



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS' REGULAR MEETING

January 7, 2004

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:45 a.m. in the 7th floor Board room at the Air District headquarters, 939 Ellis Street, San Francisco, California.

Questions About an Agenda Item

The name, telephone number and e-mail of the appropriate staff person to contact for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:45 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

BOARD OF DIRECTORS' REGULAR MEETING A G E N D A

WEDNESDAY
JANUARY 7, 2004
9:45 A.M.

BOARD ROOM
7TH FLOOR

CALL TO ORDER

Opening Comments
Roll Call
Pledge of Allegiance
Commendations/Proclamations

Scott Haggerty, Chairperson
Clerk of the Boards

PUBLIC COMMENT PERIOD

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3
Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Board's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.

CONSENT CALENDAR (ITEMS 1 – 5)

Staff/Phone (415) 749-

1. Minutes of December 3, 2003

M. Romaidis/4965
mromaidis@baaqmd.gov

2. Communications

J. Broadbent/5052
jbroadbent@baaqmd.gov

Information only

3. Report of the Advisory Council

B. Hanna/4962
bchanna@napanet.net

4. Monthly Activity Report

P. Hess/4971
phess@baaqmd.gov

Activities for the month of November, 2003

5. Notice of Proposed Amendments to Administrative Code Division I Section: 2.1:
Officers of the Board

J. Broadbent/5052
jbroadbent@baaqmd.gov

of
*Notice of proposed amendments to Administrative Code Division I, Section 2.1: Officers
of the Board. This amendment clarifies reference to term limit in the same Board office.*

COMMITTEE REPORTS AND RECOMMENDATIONS

6. Report of the **Budget and Finance Committee** Meeting of December 16, 2003

CHAIR: J. MILLER

J. Broadbent/5052

Action: The Committee recommends approval of a purchase order to Allsteel in the amount of \$105,825 for the purchase of 17 modular workstations to be funded with a transfer from the reserve for furniture replacement.

7. Report of the **Executive Committee** Meeting of December 19, 2003

CHAIR: S. HAGGERTY

J. Broadbent/5052

CLOSED SESSION

8. Conference with Legal Counsel

Existing Litigation:

Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following cases:

- A) **Alvin J. Greenberg, Ph.D. v. Bay Area AOMD, et al.**, United States District Court, N.D. Cal., Case No. C 02 1501 VRW
- B) **Carl W. Gabler v. Bay Area Air Quality Management District**, Santa Clara County Superior Court, Small Claims Division, Case No. 2-03-SC000606
- C) **Communities for a Better Environment and Transportation Defense and Education Fund v. Bay Area AOMD, Metropolitan Transportation Commission, Association of Bay Area Governments, and California Air Resources Board**, San Francisco Superior Court, Case No. 323849

OTHER BUSINESS

9. Report of the Executive Officer/APCO
10. Chairperson's Report
11. Board Members' Comments

Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

12. Place of Next Meeting - 9:45 a.m., Wednesday, January 21, 2004 -939 Ellis Street, San Francisco, CA 94109

13. Environmental Community Tour of :

10:15 a.m. Shell Gas Station, Excelsior District, (@ Mission & Silver)

10:45 a. m. Mirant Corporation's Potrero Power Plant, 1201 Illinois Street (at Humboldt Street, South of 22nd Street and North of 23rd Street)

11:10 a.m. PG&E's Hunters Point Power Plant, 100 Evans Avenue (@ India Basin Park on Evans, just East of Jennings Street)

JPB:mag

CONTACT CLERK OF THE BOARD - 939 ELLIS STREET SF, CA 94109

(415) 749-4965

FAX: (415) 928-8560

BAAQMD homepage:

www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities notification to the Clerk's Office should be given at least 3 working days prior to the date of the meeting, so that arrangements can be made accordingly.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: December 18, 2003

Re: Board of Directors' Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Board of Directors meeting of December 3, 2003.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors' meeting of December 3, 2003.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET - SAN FRANCISCO, CALIFORNIA 94109

Draft Minutes: Board of Directors Regular Meeting – December 3, 2003

Call To Order

Opening Comments: Chairperson Haggerty called the meeting to order at 9:48 a.m.

Pledge of Allegiance: Director Uilkema led the Board in the Pledge of Allegiance.

Roll Call: Present: Scott Haggerty, Chair, Harold Brown, Roberta Cooper, Mark DeSaulnier, Jerry Hill, Patrick Kwok, Nate Miley, Julia Miller (10:00 a.m.), Dena Mossar, Mark Ross, John Silva, Tim Smith, Marland Townsend, Gayle Uilkema, Brad Wagenknecht, Shelia Young.

Absent: Willie Brown, Jr., Chris Daly, Liz Kniss, Jake McGoldrick, Pam Torliatt.

Commendations/Proclamations: There were none.

Public Comment Period: Speaker: There were none.

Consent Calendar (Items 1 – 8)

1. Minutes of November 19, 2003

2. Communications. Correspondence addressed to the Board of Directors

3. Report of the Advisory Council – *There was no report.*

4. Approval of Proposed Amendment to Administrative Code Division III, Section 10.17: Dependent Care Assistance Plan.

Approved proposed amendments to Administrative Code Division III, Section 10.1:7 Dependent Care Assistance Plan.

5. Approval of Proposed Amendment to Administrative Code Division I, Section 2.1: Officers of the Board

Approved proposed amendments to Administrative Code Division I, Section 2.1: Officers of the Board to provide for a one-year term of office for Officers, effective, 2005.

6. 2006 Regulatory Calendar

Section 40923 of the California Health and Safety Code requires Districts to publish a list of regulatory measures scheduled or tentatively scheduled for consideration during the next

calendar year. The list of regulatory measures that may be considered during 2004 is included in the packet.

7. Set Public Hearing for January 21, 2004, to Consider Approval of Proposed Amendments to District Regulation 8, Rule 10: Process Vessel Depressurization.

The proposed amendments to Regulation 8, Rule 10: Process Vessel Depressurization would implement Control Measure SS-17 by prohibiting venting to the atmosphere unless the total organic compounds are reduced to a concentration of less than 10,000 parts per million (ppm), expressed as methane (C₁)

8. Set Public Hearing for January 21, 2004, to Consider Approval of Proposed Amendments to District Regulation 8, Rule 18: Equipment Leaks.

The proposed amendments to Regulation 8, Rule 18: Equipment Leaks would implement SS-16 (low-Emission Refinery Valves) from the Bay Area 2001 Ozone Attainment Plan and will clarify specific provisions of the rule to ensure consistency.

Board Action: Director Wagenknecht moved approval of Consent Calendar Items 1 through 8; seconded by Director Cooper.

During discussion, Director Uilkema requested clarification on Item 5 regarding the following language in the amendments: "In any event, no Board Officer shall serve more than three (3) years in any Board office." Brian Bunger, Counsel, indicated the District interprets it to be any one Board office, but stated that a modification to the wording could be made, i.e. "in the same Board office." Mr. Bunger stated that this additional change can be noticed at the next meeting and that the Board could adopt it at the following meeting.

The motion was amended to include the potential change in wording for Item 5 and the motion then passed unanimously without objection.

Committee Reports and Recommendations

9. *Report of the Legislative Committee Meeting of November 17, 2003*

Action: *Adopt legislative agenda for 2004.*

Director Wagenknecht presented the report and stated that the Committee, lacking a quorum, met on Monday, November 17, 2003, and staff presented a summary of bills that the Air District adopted positions on. Staff noted that there were over 3,000 bills introduced this year and bills that had any significant costs failed to become law. There were more air quality bills introduced this year than is typical. The District adopted formal positions on 26 bills. None of the bills the District opposed became law. Staff reviewed several bills on the list that is in the Board packet.

Staff also reported on the state budget and noted that the District had a slight increase in subvention funds, which had been cut by a third in 2002. The District did not lose any property tax revenues in 2003. However, it is likely that the District will experience cuts in both subvention and property tax revenues in the 2004-2005 budget year.

The Committee considered a legislative agenda for 2004 and endorsed the following measures.

- Adopt Legislative Agenda for 2004.
- Find ways to mitigate potential loss of funds in the 2004-2005 budget year.
- Find a stable, long-term source of funding to cut emissions of diesel particulates.
- Continue to support clean air measures without significant costs.

The next meeting of the Legislative Committee will be at the Call of the Chair.

Board Action: Director Wagenknecht moved that the Board accept the report of the Legislative Committee; seconded by Director Cooper; carried unanimously without objection.

10. Report of the Stationary Source Committee Meeting of November 24, 2003

Director DeSaulnier presented the report and stated that the Committee met on Monday, November 24, 2003 and Staff presented a status report on the development of Control Measure SS-17: Proposed Amendments to Regulation 8, Rule 10: Process Vessel Depressurization and reviewed the following:

- The background of the regulation.
- The rule development process.
- A description of the processes.
 1. Depressurization for process unit turnarounds
 2. Scheduled activity for maintenance
 3. Planned to provide safe shutdown and access
 4. Controlled shutdown
- A summary of the proposed amendments.
- Currently regulated process vessels.
- Covering all situations when a vessel is depressurized.
- Establishes an emission standard.
- Requires emission monitoring.
- Emission reductions and costs.
- The benefits.

Staff also presented a status report on Control Measure SS-16: Proposed Amendments to Regulation 8, Rule 18: Equipment Leaks and provided the Committee with an overview as follows:

- The background of the Regulation.
- The rulemaking process.
- The current rule.
- The proposed amendments.
- Additional amendments that include recordkeeping and reporting
- Emissions inventory.
- Emission reductions and costs.
 1. Emission reductions are approximately 0.20 tons per day.
 2. Annual costs are \$24,000 to \$120,000.
 3. The cost per ton of Precursor Organic Compounds reduced ranges from \$320 to \$1600.

Dennis Bolt of the Western States Petroleum Association (WSPA) spoke on the two agenda items. The next meeting of the Committee is tentatively scheduled for Monday, January 26, 2004.

Board Action: Director DeSaulnier moved the Board approve the Stationary Source Committee Report; seconded by Director Townsend; carried unanimously without objection.

11. Report of the Regional Agency Coordinating Committee meeting of November 21, 2003

Director DeSaulnier presented the report and stated that the Committee met on Friday, November 21, 2003 at the MetroCenter in Oakland. Air District staff presented informational items regarding the current ozone planning process, including U.S. EPA's proposed finding of attainment for the national 1-hour ozone standard and the status of control measure evaluation and photochemical modeling work.

Metropolitan Transportation Commission (MTC) staff presented three information items, including: 1) the costs of different options for providing school bus services, 2) new goals and transportation/land use strategies for the next Regional Transportation Plan, *Transportation 2030*, and 3) initial findings of a study of goods movement and land use in the Bay Area.

Association of Bay Area Governments (ABAG) staff presented an informational item regarding Smart Growth activities. These activities include a multi-agency Corridor Program to link local land uses and transit expansion in key transportation corridors, and technical sessions on Level of Service and CEQA as well as ways to reduce lending risks.

The next meeting is scheduled for Friday, January 23, 2004 at 1:30 p.m.

Board Action: None. This report provided for information only.

Other Business

12. Report of the Executive Officer/APCO. Mr. Broadbent reported on the following: 1) The District has kicked off the winter outreach program and it is expected there will be a number of advisories this year due to the new, lower PM 2.5 standard. 2) He will be setting up meetings with each Board member to get input and advice on the direction of the District.
13. Chairperson's Report. Chairperson Haggerty stated that he has been working with Communities for a Better Environment (CBE) to schedule some Toxic Tours so the Board members can look at various sites around the Bay Area. On January 7, 2004, a Tour will be scheduled in San Francisco, which will start immediately following the Board meeting and will conclude at noon back at the District headquarters. Chairperson Haggerty urged Board members to take the Tour.

Closed Session (The Board adjourned to Closed Session at 10:04 a.m.)

14. Conference with Legal Counsel

Existing Litigation:

Pursuant to Government Code Section 54956.9(a), a need existed to meet in Closed Session with legal counsel to consider the following cases:

Carl W. Gabler v. Bay Area Air Quality Management District, Santa Clara County Superior Court, Small Claims Division, Case No. 2-03-SC000606

Open Session (The Board reconvened to Open Session at 10:11 a.m.)

Brian Bunger, Counsel, reported on agenda Item 14 and stated that the Board heard a status report from Counsel on the case and provided general direction to Counsel.

15. Board Members' Comments: There were none.
16. Time and Place of Next Meeting - The December 17, 2003 Board meeting was cancelled. The next Regular Board meeting is scheduled for 9:45 a.m., Wednesday, January 7, 2004, 939 Ellis Street, San Francisco, California, and will adjourn to a Toxic Tour of San Francisco immediately following the Board meeting.
17. Adjournment: The meeting was adjourned at 10:12 a.m.

Mary Romaidis
Clerk of the Boards

mr

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 7, 2004

Re: Report of Division Activities for the month of November 2003

RECOMMENDED ACTION:

Receive and file.

Reviewed by: Peter Hess

ADMINISTRATIVE SERVICES DIVISION – W. TANAKA, DIRECTOR

The District received the remaining 4 Toyota Prius' ordered in May 2003. Sixteen 2003 models were delivered but due to high demand, the remaining 4 were delayed to the 2004 model year. The four, 2004 models, were delivered this month at no additional cost.

Preliminary field work on the annual audit began. Staff will compile a list of all the items that will be requested by the audit firm. The CVPA firm of Izabal, Bernaciak & Company will be in the third year of its three year contract with the District. The audit will be completed in January with a final report to be presented to the Budget & Finance Committee in March or April 2004.

Status of various capital projects in process:

	<u>Started</u>	<u>% Complete</u>	<u>Estimated Completion</u>
➤ Phase II HVAC upgrade	3/2003	48%	1/2004
➤ Main Entry Upgrade	10/2003	75%	12/2003
➤ Photo ID & Security System	9/2003	95%	12/2003
➤ Roof Replacement	11/2003	20%	2/2004

COMPLIANCE & ENFORCEMENT DIVISION – K. WEE, DIRECTOR

The annual Regulation 5, Open Burning outreach program was commenced this month with a Policy and Procedures Guidelines revision to streamline and incorporate recent rule changes, new online forms, and a meeting with fire officials in St. Helena. In addition, approximately 4,000 informational packets have been prepared for distribution to rural fire departments and California Department of Forestry stations. The packet contains the new notification forms, a Burn Information Checklist (in English and Spanish) and two Advisories, which clarify Hazard Reduction Fire policies and explain the forms and that electronic submittal is now

available. The packets will be given to burners who want information or apply for a burn permit.

In-service training for inspection staff was conducted on changes in Reg. 5 and Complaint Policy and Procedures guidelines. Autobody refinishing presentations were given to both the Alameda County and Santa Clara County Environmental Crimes Task Forces during the month. EPA training was attended regarding data submission procedures to the EPA AIRS system.

(See Attachment for Activities by County)

INFORMATION SYSTEMS DIVISION – J. McKAY, DIRECTOR

Enterprise Resource Planning (ERP) Project for Air District Financial Systems

JD Edwards Budgeting is implemented and District-wide User Training will begin December 1. District-wide use of JDE Budgeting can begin in January. The Administration cutover from Mitchell Humphrey will then be timed to occur at the beginning of a fiscal period.

Meanwhile, Administration and Human Resources are focused on modeling of business processes. Modeling Design for HR and Payroll involves significant innovation because these systems are currently paper based. This process will continue into next year.

The first phase of implementation will not only replace the old Mitchell Humphrey's financial system, but will also absorb a small portion of the function currently in the IRIS/Databank system. The interfaces between JDE and the Districts' Engineering/Production systems (IRIS/Databank) have shown initial successful trials. Determination of appropriate tool sets and functional design for the Districts' future Engineering/Production Systems (used by Permits, Enforcement and Legal) continues as a separate, but linked, process.

Toolsets for Permits/Enforcement/Legal

High-level functional design and toolset evaluations are ongoing with Engineering. The process of determining high-level system architecture will continue concurrent with the ERP implementation. This process will further mature in the first half of the calendar year, and will then receive full staffing as the ERP implementation completes. An informal proposal from Accela was considered. Accela has been encouraged to provide a smaller scale vision that illustrates their technology without prematurely committing the District to a technology path.

Web Site Development

The roadmap for the next phase of the new site is under development.

LEGAL DIVISION – B. BUNGER, DISTRICT COUNSEL

The District Counsel's Office received 97 Violations reflected in Notices of Violation ("NOVs") for processing.

Mutual Settlement Program staff initiated settlement discussions regarding civil penalties for 73 Violations reflected in NOVs. In addition, Mutual Settlement Program staff sent 25 Final 30 Day Letters regarding civil penalties for 38 Violations reflected in NOVs. Finally, settlement negotiations by Mutual Settlement Program staff resulted in collection of \$67,581 in civil penalties for 115 Violations reflected in NOVs.

Counsel in the District Counsel's Office initiated settlement discussions regarding civil penalties for 18 Violations reflected in NOV's. Settlement negotiations by counsel in the District Counsel's Office resulted in collection of \$120,846 in civil penalties for 36 Violations.

ENGINEERING DIVISION – BRIAN BATEMAN, DIRECTOR

Permit Evaluation Activity

Monthly Title V Activity: Initial Issuance

The District met its goal of taking final action by December 1, 2003, on all Title V permit applications submitted during the initial application period in 1995-1997. The last of these permits were signed by the APCO on December 1, 2003.

There are still 12 applications for initial Title V permits under District review. Six of these are for new power plants that have not yet been built. Six are for existing facilities. Now that the original applications have all been addressed, we are turning our attention to completing the permitting process for these facilities.

No draft Title V permit were circulated for final internal review before public comment begins.

No proposed Title V permits were placed on public comment.

Twelve new Title V permits were issued.

Plant # A0017	Hanson Permanente Cement	Application 16349
Plant # A1179	Redwood Landfill Inc	Application 17363
Plant # A0901	Huntway Refinery	Application 17468
Plant # A0041	Owens Corning S.C. Plant	Application 25819
Plant # A0010	Chevron Products Company	Application 16461
Plant # A0011	Shell Martinez Refining Company	Application 16467
Plant # A0016	Tosco Rodeo Refinery	Application 16487
Plant # B2626	Valero	Application 16423
Plant # B2758	Ultramar, Inc	Application 16484
Plant # A2066	Waste Management of Alameda County	Application 25828
Plant # A0031	DOW CHEMICAL	Application 16468
Plant # A2371	USS POSCO	Application 27726

Issued, still active: 90

- Post-comment process 3
- Public Comment: 1
- Under Review: 8
- Not yet submitted 1

Total: 103

Monthly Title V Activity: Renewals

The District is also giving a high priority to completion of the 17 applications for Title V permit renewals currently under review. Progress on these permits will be reported in future monthly activity reports.

No draft Title V permit renewals were circulated for final internal review before public comment begins.

No proposed Title V permit renewals were placed on public comment.

No new Title V permit renewals were issued.

Title V permits undergoing renewal

- Post-comment process 0
- Public Comment: 0
- Under Review: 17
- Not yet submitted 4
- Not yet submitted (late) 0

Total: 21

Toxics Program

Health risk screening for new/modified sources of toxic air contaminants continued to dominate work within the Air Toxics Program in November. About two-thirds of the thirty-eight risk screening evaluations completed were for emergency standby diesel engines. Rule development activities continued on Regulation 2, Rule 5, which would convert the existing District Risk Screening Procedure and Risk Management Policy into an Air Toxics New Source Review (NSR) rule. This project has been delayed, however, pending the release of new health risk assessment software tools by Cal/EPA. It is now expected that the Air Toxics NSR rule will be presented for adoption to the District's Board of Directors in the first half of 2004.

PLANNING DIVISION

Staff continues to conduct the modeling, control measure evaluation and public involvement processes to update the region's strategy to reduce ground-level ozone. Staff held two public workshops on amendments to District Regulation 12, Rule 11 – Refinery Flares. The District's vehicle buy back contractors purchased 264 vehicles in November 2003. Staff wrote six comment letters regarding air quality impacts of development projects and plans in the Bay Area: Oaks Business Park (City of Livermore), Oakland International Airport Development Plan, City College of San Francisco Master Plan, Lawrence Berkeley National Laboratory 2004 Long Range Development Plan, Shiloh Road Village Vision Plan (Town of Windsor), and Rohnert Park Southeast Specific Plan. Staff also responded to a letter regarding the AC Transit Student Bus Pass Program.

PUBLIC INFORMATION & OUTREACH – T. GALVIN LEE, DIRECTOR

The District began its wintertime *Spare the Air Tonight!* outreach program on November 24. It focuses on the dangers and health effects of particulate pollution resulting from motor vehicle exhaust and woodburning. The media relations' effort will include public service announcements in English, Spanish, and Chinese on local radio, distribution of the District's Woodburning Handbook, and a presence at the Radio Disney Jingle Jam youth event. A banner over the Treasure Island overpass has been installed for a four-week period. The

District is also promoting the Woodsmoke Changeout program to residents of Santa Clara County. Rebates of up to \$500 are available to county residents who switch from burning wood to using natural gas, courtesy of an agreement between the CEC and two power plant project sponsors. Staff has been actively promoting the program, and has had coverage from the Mercury News, several smaller papers and KRON TV.

Also during November, a town hall meeting took place with Richmond residents regarding the Chevron refinery and other local air quality issues. The Public Information Office issued five requests for proposal for media relations, advertising, community outreach, youth outreach, and public opinion research. Work continued on the Air District video project. 2548 smoking vehicles were reported.

TECHNICAL DIVISION – G. KENDALL, DIRECTOR

Air Monitoring

Particulate monitors for PM_{2.5} began their enhanced wintertime sampling schedules at all designated stations on October 1. Eight ozone monitors will be shut down during the low ozone winter months starting on December 1 as authorized under a waiver granted by the EPA.

Meteorology and Data Analysis

July thru October 2003 ozone data were loaded into the EPA AQS database. The remainder of July air quality data were also loaded into EPA AQS database.

Quality Assurance

Air Monitoring auditing activities included the following: 3 full station audits; 7 ozone station audits; 2 SO₂ station audits; 1 H₂S station audit; 6 PM_{2.5} audits; 6 PM₁₀ audits; 2 BAM (continuous PM_{2.5} monitor) audits; and 1 dioxin sampler audit.

Air Quality

November is typically the first month when elevated winter-time particulate levels occur. Cool temperatures this time of the year keep the ozone levels low. There were no recorded exceedances of the national PM_{2.5} standard in November, but there were two days in the Unhealthful for Sensitive Groups category. The first unhealthful day occurred on November 7th in Vallejo, which the AQI reached 110. The elevated PM_{2.5} level resulted from a combination of particulate carryover from the proceeding day, offshore winds bringing in particulates from the Central Valley, and the Friday-night effect of increased fireplace usage. The second unhealthful day occurred on the 28th, when San Jose AQI reached 130 and Livermore AQI reached 108. This day also had offshore winds, and particulate buildup was likely exacerbated by increased fireplace usage during the Thanksgiving holiday period. Both days were well below the 151 AQI levels required to call a Spare the Air Tonight. Twenty other days in November had PM_{2.5} levels in the “moderate” category.

Laboratory

In addition to the ongoing, routine analyses performed by the lab during the month, the VOC composite partial pressure of a metering roller cleaner from Citation Press in Santa Clara was determined. A calibration standard from the San Pablo Air Monitoring station was analyzed for verification of H₂S concentration.

Source Test

Ongoing Source Test activities included Continuous Emissions Monitoring (CEM) Field Accuracy Tests, source tests, gasoline cargo tank testing, and evaluations of tests conducted by outside contractors. The ConocoPhillips Refinery's open path monitor monthly report for the month of October was reviewed. Provided ongoing participation in the District's Further Studies Measures for refineries and marine vapor recovery.

These facilities have received one or more Notices of Violations Report period: November 1, 2003 – November 30 2003

Alameda County

Status Date	Site #	Site Name	City	Regulation Title
11/13/2003	N4048	Jay Construction	Berkeley	Asbestos Demolition, Renovation, Manufacturing
11/25/2003	C0644	7-11 Store	Livermore	Gasoline Dispensing Facilities
11/25/2003	C0138	7-Eleven	Livermore	Gasoline Dispensing Facilities
11/10/2003	A1253	Central Concrete Supply, A U S Concrete Co	Oakland	Authority to Construct
11/10/2003	C5824	Hopyard Shell	Pleasanton	Gasoline Dispensing Facilities

Contra Costa County

Received Date	Site #	Site Name	City	Regulation Title
11/12/2003	C0237	Antioch Beacon	Antioch	Gasoline Dispensing Facilities
11/7/2003	P5495	Orwood Resort	Brentwood	Open Burning; Asbestos Demolition, Renovation and Manufacturing;
11/5/2003	B1959	LANSCO, A division of Hydrochem	Martinez	Storage of Organic Liquids; Failure to Meet Permit Conditions
11/5/2003	A0011	Shell Martinez Refinery	Martinez	Sulfur Dioxide
11/5/2003	C9745	Southland 7-11	Martinez	Gasoline Dispensing Facilities
11/5/2003	C9427	SUN Gasoline	Martinez	Permit to Operate
11/7/2003	B2758	Tesoro Refining and Marketing Co	Martinez	Public Nuisance; Storage of Organic Liquids
11/5/2003	B2095	Delta Energy Center	Pittsburg	Major Facility Review (Title V); Continuous Emission Recordkeeping Procedures
11/7/2003	B1866	Los Medanos Energy Center	Pittsburg	Continuous Emission Monitoring and Recordkeeping Procedures
11/13/2003	A0010	Chevron Products Company	Richmond	Public Nuisance
11/7/2003	A0010	Chevron Products Company	Richmond	Equipment Leaks
11/17/2003	A1840	West Contra Costa County Landfill	Richmond	Major Facility Review (Title V)
11/13/2003	B0593	Asbury Graphite Inc of Calif	Rodeo	Authority to Construct
11/7/2003	P5512	Abstract Drywall/Tom Snashall	San Ramon	Asbestos Demolition, Renovation and Manufacturing

Marin County

Received Date	Site #	Site Name	City	Regulation Title
11/5/2003	1	Civic Center Service	Rafael	Gasoline Dispensing Facilities

Napa County

Received Date	Site #	Site Name	City	Regulation Title
NONE				

San Francisco County

Received Date	Site #	Site Name	City	Regulation Title
11/21/2003	A8690	Flying Dutchman Auto Body	San Francisco	Motor Vehicle and Mobile Equipment Coating Operations
11/21/2003	B1313	Golden City Auto Body	San Francisco	Motor Vehicle and Mobile Equipment Coating Operations

San Mateo County

Received Date	Site #	Site Name	City	Regulation Title
11/10/2003	A0468	Romic Environmental Technologies Corporation	East Palo Alto	Equipment Leaks
11/25/2003	A2266	Browning-Ferris Industries of CA, Inc	Half Moon Bay	Authority to Construct; Gasoline Dispensing Facilities
11/7/2003	C6342	Tosco Marketing Facility #4354	Park	Gasoline Dispensing Facilities
11/21/2003	B2392	Golden Auto Body Shop	Redwood City	Motor Vehicle and Mobile Equipment Coating Operations
11/21/2003	B2392	Golden Auto Body Shop	Redwood City	Motor Vehicle and Mobile Equipment Coating Operations
11/17/2003	A1534	South Bayside System Authority	Redwood City	Failure to Meet Permit Conditions; Surface Coating of Miscellaneous Metal Parts and Products
11/12/2003	B3042	Ironstone Metal Works	San Carlos	Failure to Meet Permit Conditions; Surface Coating of Miscellaneous Metal Parts and Products
11/7/2003	B1099	San Carlos Dry Cleaners	San Carlos	Perchloroethylene and Synthetic Solvent Dry Cleaning Operations
11/25/2003	N3799	Arias Construction	San Mateo	Asbestos Demolition, Renovation and Manufacturing

Santa Clara County

Received Date	Site #	Site Name	City	Regulation Title
11/7/2003	B1980	Debonair Auto Body	Campbell	Motor Vehicle and Mobile Equipment Coating Operations
11/7/2003	A6416	Anderson Chevrolet	Cupertino	Motor Vehicle and Mobile Equipment Coating Operations
11/7/2003	C9480	Gas & Shop	Morgan Hill	Gasoline Dispensing Facilities
11/7/2003	A0548	Spectra-Physics Lasers	Mountain View	Failure to Meet Permit Conditions

11/10/2003	A1127	Teledyne Electronic Technologies	Mountain View	Aerospace Assembly and Component Coating Operations
11/12/2003	A0450	Veterans Administration Medical Center	Palo Alto	Gasoline Dispensing Facilities
11/25/2003	C8858	Beacon 1-726	San Jose	Gasoline Dispensing Facilities
11/10/2003	C3830	Classic Car Wash	San Jose	Gasoline Dispensing Facilities
11/17/2003	P6159	Guerrero Auto Body	San Jose	Motor Vehicle and Mobile Equipment Coating Operations
11/17/2003	P5112	Louis Saavedra The Cutting Edge Custom	San Jose	Open Burning
11/17/2003	P6176	Cabinetry	San Jose	Authority to Construct
11/17/2003	A0710	United Technologies Corporation	San Jose	Failure to Meet Permit Conditions
11/25/2003	C8383	USA Petroleum	San Jose	Gasoline Dispensing Facilities
11/17/2003	P6161	Cabinetics, Inc.	Santa Clara	Authority to Construct; Permit to Operate; Wood Products Coatings
11/7/2003	B3036	K Auto Body Repair	Santa Clara	Motor Vehicle and Mobile Equipment Coating Operations
11/20/2003	A0843	Nelson's Cleaners	Santa Clara	Permit to Operate
11/21/2003	B1804	Auto Tech Body Shop	Sunnyvale	Motor Vehicle and Mobile Equipment Coating Operations

Solano County**Received**

Date	Site #	Site Name	City	Regulation Title
11/25/2003	C9647	Benicia Shell (cardlock site)	Benicia	Gasoline Dispensing Facilities
11/25/2003	C9588	Lake Herman/Benicia Shell	Benicia	Gasoline Dispensing Facilities
11/17/2003	A0901	Valero Benicia Asphalt Plant	Benicia	Storage of Organic Liquids
11/17/2003	B2626	Valero Refining Company - California	Benicia	Storage of Organic Liquids
11/21/2003	C8352	Vallejo Gas	Vallejo	Gasoline Dispensing Facilities

Sonoma County**Received**

Date	Site #	Site Name	City	Regulation Title
11/24/2003	P6304	George Barich	Cotati	Wood Products Coatings
11/20/2003	A4934	Deas Custom Wood Finishing	Santa Rosa	Gasoline Dispensing Facilities
11/18/2003	C7098	Fast & Easy Mart	Santa Rosa	Open Burning
11/20/2003	B0127	ITT Industries, Inc	Santa Rosa	Failure to Meet Permit Conditions
11/20/2003	A4782	Rhyne Design	Sebastopo	Failure to Meet Permit Conditions
11/17/2003	P6178	Walt Moreno	Windsor	Open Burning

Outside Bay Area**Received**

Date	Site #	Site Name	City	Regulation Title
11/18/2003	P6212	wayne Perry, Inc	Buena Park	Authority to Construct; Permit to Operate
11/17/2003	K4040	MCM Construction, Inc	North Highlands	Particulate Matter and Visible Emissions
11/26/2003	F4405	Teichert Construction	Stockton	Gasoline Dispensing Facilities

November 2003 Closed NOVs with Penalties by County

Alameda

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Alameda County Gen Services Agency	B2529	San Leandro	\$300	1
Evergreen America C/O SS Congo	K2238	Salt Lake City	\$1,000	1
Isola Laminate Systems, Corp	A3024	Fremont	\$2,500	2
Sun Autobody	A9165	Hayward	\$1,000	2
Sunrise Specialty Company	B2826	Oakland	\$4,500	4
Trade Lithography	B2663	Albany	\$750	2
Tri Valley Shell	C9554	Livermore	\$85	1
Unocal Service Station #3955	C5765	San Leandro	\$2,000	1
World Heart Inc	B2700	Oakland	\$250	1

15

Contra Costa

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Ben's Auto Body Shop	B1437	Richmond	\$1,200	1
Buksh Antique Refinish	B1479	Pittsburg	\$1,000	1
Chevron Products Company	A0010	Richmond	\$126,600	38
Port of Richmond	A8407	Richmond	\$1,000	2
Quala Systems, Inc	B1869	Richmond	\$7,800	1
Silgan Containers Mfg Corp	B0989	Antioch	\$750	1
Stephen P. Rados, Inc.	P2583	Rancho Cordova	\$1,000	1

Total Closed
Violations:

45

Marin

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Larkspur Gas	C5421	Larkspur	\$500	1
M&R Cleaners	A7710	San Anselmo	\$1,250	4

Total Closed
Violations:

5

Napa

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
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Sullivan Property	P1037	Rutherford	\$1,500	1
Limur Winery	P0489	Saint Helena	\$1,000	2
Mike's Mart	C0327	American Canyon	\$1,000	1

Total Closed Violations: 4

Santa Clara

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Cal-Neon	A6483	San Jose	\$6,000	1
Regal Dodge Inc	A8498	Sunnyvale	\$1,500	2
Shoreline Amphitheatre	A2561	Mountain View	\$1,000	1

Total Closed Violations: 4

San Francisco

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
A & G Auto Body	B3250	San Francisco	\$1,500	13
Pacific Cement Corp	B2495	San Francisco	\$500	1
Hayes Auto Repair	A4539	San Francisco	\$1,000	2
J.C. Plumbing	P3836	San Francisco	\$750	2
U S Postal Service General Mail Facility	C6302	San Francisco	\$500	1
Shell Oil Company	C9205	San Francisco	\$500	1

Total Closed Violations: 20

San Mateo

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Artistic Cleaners	A5101	Redwood City	\$267	1
California Water Service Co-Field Office	C8980	San Mateo	\$500	1
Chilton Autobody	A9138	San Carlos	\$250	1
FM Auto Body	B0641	Campbell	\$1,000	13
House of Thai	P3565	Brisbane	\$250	1
Nella Oil Company	C5900	Daly City	\$750	1
Serramonte Ford Body Shop	A8758	Colma	\$600	1
Skywood Trading Post	D0753	Woodside	\$1,125	3
Truck Style, Inc	B3632	San Jose	\$7,500	28
U S Post Office	C7950	San Mateo	\$200	1

Total Closed Violations: 51

Sonoma

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Air Monitor Corporation	A9670	Santa Rosa	\$750	1
Classic Mill & Cabinet	A7515	Santa Rosa	\$500	1
Final Touch Finishing	B1815	Rohnert Park	\$2,000	2
OCLI	A1535	Santa Rosa	\$2,000	2
Steve Pacheco Auto Body	A9960	Sonoma	\$500	1

Total Closed Violations: 7

ACRONYMS AND TERMINOLOGY

ABAG	Association of Bay Area Governments
AC	Authority to Construct issued to build a facility (permit)
AQI	Air Quality Index
ARB	[California] Air Resources Board
ATCM	Airborne Toxic Control Measure
BAAQMD	Bay Area Air Quality Management District
BACT	Best Available Control Technology
BANKING	Applications to deposit or withdraw emission reduction credits
BAR	[California] Bureau of Automotive Repair
BARCT	Best Available Retrofit Control Technology
BTU	British Thermal Units (measure of heat output)
CAA	[Federal] Clean Air Act
CAL EPA	California Air Resources Board
CCAA	California Clean Air Act [of 1988]
CCCTA	Contra Costa County Transportation Authority
CEQA	California Environmental Quality Act
CFCs	Chlorofluorocarbons
CMA	Congestion Management Agency
CMAQ	Congestion Management Air Quality [Improvement Program]
CMP	Congestion Management Program
CO	Carbon monoxide
EBTR	Employer-based trip reduction
EJ	Environmental Justice
EIR	Environmental Impact Report
EPA	[United States] Environmental Protection Agency
EV	Electric Vehicle
HC	Hydrocarbons
HOV	High-occupancy vehicle lanes (carpool lanes)
hp	Horsepower

I&M	[Motor Vehicle] Inspection & Maintenance ("Smog Check" program)
ILEV	Inherently Low Emission Vehicle
JPB	[Peninsula Corridor] Joint Powers Board
LAVTA	Livermore-Amador Valley Transit Authority ("Wheels")
LEV	Low Emission Vehicle
MPG	Miles per gallon
MTC	Metropolitan Transportation Commission
NAAQS	National Ambient Air Quality Standards (federal standards)
NO _x	Nitrogen oxides, or oxides of nitrogen
NPOC	Non-Precursor Organic Compounds
NSR	New Source Review
O ₃	Ozone
PM _{2.5}	Particulate matter less than 2.5 microns
PM ₁₀	Particulate matter (dust) less than 10 microns
PM _{>10}	Particulate matter (dust) over 10 microns
POC	Precursor Organic Compounds
pphm	Parts per hundred million
ppm	Parts per million
PUC	Public Utilities Commission
RFG	Reformulated gasoline
ROG	Reactive organic gases (photochemically reactive organic compounds)
RIDES	RIDES for Bay Area Commuters
RTP	Regional Transportation Plan
RVP	Reid vapor pressure (measure of gasoline volatility)
SCAQMD	South Coast [Los Angeles area] Air Quality Management District
SIP	State Implementation Plan (prepared for <i>national</i> air quality standards)
SO ₂	Sulfur Dioxide
TAC	Toxic Air Contaminant
TCM	Transportation Control Measure
TFCA	Transportation Fund for Clean Air [BAAQMD]
TIP	Transportation Improvement Program
TMA	Transportation Management Association
TOS	Traffic Operations System
tpd	tons per day
Ug/m ³	micrograms per cubic meter
ULEV	Ultra low emission vehicle
USC	United States Code
UV	Ultraviolet
VMT	Vehicle miles traveled (usually per <i>day</i> , in a defined area)
VTA	Santa Clara Valley Transportation Authority
ZEV	Zero Emission Vehicle

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: December 23, 2003

Re: Notice of Proposed Amendment to Administrative Code Division I,
Section 2.1: Officers of the Board

RECOMMENDED ACTION

Notice of proposed amendment to Administrative Code Division I, Section 2.1: Board Officers. The attached proposed amendment provides clarification for term of office of Board Officers.

BACKGROUND

At the Board of Directors meeting of December 3, 2003, Director Gayle Uilkema requested clarification of language regarding the term of office for Board Officers provided in the Administrative Code Division I, Section 2.1: Board of Directors, Officers of the Board. The proposed amendment responds to this request by clarifying that no Board member may serve more than three years in any particular Board Office. This proposed amendment resolves the ambiguity in the existing language which might be read to suggest that a Board member could serve no more than three years in any combination of Board Offices.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Mary Ann Goodley
Reviewed by: Brian Bunger

Proposed Amendments to Division I Operating Policies and Procedures,
Section 2.1: Board of Directors, Officers of the Board

2.1 OFFICERS OF THE BOARD. (Revised 12/03/03)

The presiding officer of the Board is the Chairperson of the Board of Directors. The Chairperson, Vice Chairperson and Secretary shall, no later than the first meeting in December of each year, be elected by the Board of Directors and assume office January 1, (effective January 1, 2005). The Chairperson shall preserve order and decorum at regular and special meetings of the Board. The Chairperson shall state each question, shall announce the decision, shall decide all questions of order subject to an appeal to the Board. The Chairperson shall vote on all questions, last in order of the roll, and shall sign all ordinances and resolutions adopted by the District Board while the Chairperson presides. (see Section II-4.3)

In the event that the Chairperson is unable, for whatever reason, to fulfill his or her one-year term of office, the Vice-Chairperson shall succeed the Chairperson and the Secretary shall succeed the Vice-Chairperson. Section 2.3 below shall determine the filling of the Secretary vacancy. In any event, no Board Officer shall serve more than three (3) years in any one Board office (Chairperson, Vice-Chairperson, or Secretary).

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: December 23, 2003

Re: Budget & Finance Committee Meeting of December 16, 2003

RECOMMENDATION

Approve purchase order to Allsteel in the amount of \$105,825 for the purchase of 17 modular workstations to be funded from a transfer from the furniture replacement reserve.

BACKGROUND

The Budget & Finance Committee met on December 16, 2003 and received the attached reports. Committee Chairperson, Julia Miller will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Increase current year budget by \$105,825 with approved transfer from the reserve for furniture replacement.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Wayne Tanaka

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: December 23, 2003

Re: Executive Committee Meeting of December 19, 2003

RECOMMENDED ACTION

Receive and file.

BACKGROUND

The Executive Committee met December 19, 2003. The Committee received the following reports, which are attached for your review.

- Report of the Advisory Council;
- Report on Air Pollution Complaint Program Revisions;
- Enterprise Resource Planning (ERP) Implementation Status Report; and a
- Status Reports on Ozone Attainment Planning

Committee Chairperson, Scott Haggerty, will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Mary Ann Goodley