Veenker.
NOES: None.
ABSTAIN: None.
ABSENT: Corzo, Gioia, Hopkins, Ross.

ACTION ITEM

4. **UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) CLIMATE POLLUTION REDUCTION GRANT**

Before the staff presentation, Director Jue explained that he was personally recusing himself from voting on this item, because of his new job as Director of the San Francisco Environment Department, which will potentially be a recipient of monies from this grant. He explained that there is no ethical violation present, and that he was recusing himself as an act of transparency and good governance.

Abby Young, Climate Protection Manager, gave the staff presentation *United States Environmental Protection Agency (EPA) Climate Pollution Reduction Grant*, including: outline; requested actions; grant overview; planning process; budget; timeline; requested action.

Public Comments

Public comments were given by Therese Trivedi, Metropolitan Transportation Commission; Allison Brooks, Bay Area Regional Collaborative; and Aleka Seville, Collective Strategies Consulting.

Committee Comments

The Committee and staff discussed types of work that will be awarded subawards; concern regarding the USEPA's decision to separate Santa Clara County from Alameda, Contra Costa, Marin, San Francisco, and San Mateo Counties, so that it is its own grant region with San Benito County, the Air District's level of involvement with assisting Santa Clara County in its planning process; whether the Air District is engaging the workforce (laborers and unions) to make them aware of the grant monies available for workforce analysis; and activities of Santa Clara County regarding its planning process.

Committee Action

Director Melgar made a motion, seconded by Director Lee, to recommend that the Board of Directors **authorizes** the Air District to accept a \$1 million grant from the US EPA Climate Pollution Reduction Grant Program, and **authorizes** the Executive Officer/Air Pollution Control Officer (APCO) to enter

into all necessary agreements to accept, obligate, and expend program funds; and the motion **carried** by the following vote of the Committee:

AYES: Bauters, Carlson, Haubert, Lee, Melgar, Veenker.
NOES: None.
ABSTAIN: None.
ABSENT: Corzo, Gioia, Hopkins, Jue, Ross.

INFORMATIONAL ITEM

5. AMENDMENTS TO REGULATION 8: ORGANIC COMPOUNDS, RULE 8: WASTEWATER COLLECTION AND SEPARATION SYSTEMS

Robert Cave, Senior Air Quality Engineer, gave the staff presentation *Amendments to Regulation 8: Organic Compounds, Rule 8: Wastewater Collection and Separation Systems*, including: outcome; outline; requested action; background; simplified wastewater treatment system; emissions from wastewater collection and treatment systems; rule development process; draft amendments; comments received; and next steps.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed why these amendments pertain to refinery wastewater treatment systems but not municipal wastewater systems; anticipated health benefits from the implementation of the proposed amendments; and appreciation for preventative regulations that protect the public from hazardous substances.

Committee Action

None; receive and file.

OTHER BUSINESS

6. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

7. COMMITTEE MEMBER COMMENTS

None.

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

Wednesday, October 11, 2023, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Stationary Source and Climate Impacts Committee members and members of the public will be able to either join in-person or via webcast.

9. **ADJOURNMENT**

The meeting was adjourned at 10:53 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Lynda Hopkins and Members
of the Stationary Source and Climate Impacts Committee

From: Philip M. Fine
Executive Officer/APCO

Date: October 11, 2023

Re: Amendments to Regulation 8: Organic Compounds, Rule 18: Equipment Leaks

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

This rule development project would address emissions of Total Organic Compounds (TOC) from petroleum refineries, chemical plants, bulk terminals and bulk plants, and other facilities that store, transport, and use organic liquids. Amendments to Regulation 8, Rule 18: Equipment Leaks (Rule 8-18) in December 2015 addressed equipment that services heavy liquids (liquid with an initial boiling point greater than 302 °F) at these facilities. However, due to questions regarding emissions reductions and cost-effectiveness related to the requirements for monitoring of components in heavy liquid service, Resolution No. 2015-12 directed staff to examine these issues further and recommend modifying this rule if appropriate. In addition, the Air District was sued in January 2016 by three Petroleum Refineries, which resulted in a settlement agreement between the Air District and the Petroleum Refineries issued in March 2017. To determine appropriate emission factors for heavy liquid leaks, a Heavy Liquids Study was conducted and a report detailing this effort was issued in April 2022. Using the findings from this study, the Air District is currently proceeding with rule amendments to limit emissions associated with a subset of equipment that services heavy liquids. These rule amendments include the provisions agreed upon in the settlement agreement.

California Assembly Bill (AB) 617 requires each air district that is in nonattainment for one or more air pollutants to adopt an expedited schedule for implementation of Best Available Retrofit Control Technology (BARCT) by the earliest feasible date, but not later than December 31, 2023. In 2018, the Air District adopted the Expedited BARCT Implementation Schedule, which identified potential rule development projects to evaluate and implement BARCT at industrial sector facilities subject to California Greenhouse Gas Cap-and-Trade Requirements. Due to the uncertainty surrounding the emissions reductions from the 2015 amendments, emissions from equipment leaks were identified as a potential source of substantial reductions and included on the Expedited BARCT Implementation Schedule.

DISCUSSION

Air District Staff evaluated fugitive emissions associated with equipment in heavy liquid service utilizing the emission data from the Heavy Liquids Study. The emissions reductions and compliance costs associated with equipment in heavy liquid service were calculated at various initial boiling points. Based on this analysis, a subset of components in heavy liquid service was added to the Leak Detection and Repair (LDAR) program.

Key points of the draft amendments to Rule 8-18 include:

- Subject a subset of components in heavy liquid service to LDAR program requirements
 - Add valves and pumps handling material with initial boiling point between 302 and 372 °F to the LDAR program
 - Add components handling material in a gas or vapor phase to the LDAR program
- Make total organic compound component leak standards more stringent
 - 100 to 50 ppm for valves and connections
 - 500 to 100 ppm for pumps and compressors
- Add operating requirements and standards for selected components
- Enhance inspection procedures, reporting, and oversight requirements
- Other administrative updates and clarifications
- Additional definitions for clarity and completeness

Air District staff anticipate releasing proposed amendments to Rule 8-18 and a supporting regulatory package for public review and comment in the fourth quarter of 2023 including CEQA documentation and socioeconomic impact analysis as appropriate. Air District staff will solicit comments on these materials and plans to present the proposed amendments to Rule 8-18 for consideration by the Air District Board of Directors at a Public Hearing in the first quarter of 2024.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Robert Cave, Alex Sohn, Laura Cackette
Reviewed by: David Joe, Elizabeth Yura

ATTACHMENTS:

None