



Air Resources Board



Matthew Rodriguez
*Secretary for
Environmental Protection*

Mary D. Nichols, Chair
1001 I Street • P.O. Box 2815
Sacramento, California 95812 • www.arb.ca.gov

Edmund G. Brown Jr.
Governor

April 5, 2017

Mr. Jack Broadbent
Executive Officer
Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, California 94105

Dear Mr. Broadbent:

We understand the Bay Area Air Quality Management District is considering three new rules to address air pollution from refineries and other industrial facilities. I am writing to assure you that we support the intent of these rules and agree more can and must be done to deliver real reductions in the pollutants that are impacting the health of residents living near refineries and other large industrial facilities. We view the draft rules as an important first step in that direction. Indeed, as you may be aware, the California Air Resources Board (ARB) also is developing additional statewide regulations on these matters. This letter provides our brief comments on the proposed rules and discusses how the District, the California Air Pollution Control Officers' Association, and the ARB can work together to implement a comprehensive solution.

ARB staff strongly supports District action to develop, adopt, and enforce more stringent rules to reduce the health risk from stationary sources of air toxics, especially in impacted communities that are more vulnerable due to existing pollution burdens and socioeconomic conditions. The District staff's Draft Regulation 11, Rule 18 would require facility-by-facility risk assessment and emission reductions to get each facility below a cancer risk of 10 chances in a million, as achievable with toxics best available retrofit control technology. Based on ARB staff's preliminary analysis, we believe the approach described in the draft rule would be an effective mechanism to cut stack and fugitive emissions at refineries and other facilities. Moreover, your actions complement efforts by ARB to develop tighter regulations for trucks and ships at berth to further reduce emissions of toxic diesel particulate matter and other pollutants from both marine tankers delivering crude oil to refineries and trucks carrying gasoline and diesel fuel to market.

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

California Environmental Protection Agency

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To augment the proposed air toxics rule, we encourage the District to continue investing in air monitoring enhancements (like remote sensing) and improving its emission inventories, which are critical given recent studies suggesting that fugitive emissions from refineries (and other sources) may be greater than current measurements indicate. ARB staff advocates aggressive enforcement at refineries and all stationary sources in the District. These efforts can help address toxic exposures, odors, and other community concerns. Your continued coordination with State and local authorities in targeted enforcement initiatives is essential to lessen the pollution burden in disadvantaged communities.

With regard to the District's draft Regulation 12, Rule 16, limiting emissions increases from refineries, and the new concept in Regulation 13, Rule 1, establishing a carbon intensity cap for refineries, we agree that both the approaches could help to ensure that these sources do not add to the state's overall emissions of greenhouse gases and criteria or toxic pollutants. Moreover, ARB is currently considering what actions might be taken to achieve additional reductions in toxic and criteria pollutants from refineries and we have identified that further action is needed throughout the state to expand public health protection for impacted communities. We would appreciate the opportunity to work with you and other affected air districts to develop complementary rules that can achieve the results that we and the communities want and expect.

To this end, we recommend establishing an industrial source action committee within the California Air Pollution Control Officers' Association, with an initial focus on refineries. The committee would be tasked with performing a rigorous engineering evaluation to identify measures to further cut emissions of all air pollutants from refineries, as well as coordinating and facilitating the implementation of such measures. You have my commitment that this effort will be a high priority for ARB staff.

Thank you for your consideration of the comments and issues raised here. If you have any questions or wish to discuss this letter, please contact me at (916) 322-7077.

Sincerely,



Richard W. Corey
Executive Officer

cc: See next page.

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cc: Matt Rodriguez
Secretary for Environmental Protection
California Environmental Protection Agency
1001 I Street
Sacramento, California 95814

Honorable Liz Kniss, Chair
Bay Area Air Quality Management District
Board of Directors
375 Beale Street, Suite 600
San Francisco, California 94105

W. James Wagoner, President
California Air Pollution Control
Officers' Association
1107 9th Street
Sacramento, California 95814

Honorable Board Members
California Air Resources Board

California Environmental Justice Advisory
Committee Members
California Air Resources Board

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bcc: (via email)

Alberto Ayala, EO
Edie Chang, EO
Veronica Eady, EO
Kurt Karperos, EO
Ellen Peter, EO
Stanley Young, CO
Michael Benjamin, MLD
Cynthia Marvin, TTD
Todd Sax, ED
Floyd Vergara, ISD
Doug Ito, TTD
Rajinder Sahota, ISD
David Hults, Legal
Craig Segall, Legal
Elizabeth Yura, TTD
Sydney Vergis, Leg Office

Gina Solomon, CalEPA
Ashley Conrad-Saydah, CalEPA
Arsenio Mataka, CalEPA

Saul Gomez, GO
Catalina Hayes-Bautista, GO
Peter Krause, GO
Alice Reynolds, GO
Camille Wagner, GO

Elizabeth Adams, US EPA Region 9

Larry Allen, SLOAPCD
Wayne Natri, SCAQMD
Seyed Sadredin, SJVAPCD
Alan Abbs, CAPCOA

Greg Karras, CBE
Kathryn Phillips, Sierra Club