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CITY COUNCIL STAFF REPORT

Meeting: November 7, 2017

Subject

Bay Area Air Quality Management District Proposed Reduction of Risk from Air Toxic Emissions at Existing Facilities

Recommended Action

Adopt a position of support on the Bay Area Air Quality Management District's proposed Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities.

Description

The Bay Area Air Quality Management District's (Air District) proposed Regulation 11: Hazardous Pollutants, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18) would apply to all facilities whose emissions of toxic air contaminants may result in a significant risk to nearby residents and workers. The purpose of Rule 11-18 is to focus on those facilities causing the highest health impacts across the Bay Area and to require these facilities to reduce that health risk.

Proposed Rule 11-18 is the next step in the Air District's efforts to protect the public from toxic air pollution. The rule is expected to substantially reduce health risks posed by various facilities by requiring the implementation of all technically and economically feasible risk reduction measures at facilities identified as producers of significant toxic air contaminants. The proposed rule could affect hundreds of facilities, including a cement kiln, data centers, and petroleum refineries that emit a variety of toxic air contaminants that adversely impact public health.

Cupertino residents have continuously expressed concerns about air pollution from the nearby Lehigh Southwest Permanente facility, which operates a cement kiln. To the extent that the Lehigh facility is identified as a significant source of toxic air contaminants under proposed Rule 11-18, it could be subject to additional risk reduction measures that improve the air quality in Cupertino and surrounding areas.

Sustainability Impact

Proposed Regulation 11-18 is expected to improve air quality in the Bay Area. Greenhouse gas emissions in Cupertino could improve if risk reduction measures are required at nearby facilities like Lehigh.

Fiscal Impact

There is no fiscal impact.

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Approved for Submission by: David Brandt, City Manager

Attachments:

- A. Sample Letter of Support
- B. Proposed BAAQMD Regulation 11, Rule 18