



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

REQUEST FOR COMMENTS NOTICE

September 11, 2015

TO: INTERESTED PARTIES
FROM: EXECUTIVE OFFICER / APCO
SUBJECT: **REQUEST FOR COMMENTS - DRAFT REGULATION 12, RULE 15: PETROLEUM REFINING EMISSIONS TRACKING AND DRAFT REGULATION 12, RULE 16: PETROLEUM REFINING EMISSIONS LIMITS AND RISK THRESHOLDS**

The staff of the Bay Area Air Quality Management District request comments on revisions to two new draft rules: draft **Regulation 12, Rule 15: Petroleum Refining Emissions Tracking** and draft **Regulation 12, Rule 16: Petroleum Refining Emissions Limits and Risk Thresholds**. Comments relating to the draft proposals should be addressed to:

Eric Stevenson, Director
Meteorology, Measurements and Rules Division,
Bay Area Air Quality Management District
939 Ellis Street,
San Francisco, CA 94109.
ESTevenson@baaqmd.gov.

BACKGROUND:

The Air District is developing two new draft rules that would affect the five Bay Area refineries. The two draft proposals have been revised, with draft Regulation 12, Rule 15: Petroleum Refining Emissions Limits and Risk Thresholds (Rule 12-16) being substantially amended.

The first of the two proposals, draft Regulation 12, Rule 15: Petroleum Refining Emissions Tracking (Rule 12-15) would gather emissions inventory and crude slate information from the refiners and increase air monitoring activities at the refinery fence lines and in nearby communities. The proposed rule would put in place requirements to enhance the tracking of refinery emissions and crude composition over time. Tracking this information would allow the Air District to use emissions inventory data, crude oil information and air monitoring data to identify any potential

relationship between emissions and crude oil quality. In addition, the rule would also require updated Health Risk Assessments (HRAs) be performed using the latest methodology and health effects data to provide additional information about health risk from air emissions at refineries. Specifically, this rule would require Bay Area refineries to submit the following major elements:

- Report on-going annual emissions inventories of regulated air pollutants based on upgraded emission calculation methods, including emissions from cargo carriers;
- Develop a Petroleum Refinery Emissions Profile (PREP) based on three years of emissions inventory and require that on-going inventories include comparisons with the PREP;
- Report on-going crude oil monthly characteristics with annual emissions inventories;
- Require an update of refinery Health Risk Assessments (HRAs) based on the most recent OEHHA guidelines;
- **NEW REQUIREMENT:** Report Energy Audit results so that the Air District can determine which refineries have opportunities for reducing GHG emissions through economically and technically feasible improvements in energy efficiency; and
- Establish fence-line and community air monitoring systems.

The second proposal, which is a companion to and complements Rule 12-15, Draft Rule 12-16, includes a risk management element that would require refiners to ensure that their facilities do not pose an unacceptable risk to the residents of the nearby communities. This draft rule would also ensure that refineries would not cause an exceedance of National Ambient Air Quality Standards (NAAQS) for certain pollutants. Specifically, this rule included the following **NEW** major provisions:

- **NEW REQUIREMENT:** Establish lower cancer risk and non-cancer acute and chronic hazard indices (action levels) for refineries under the AB 2588 Toxic “Hot Spots” Program.

Summary of Draft New Bay Area Air Toxics “Hot Spots” Program Risk Management Thresholds for Petroleum Refineries

| | Refinery-Wide Cancer Risk Levels | Refinery-Wide Non-Cancer, Acute and Chronic Hazard Indices |
|--------------------------|---|---|
| Public Notification | 10 in a million | 1.0 |
| Mandatory Risk Reduction | 25 in a million | 2.5 |
| Unacceptable Risk Level | 100 in a million | 10 |

- **NEW REQUIREMENT:** Require the submission, approval, and implementation of a Risk Reduction Audit and Plan (under AB 2588 Toxic “Hot Spots” Program) to reduce the refinery risk if an Air District-approved HRA indicates that the refinery risk to the surrounding community exceeds the action levels.

- **NEW REQUIREMENT:** Establish maximum emissions limits for SO₂ and PM_{2.5} from all permitted sources at each Bay Area refinery and specific support facilities;
- **NEW REQUIREMENT:** Require refinery operators to demonstrate that their facilities will not cause an exceedance of the NAAQS for SO₂ or PM_{2.5} or develop for Air District approval an emissions reduction plan that would ensure NAAQS compliance.

COMMENTS AND FURTHER INFORMATION:

The draft proposals are available on the Air District website at the following URL: <http://www.baaqmd.gov/rules-and-compliance/rule-development/meetings-and-public-hearings>. For additional information or to submit comments, please contact Eric Stevenson, at (415) 749-4695 or via e-mail at ESTevenson@baaqmd.gov. **Written comments, submitted by U.S. mail or electronic mail, are requested by close of business, Wednesday, September 25, 2015.**