

NOTICE OF EXEMPTION

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**TO:** Contra Costa County  
County Clerk-Recorder  
555 Escobar Street  
Martinez, CA 94553

**FROM:** Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105

**SUBJECT:** FILING OF NOTICE OF EXEMPTION PURSUANT TO CEQA § 21152(b) AND CEQA GUIDELINES § 15062.

**Project Title:** Phillips 66 San Francisco Refinery - Issuance of Alteration of Fixed Roof Tank, Source 140 (Air District Application 32248).

**Public Agency Approving Project:** Bay Area Air Quality Management District (Air District), 375 Beale Street, Suite 600, San Francisco, CA 94105. Attn: Ali Roohani, Air Quality Engineer, Telephone: (415) 749-4707, Email: aroohani@baaqmd.gov.

**Project Applicant and Entity Carrying Out Project:** Phillips 66 San Francisco Refinery.

**Project Applicant Address:** 1380 San Pablo Avenue, Rodeo, CA, 94572.

**Project Applicant Contact Person:** Andrea Fabio, Environmental Specialist, Phillips 66 San Francisco Refinery, Telephone: (510) 245-4635, Email: andrea.c.fabio@p66.com.

**Project Location:** 1380 San Pablo Ave., Rodeo, Contra Costa County, CA 94572. Cross Street: near Road Number 8 and J Street.

**Project Description:** This permit action was to issue an Air District Permit to Operate to alter the following source:

**S-140 TANK #205  
Fixed Roof Tank, 2,226,000 Gallon Capacity**

Phillips 66 San Francisco Refinery requested to replace the pressure relief valve (PRV) for S-140 Fixed Roof Tank. The PRV is a safety and emergency pressure relief device that opens to let vapors out when the pressure inside the tank exceeds the PRV set pressure limit to prevent the tank from potentially exploding or an emergency release event at the tank or its associated equipment/piping. For S-140, the PRV opens and releases the vapors to a fuel recovery system if its set pressure is exceeded. The existing PRV needs to be replaced due to mechanical issues. The tank is currently permitted to operate with a minimum set pressure of 1.9 inches of water while the replacement valves currently available in the market have a recommended 1.5 inches of water set pressure rating. Decreasing set pressure from 1.9 to 1.5 inches of water is not expected to result in increased emissions or other impacts. The facility operates the tank at pressure levels close to 0.1 inches of water, so the valve only opens during upset conditions, which are rare and in short duration. Also, it is unlikely that there will be a significant difference in the frequency at which the replacement PRV will be triggered compared to the existing PRV. In addition, the organic liquids stored in S-140 are also blanketed by a layer of natural gas which acts as an abatement and controls the normal losses (i.e., minimizes fugitive emissions) that occur from the


loading/unloading of the tank. Furthermore, this tank is abated by a vapor recovery system, A-7, which routes any displaced organic vapors to a fuel system (S-338). The proposed change does not involve any physical changes resulting in pump capacity increases, changes to compressors, or changes to upstream and downstream equipment that result in any increases in capacities or criteria pollutant emissions.

**Finding of Exemption:**

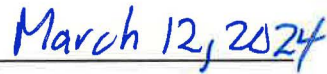
The issuance of the Permit to Operate is ministerial, so it is not subject to CEQA (Public Resources Code § 21080(b)(1); CEQA Guidelines § 15268(a)). This permit action is also exempt from CEQA because the project involves only a minor alteration to an existing facility, which is subject to the "Class 1" categorical exemption with no expansion of the existing use (CEQA Guidelines § 15301).

**Basis for Exemption:**

Approval of this permit is not subject to CEQA because it is ministerial. The Air District's regulatory requirements that governed the approval of this project did not allow for any subjective judgement related to whether or how the project may be carried out. The project must comply with objective numerical standards in air permitting/engineering reference materials including permitting handbook Chapter 5.1 and permitting guidance documents from AP-42 Chapter 7.1. These fixed standards do not allow for or require any subjective judgment or discretion to interpret or apply. Additionally, the Air District is legally compelled to approve the project where it complied with these standards. Furthermore, this project did not trigger Best Available Control Technology (BACT) or BACT for toxics. Thus, the Air District's action was ministerial. Furthermore, the Air District's permit action is exempt because it permits an existing use and does not authorize any expansion of that existing use. S-140 is an existing storage tank storing hydrocarbon materials and will continue to be in this service with no change or expansion in use. Further, the permit application materials, including the Engineering Evaluation and Appendix H to the application, demonstrate that the project has no potential for resulting in any new or increased impacts relative to existing operations.



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Pamela J. Leong  
Director of Engineering  
Bay Area Air Quality Management District



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Date