

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

Stationary Source Committee
Wednesday, March 13, 2024

APPROVED 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 Committee (Committee) Vice Chairperson, Mark Ross, 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): Directors Ken Carlson and John Gioia.

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): Vice Chairperson Mark Ross; and Director Steve Young.

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.

Present, In-Person Satellite Location (Santa Rosa Junior College, Doyle Library, 1501 Mendocino Avenue, Room 148, Santa Rosa, California, 95401): Director Brian Barnacle.

Absent: Committee Chair John J. Bauters; and Director Lynda Hopkins.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR

3. APPROVAL OF THE DRAFT MINUTES OF THE STATIONARY SOURCE COMMITTEE MEETING OF FEBRUARY 14, 2024

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Young made a motion, seconded by Director Barnacle, to **approve** the Draft Minutes of the Stationary Source Committee Meeting of February 14, 2024; and the motion **carried** by the following vote of the Committee:

AYES: Barnacle, Carlson, Gioia, Lee, Ross, Veenker, Young.
NOES: None.
ABSTAIN: None.
ABSENT: Bauters, Hopkins.

ACTION ITEM

4. UPDATES TO THE AIR DISTRICT'S INCIDENT RESPONSE PROGRAM

Dr. Meredith Bauer, Deputy Executive Officer of Engineering and Compliance, and Dr. Kate Hoag, Assistant Manager in the Meteorology and Measurement Division, gave the staff presentation *Updates to the Air District's Incident Response Program and Recommended Action to Fund Enhanced Monitoring*, including: outcome; outline; recommended action; Incident Response Program scope; recap of ad hoc meetings; improving coordination; improving communications; improving air monitoring: new program (Proposed Refinery Corridor Particulate Monitoring Program); additional monitoring measures to prioritize; future directions; and recommended action.

Public Comments

Public comments were given by Bob Brown, Western States Petroleum Association; Kathy Kerridge, Benecia Community Air Monitoring Program; Jan Warren, Interfaith Climate Action Network of Contra Costa County; Ken Szutu, Citizen Air Monitoring Network of Vallejo; Dr. Stephen Rosenblum, Palo Alto resident; Alysia Gadde, Healthy Martinez Refinery Accountability Group; Kevin Buchan, Western States Petroleum Association; Charles Davidson, Hercules resident; Ms. Margaret Gordon, West Oakland Environmental Indicators Project.

Committee Comments

The Committee and staff discussed concern about the perceived lack of communication from the Valero refinery in Benicia to the public, City of Benicia, and local fire department after a recent flaring incident; concerns that the air monitors at the Valero refinery do not detect all pollutants; which Board members currently sit on the Board’s Incident Response Ad Hoc Committee, and its intended function of advocating for improved incident monitoring; whether incident responses costs are being fully recovered; whether the Air District’s new Public Notification Tool (launched in September 2023) the works in collaboration with Bay Area counties’ community warning systems, and the desire that every entity’s message content and timing (regarding incidents) will be consistent with the others; the desire for incident messaging to include potential health impacts and safe levels of exposure; whether the cost of the proposed Refinery Corridor Particulate Monitoring Program will this be chargeable to fees or a separate budget item; and the current status of Air District Regulation 12-15 (Refining Emissions Tracking).

Committee Action

Director Gioia made a motion, seconded by Director Carlson, to recommend the Board of Directors **approve** the proposed enhanced monitoring for incident response utilizing reserves funding of \$1M that was set aside in the Fiscal Year Ending 2024 Board approved budget; and the motion **carried** by the following vote of the Committee:

- AYES: Barnacle, Carlson, Gioia, Lee, Ross, Veenker, Young.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Bauters, Hopkins.

INFORMATIONAL ITEMS

5. UPDATE ON REGULATION 11: HAZARDOUS POLLUTANTS, RULE 18: REDUCTION OF RISK FROM AIR TOXIC EMISSIONS AT EXISTING FACILITIES (RULE 11-18)

Kevin Oei, Supervising Air Quality Engineer, Engineering Division, and Alex Sohn, Senior Air Quality Engineer, Rules & Strategic Policy Division, gave the staff presentation *Updates on Implementation and Rule Concepts for Rule 11-18: Reduction of Risk from Air Toxic Emissions at Existing Facilities*, including: outcome; outline; requested action; background; key steps to the Rule 11-18 implementation process; implementation procedures; challenges with Rule 11-18 implementation; Rule 11-18 program updates; Step 1: near-term program improvements; Step 2: proposed rule amendment concepts; public comments; and next steps.

Public Comments

Public comments were given by Kathy Kerridge, Benecia Community Air Monitoring Program; Ms. Margaret Gordon, West Oakland Environmental Indicators Project; Dr. Stephen Rosenblum, Palo Alto resident; Jan Warren, Interfaith Climate Action Network of Contra Costa County; and Ken Szutu, Citizen Air Monitoring Network of Vallejo.

Committee Comments

The Committee and staff discussed concerns regarding the delayed rule implementation schedule; which facilities have yet to finalize their Health Risk Assessments (HRA) and submit their Risk Reduction Plans (RRP); the current status of the Dispute Resolution Panel Process; the manner in which panelists are selected; how frequently panelists may be needed; whether the panel makes the final decision regarding the resolution; quantifiable goals for the reduced implementation timeline; the suggestion of giving the Board another status update on the implementation of Rule 11-18, so that newer Board members can understand the purpose of the regulation, what a “good” HRA looks like, and what the Air District intends to do with the data being collected; and concerns about allowing facilities to conduct their own HRAs.

Committee Action

None; receive and file.

6. **INDIRECT SOURCE REGULATIONS**

Dr. Philip M. Fine, Executive Officer/Air Pollution Control Officer (APCO), gave the staff presentation *Indirect Source Regulations Overview*, including: outcome; outline; introduction and background; Goods Movement in California; indirect emissions infrastructure; growth of electronic commerce (e-commerce); COVID impacts on e-commerce; recent indirect source projects in the Bay Area; Air Quality impacts from indirect sources; indirect source impacts on Assembly Bill (AB) 617 communities; current regulatory landscape; California Environmental Quality Act (CEQA); CEQA best practices; California Air Resources Board (CARB) regulations; South Coast Air Quality Management District; San Joaquin Valley Air Pollution Control District; local ordinances; implementation challenges – case law, zero-emissions vehicles availability and adoption, electrification infrastructure; and next step discussion.

Public Comments

Public comments were given by Lin Griffith, Stop OAK Airport Expansion Coalition; Ms. Margaret Gordon, West Oakland Environmental Indicators Project; Jacob Klein, Sierra Club; Sarah Chen Small, Communities for a Better Environment; Zoe Jonick, 350 Bay Area; and Jan Warren, Interfaith Climate Action Network of Contra Costa County.

Committee Comments

The Committee and staff discussed the Richmond community’s desire for indirect source regulations, indicated during a roundtable discussion hosted by Director Gioia in 2023, in collaboration with Attorney General Rob Bonta; whether idling ordinances or regulations currently exist at buildings that attract mobile sources of pollution; whether airports may be considered eligible for indirect source regulations; the opinion that it would be more effective for air districts to advocate for this rather than local jurisdictions; whether indirect source regulations apply to both new and existing buildings; the suggestion of identifying a model ordinance; ways in which Board members can help with next steps; and the desire that this effort include the collaboration of many California air districts.

Committee Action

None; receive and file.

OTHER BUSINESS

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

No requests received.

8. **COMMITTEE MEMBER COMMENTS**

None.

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

Wednesday, April 10, 2024, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Stationary Source Committee members and members of the public will be able to either join in-person or via webcast.

10. **ADJOURNMENT**

The meeting was adjourned at 12:31 a.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards