



# NOTICE OF PUBLIC AVAILABILITY OF PETROLEUM REFINERY FLARE MINIMIZATION PLAN (FMP) ANNUAL UPDATES

BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

January 15, 2009

TO: INTERESTED PARTIES  
FROM: AIR POLLUTION CONTROL OFFICER  
SUBJECT: **PETROLEUM REFINERY FLARE MINIMIZATION  
PLAN ANNUAL UPDATES AVAILABLE FOR  
PUBLIC REVIEW AND COMMENT**

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The Bay Area Air Quality Management District (District) is releasing for public review and comment the Flare Minimization Plan (FMP) Annual Updates prepared by the five Bay Area petroleum refineries subject to Regulation 12, Rule 12, Flares at Petroleum Refineries.

Each Flare Minimization Plan Annual Update must include new prevention measures identified to reduce refinery flare emissions by minimizing the frequency and magnitude of flaring events ("prevention measures") in a continuous improvement process. Prevention measures identified must address flaring as a result of planned major maintenance including startup and shutdown; flaring that may reasonably be expected to occur due to issues of vent gas quality or quantity; and flaring caused by the recurrent failure of air pollution control equipment, process equipment, or processes.

Under Regulation 12-12, each Flare Minimization Plan Annual Update must include:

- New prevention measures identified during investigations of flaring events that occurred during the period June 2006 – May 2008;
- A description of the prevention measures previously taken or currently planned to reduce flare emissions at the refinery; and
- Commitment to implement all new feasible prevention measures expeditiously.

It is important to note that refinery flares are first and foremost safety devices intended to protect the safety of refinery workers and the public and the integrity of the refinery. For this reason, Regulation 12-12 gives the refineries flexibility to develop an FMP specific to the unique design and operation of its facility. The regulation specifically allows flaring in emergency situations if necessary to prevent accident, hazard or release of vent gas directly into the atmosphere.

An FMP Annual Update will be approved only if the District determines that all feasible prevention measures have been incorporated and, if not already undertaken, scheduled for expeditious implementation. Upon approval by the District, the prevention measures in the FMP Annual Update (whether implemented or planned or in the form of commitments to future actions) are enforceable regulatory requirements. With the exception of emergency flaring necessary to prevent accident, hazard or release of vent gas to the atmosphere, all flaring must be consistent with an approved FMP.

Each refinery's Flare Minimization Plan Annual Update is now available for review and public comment. The 30-day public review period begins February 2, 2009 and ends March 3, 2009.

(Over)

The plan updates can be obtained from any of the following sources:

- At the District offices at 939 Ellis Street, San Francisco, California
- On the District website ([www.baaqmd.gov/flares](http://www.baaqmd.gov/flares))
- At the reference desk at public libraries in the following cities: Martinez, Concord, Benicia, San Pablo, Rodeo, El Cerrito, El Sobrante, Pinole, Hercules, Richmond and Crockett
- By request by calling (415) 749-4999. A copy will be mailed out.

Comments on any of the Flare Minimization Plan Annual Updates must be submitted no later than March 3, 2009:

- By mail addressed to: BAAQMD–FMP Update Public Comment, 939 Ellis Street, San Francisco, CA 94109
- By Email to: [compliance@baaqmd.gov](mailto:compliance@baaqmd.gov).

**Be sure to identify which refinery, or refineries, your comment is applicable to.**

After consideration of public comments received, the District will evaluate each refinery's Flare Minimization Plan Annual Update to determine whether it meets the requirements of Regulation 12-12 and will take final action in accordance with the regulation. For any additional information, please visit the District website at [www.baaqmd.gov](http://www.baaqmd.gov) or contact Douglas Tolar, Senior Air Quality Specialist, at (415) 749-5118 or email [dtolar@baaqmd.gov](mailto:dtolar@baaqmd.gov).