

Summary of Recent Changes to Regulation 12, Rule 15

Posted: March 21, 2016

On January 29, 2016, the Air District published a proposed version of Regulation 12, Rule 15: Petroleum Refining Emissions Tracking in anticipation of a public hearing on March 16, 2016. That public hearing has been delayed until April 20, 2016 in order for the Air District staff to address extensive comments that were received on the proposal.

A number of changes have been made to the proposed rule in response to those comments, and the Air District is providing a new version of the rule for the public's review. A brief description of the changes is provided here along with a section-by-section listing of those changes.

Community Air Monitoring

Several commenters expressed concerns about the refinery operators being responsible for siting and operating community air monitors. The Air District has decided to take the responsibility for siting and operating these monitors. The monitoring stations will be funded with a broad-based fee through the pending update to Regulation 3: Fees. This approach will offer the same level of information to the Air District and the public, while addressing concerns raised by both the refineries and community groups.

Crude Slate Reporting

The definitions and administrative requirements for crude slate reporting have been clarified and the data requirements have changed. The purpose of these changes is to focus on the data elements most relevant to emissions: volume, API gravity, sulfur content, vapor pressure, BTEX¹ content and certain metals. Other changes are intended to address refinery operator concerns about confidential business information and to clarify how the data is to be summarized for use by the Air District.

Emissions Inventory

The process for public participation in the emissions inventory development has been modified to ensure that APCO-approved inventories are made available to the public as quickly as possible. The public will have the opportunity to review the emissions inventories and provide comments to the Air District after they are posted. The Air District will correct deficiencies identified if those corrections will ensure a more accurate and complete emissions inventory.

In addition, refinery operators will not be responsible for providing data on the emissions of support facilities. Those facilities will provide emissions inventory data directly to the Air District.

Energy Utilization

The requirement to submit energy utilization reports has been removed. The Air District is continuing to evaluate various approaches for addressing greenhouse gas emissions from refineries. Some of these

¹ BTEX is an acronym for benzene, toluene, ethylbenzene and xylene. These are toxic organic compounds found in some crude oils.

approaches require this information and some do not. If needed, this information will be required in future rulemaking actions.

Listing of Changes:

12-15-204 Community Air Monitoring has been removed from this rule, so the sections associated with Community Air Monitoring have been deleted.

12-15-207 Crude Slate definition has been removed, because the requirements are adequately described in the definition of Monthly Crude Slate Report

12-15-209 Monthly Crude Slate Report definition has been enhanced by explicitly stating the requirements.

12-15-210 Petroleum Refinery definition has been enhanced by including crude oil blending, non-crude oil feedstock blending, and product blending. This allows non-crude oil feedstocks used directly for product blending (generally known as blend stocks) to be differentiated from non-crude oil feedstocks being imported into a refinery for further processing in refinery processing equipment.

12-15-213 Petroleum Refinery Owner/Operator definition has been deleted because it is no longer needed. Definition for support facility has been added.

12-15-214 Receptor Location definition has been deleted because Community Monitoring is no longer included in the rule.

12-15-215 Sensitive Receptor definition has been deleted because Community Monitoring is no longer included in the rule.

12-15-212 Support Facility definition has been added, defined as any facility that provides more than 50% of its production output to a Petroleum Refinery.

12-15-401 Annual Emissions Inventory requirements have been separated from Monthly Crude Slate Report requirements to make the requirements for each more clear. Support Facility emissions are explicitly included in the Annual Emissions Inventory requirements. Monthly Crude Slate Report requirements are now found in 12-15-408.

12-15-402 Review and Approval of Annual Emissions Inventory requirements have been separated from the Review and Approval of Monthly Crude Slate Report requirements to make the requirements for each more clear.

12-15-403 Air Monitoring Plans requirements have been changed to include only fence-line monitoring. Community monitoring requirements have been deleted.

12-15-404 Review and Approval of Air Monitoring Plans requirements have been changed to include only fence-line monitoring. Community monitoring requirements have been deleted. Sections for Siting of Community Monitors, and Separate Approvals for Fence-Line and Community Monitoring have been deleted.

12-15-405 Emissions Inventory Guidelines scope now explicitly include support facilities.

12-15-406 Air Monitoring Guidelines no longer include community monitoring.

12-15-407 Clarified that the Designation of Confidential Information section applies to any document submitted under this rule.

12-15-408 Availability of Monthly Crude Slate Reports is a new section that describes the historical requirements (2013 – 2016) and on-going monthly requirements beginning 1/2017, as described by the definition 12-15-209. A table is provided to clarify what information is being required.

12-15-408 Energy Utilization Analysis requirements are deleted.

12-15-409 Monthly Crude Slate Reports for Calendar Years 2012, 2013, 2014, 2015 deleted. Now included in Section 12-15-408.

12-15-410 Requirements for support facility operators to share information with the refinery operators now deleted. Support facilities are now included as part of the Annual Emissions Inventory.

12-15-501 Community Air Monitoring System requirements deleted.

12-15-502 Recordkeeping requirements now include the support facility owner/operators.

12-15-601 Emissions Inventory Procedures requirements deleted. These procedures are described in 12-15-405.

12-15-602 Air Monitoring Procedures requirements deleted. These procedures are described in 12-15-406.