



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT
SINCE 1955

January 15, 2009

Ms. Lynn Terry
Deputy Executive Officer
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812

ALAMEDA COUNTY
Tom Bates
(Secretary)
Scott Haggerty
Jennifer Hosterman
Nate Miley

Dear Ms. Terry:

The purpose of this letter is to clarify the District's BART determination for the Valero Benicia Refinery for inclusion in the State Regional Haze SIP.

CONTRA COSTA COUNTY
John Gioia
Mark Ross
Michael Shimansky
Gayle B. Uilkema

The District believes that existing regulatory requirements, along with emission limits on core process units in Valero's Consent Decree with the EPA/DOJ, meet or exceed BART requirements. Additional emission control projects not specifically required under the Consent Decree have been evaluated, but have been determined not to be cost-effective for the incremental visibility improvement (as demonstrated in the proposed BART determination dated December 2, 2008, which is in the Draft California Regional Haze Plan as Appendix D). Therefore, the District cannot require these additional reductions under the Regional Haze rules.

MARIN COUNTY
Harold C. Brown, Jr.

NAPA COUNTY
Brad Wagenknecht
(Vice-Chairperson)

Attached is a revised Table 5-4 for the final Plan. Only limits for the "main stack" (coker, FCCU, 2 CO boilers) are proposed to be considered for the purposes of the BART determination. The NOx BART level referenced in the current draft Plan is incorrect. The basis for the revised NOx limit is existing federally-enforceable condition number 11030, part 3. The basis for the SO2 limits is the Consent Decree. The basis for the filterable particulate limits is SIP Regulation 6, Particulate Matter and Visible Emissions.

SAN FRANCISCO COUNTY
Chris Daly
Gavin Newsom

SAN MATEO COUNTY
Carol Klatt
Carol Groom

The text of pages 5-24 and 5-25 in Chapter 5 of the Draft California Regional Haze Plan does not require revisions.

SANTA CLARA COUNTY
Susan Garner
Yoriko Kishimoto
Liz Kniss
Ken Yeager

Please feel free to call Brian Bateman of my staff at (415) 749-4653 if you have any questions regarding this matter.

SOLANO COUNTY
Elizabeth Patterson

Sincerely,

SONOMA COUNTY
Shirlee Zane
Pamela Torliatt
(Chairperson)


FOR
Jack P. Broadbent
Executive Officer/Air Pollution Control Officer

Attachment

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Spare the Air

Table 5-4 BART Determination for Selected Units at Valero Refinery

UNIT	NO_x Emission Limit Citation	SO₂ Emission Limit Citation	PM Emission Limit Citation	BART Imple- mentation Date
<p>"Main Stack:" -Valero Coker, - FCCU, -CO Boilers</p> <p>(Units S3, S4, S5, S6)</p>	<p>BAAQMD Permit Condition #11030, part 3</p>	<p>Consent Decree entered in <i>United States, et.al. v. Valero Refining Company, et.al., (W.D. Tex., Civil Action No. SA- 05-CA-0569, entered November 23, 2005)</i></p>	<p>SIP Regulation 6</p>	<p>Limits incorporated in Title V Permit by December 31, 2013</p>