



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

**BOARD OF DIRECTORS  
EXECUTIVE COMMITTEE MEETING**

**COMMITTEE MEMBERS**

**SCOTT HAGGERTY – CHAIRPERSON  
GAYLE UILKEMA – SECRETARY  
JERRY HILL  
MARK ROSS  
PAMELA TORLIATT**

**MARLAND TOWNSEND – VICE  
CHAIRPERSON  
MARK DeSAULNIER  
JULIA MILLER  
TIM SMITH**

**WEDNESDAY  
JUNE 30, 2004  
9:45 A.M.**

**FOURTH FLOOR CONFERENCE ROOM  
DISTRICT OFFICES**

**AGENDA**

- 1. CALL TO ORDER – ROLL CALL**
- 2. PUBLIC COMMENT PERIOD** *(Public Comment on Non-Agenda Items Pursuant to Government Code § 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 Committee's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.*
- 3. APPROVAL OF MINUTES OF APRIL 30, 2004**
- 4. QUARTERLY REPORT OF THE HEARING BOARD** **T. Dailey/4965**
- 5. REPORT OF THE ADVISORY COUNCIL** **E. Blake/4965**  
[Eblake@igc.org](mailto:Eblake@igc.org)  
*Report of Council Meetings.*
- 6. STATUS REPORT ON THE 2004 OZONE STRATEGY** **J. Roggenkamp/4646**  
[jroggenkamp@baaqmd.gov](mailto:jroggenkamp@baaqmd.gov)  
*Staff will present a status report on the 2004 Ozone Strategy.*
- 7. INFORMATION SYSTEMS DIVISION UPDATE** **J. McKay/4629**  
[jmckay@baaqmd.gov](mailto:jmckay@baaqmd.gov)  
*Staff will present a report.*
- 8. LEGAL REPORT ON THE USE OF SMALL CLAIMS COURT FOR ENFORCEMENT CASES** **B. Bunger/4797**  
[bbunger@baaqmd.gov](mailto:bbunger@baaqmd.gov)  
*Staff will present a report on the use of Small Claims Court in Enforcement cases.*

**9. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

*Pursuant to Government Code Section 54957, the Committee will meet in closed session to conduct a performance evaluation of the District Counsel.*

**10. COMMITTEE MEMBER COMMENTS/OTHER BUSINESS**

*Any member of the Committee, 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).*

**11. TIME AND PLACE OF NEXT MEETING: 9:30 a.m., Wednesday, SEPTEMBER 29, 2004, 939 ELLIS STREET, SAN FRANCISCO, CA**

**12. ADJOURNMENT**

**CONTACT CLERK OF THE BOARDS - 939 ELLIS STREET  
SAN FRANCISCO, CA 94109**

**(415) 749-4965  
FAX: (415) 928-8560  
BAAQMD homepage:  
[www.baaqmd.gov](http://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 three working days prior to the date of the meeting so that arrangements can be made accordingly.

**Bay Area Air Quality Management District**  
**939 ELLIS STREET**  
**SAN FRANCISCO, CALIFORNIA 94109**  
**(415) 771-6000**

**DRAFT MINUTES**

Summary of Board of Directors  
Executive Committee Meeting  
9:30 a.m., Friday, April 30, 2004

1. **Call to Order - Roll Call:** Chairperson Scott Haggerty called the meeting to order at 9:45 a.m.  
**Present:** Scott Haggerty, Chair, Mark DeSaulnier, Jerry Hill, Julia Miller, Pamela Torliatt, Gayle Uilkema.  
**Absent:** Mark Ross, Tim Smith, Marland Townsend.
2. **Public Comment Period:** There were no public comments.
3. **Approval of Minutes of March 29, 2004:** Director Hill moved approval of the minutes; seconded by Director DeSaulnier; carried unanimously without objection.
4. **U.S. EPA Designations for the National 8-Hour Ozone Standard:** *Staff presented a report on EPA's recent designation of attainment and non-attainment areas and implementation for the national 8-hour ozone standard rule.*

Peter Hess, Deputy APCO, presented the report and reviewed the following:

- The health impacts of ozone;
- The new eight-hour standard is set to be more health protective and the one-hour standard will be phased out in the future;
- The averaging period and stringency has changed;
- The definition of violation of the Standard has been changed;
- The calculation method for the eight-hour standard;
- The Bay Area is classified as a Marginal Non-attainment area;
- The planning requirements to meet the new standard by 2007;
- The one-hour standard will be revoked on June 15, 2005;
- The locations of the monitoring stations in the Bay Area that have exceeded the eight-hour standard and how weather and time of day affect ozone concentrations;
- Since 1995 ozone precursors have been declining, with one peak in 2001 due to the energy crisis;
- The Spare the Air program has been announced based on the eight-hour standard for the last four years; and
- The current regulatory program has been directed towards attainment of both the federal and the more stringent state standards.

In conclusion, Mr. Hess noted that based on discussions the Air District has had with EPA, it is anticipated that additional implementation rules will be forthcoming. The current implementation rules are considered "Phase One;" "Phase Two" will address the remaining issues not included in Phase One, such as control requirements, attainment demonstrations and reasonable further progress. Mr. Hess stated that the current rules may be challenged in court.

During discussion, the Committee directed staff to work with the Sacramento and San Joaquin Valley radio stations when a Spare the Air day is called in the Bay Area District. The Committee also discussed working on a five-day forecast for Spare the Air. It was noted this Air District calls a Spare the Air day at a lower standard than the Sacramento and San Joaquin districts. There was discussion on the lack of mass transit in these corridors and that this Air District should be encouraging transit agencies to put transit in these corridors.

The Committee requested that this presentation be given to the Metropolitan Transportation Commission (MTC), the Association of Bay Area Governments (ABAG), and the Regional Agency Coordinating Committee (RACC). The Committee also recommended that staff work on an outreach program to go to as many of the Congestion Management Agencies (CMAs) as possible.

There was one speaker on this item: Dennis Bolt of the Western States Petroleum Association (WSPA).

**5. Closed Session – Conference with District Labor Negotiator (Government Code § 54957.6(a):**

*Agency Negotiator: Jack P. Broadbent*  
*Un-Represented Employees: Management*

The Committee adjourned to Closed Session at 10:33 a.m.

The Committee reconvened to Open Session at 11:02 a.m.

Brian Bunger, Counsel, reported that the Committee met in Closed Session with Mr. Broadbent to continue discussions regarding salary adjustments for management employees for fiscal year 2004/2005. General direction was given to the Executive Officer on the matter.

**6. Committee Member Comments:** There were none.

**7. Time and Place of Next Meeting:** 9:30 a.m., Wednesday, June 30, 2004, 939 Ellis Street, San Francisco, CA.

**8. Adjournment.** The meeting was adjourned at 11:03 a.m.

Mary Romaidis  
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

**TO:** Chairperson Scott Haggerty and Members of the Executive Committee  
**FROM:** Chairperson Thomas M. Dailey, M.D. and Members of the Hearing Board  
**DATE:** June 24, 2004  
**RE:** Hearing Board Quarterly Report – JANUARY 2004 – MARCH 2004

**RECOMMENDED ACTION:**

This report is provided for information only.

**DISCUSSION:**

<u>COUNTY/CITY</u>	<u>PARTY/PROCEEDING</u>	<u>REGULATION(S)</u>	<u>STATUS</u>	<u>PERIOD OF VARIANCE</u>	<u>ESTIMATED EXCESS EMISSIONS</u>
Alameda/Berkeley	CAMPUS MINI MART (Variance – Docket No. 3456) – Variance from regulation limiting emissions of organic compounds from gasoline dispensing facilities (APCO not opposed.)	8-7-301.13	Granted (SB)	1/12/04 to 2/6/04	10 #/Day (VOC)
Alameda/Oakland	EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD) (Variance – Docket No. 3460) – Variance from regulation requiring compliance with permit conditions (APCO not opposed.) – Interim Variance Hearing	2-1-307	Granted. Full Variance hearing on 4/29/04	3/18/04 to 5/18/04 or until a decision on Regular Variance, whichever is sooner	(H <sub>2</sub> S)
Alameda/Fremont	NEW UNITED MOTOR MANUFACTURING, INC. (Variance – Docket No. 3449) – Variance from regulation requiring compliance with Major Facility Review Permit and from regulation limiting emissions of volatile organic compounds from operations at light and medium-duty motor vehicle assembly plants (APCO not opposed.)	2-6-307 8-13-307	Granted	12/10/03 to 4/1/04	29 #/Day (VOC)
Alameda/Newark	PECHINEY PLASTIC PACKAGING, INC. (Appeal - Docket No. 3430) – Appeal from specific Terms and Conditions imposed in the Revised MFR Permit for Facility # A0273 – Pro Forma Hearing	Title V	Both parties reached settlement. Matter held in abeyance for 30 days	===	===
Contra Costa/Martinez	EQUILON ENTERPRISES LLC, d.b.a. SHELL OIL PRODUCTS US (Appeal – Docket No. 3450) – Appeal of the Specified Conditions of the Major Facility Review Permit issued on December 1, 2003 – Pro Forma Hearing	Title V	Hearing continued to a later date. Parties to submit written status report no later than 7/1/04	===	===

<u>COUNTY/CITY</u>	<u>PARTY/PROCEEDING</u>	<u>REGULATION(S)</u>	<u>STATUS</u>	<u>PERIOD OF VARIANCE</u>	<u>ESTIMATED EXCESS EMISSIONS</u>
Contra Costa/Martinez	<b>EQUILON ENTERPRISES LLC, d.b.a. SHELL OIL PRODUCTS US (Variance – Docket No. 3446)</b> – Variance from regulation requiring compliance with permit conditions – Pro Forma Hearing	2-1-307 Title V	Withdrawn. Both parties agreed to a Compliance & Enforcement Agreement	===	None
Contra Costa/Martinez	<b>TESORO REFINING AND MARKETING (Variance – Docket No. 3459)</b> – Variance from regulation limiting emissions of organic compounds, including methane, from leaking equipment at petroleum refineries, chemical plants, bulk plants and bulk terminals	8-18-305 & 306.2	Withdrawn. Both parties settled all issues and agreed to an Enforcement Agreement	===	None (VOC)
Contra Costa/Richmond	<b>CHEVRON U.S.A. INC. (Appeal – Docket No. 3451)</b> – Appeal from the Issuance of a Major Facility Review Permit for Facility No. A0010 (Richmond Refinery) – Pro Forma Hearing	Title V	Hearing continued to a later date. Parties to submit written status report no later than 7/1/04	===	===
Contra Costa/Richmond	<b>CHEVRON PRODUCTS COMPANY (Variance – Docket No. 3443)</b> – Variance from regulation requiring compliance with Major Facility Review Permit – Pro Forma Hearing	Title V	Withdrawn. Both parties agreed to a Compliance & Enforcement Agreement	===	None
San Francisco	<b>MIRANT POTRERO LLC (Appeal – Docket No. 3434)</b> – Appeal of Communities for a Better Environment, Bayview Hunters Point Community Advocates, Literacy for Environmental Justice, and Our Children’s Earth from the Grant of Interchangeable Emission Reduction Credit Certificates Based on Application Number 6473 to Mirant Potrero LLC – Pro Forma Hearing	IERC	Withdrawn. Parties reached a settlement	===	(NOx)
San Francisco	<b>CAFFE TRIESTE (Variance – Docket No. 3458)</b> – Variance from regulation requiring compliance with permit conditions and from regulation limiting the quantity of particulate matter in the atmosphere through the establishment of limitations on emission rates, concentration, visible emissions and opacity (APCO not opposed.)	2-1-307 6-301	Withdrawn. Afterburner flame control panel successfully installed and properly functioning (SB)	===	===
San Mateo/San Francisco	<b>UNITED AIRLINES (Variance – Docket No. 3461)</b> – Variance from regulation requiring compliance with permit conditions and from regulation limiting emissions of nitrogen oxides from stationary gas turbines (APCO not opposed.)	2-1-307 9-9-301.3	Withdrawn. Both parties agreed to an Enforcement Agreement	===	(NOx)
Santa Clara/Santa Clara	<b>OWENS CORNING (Appeal – Docket No. 3276)</b> – Appeal from the Denial of Application No. 18028 to Bank Emission Reduction Credits. The Santa Clara County Superior Court has directed the Hearing Board to set aside and vacate its Order Denying Appeal and to consider the two remaining issues in this matter – File re-opened; Pro Forma Hearing	Banking Emissions	Withdrawn. District issued ERC No. 564, thereby resolving open issues	===	===
Santa Clara/San Jose	<b>MAXIM INTEGRATED PRODUCTS (Variance – Docket No. 3448)</b> – Variance from regulation requiring compliance with permit conditions (APCO not opposed.)	2-1-307	Granted	2/8/04 to 2/13/04	46 #/Day (VOC)

<u>COUNTY/CITY</u>	<u>PARTY/PROCEEDING</u>	<u>REGULATION(S)</u>	<u>STATUS</u>	<u>PERIOD OF VARIANCE</u>	<u>ESTIMATED EXCESS EMISSIONS</u>
Solano/Benicia	VALERO REFINING COMPANY - CALIFORNIA (Benicia Refinery) (Variance – Docket No. 3444) – Variance from regulation requiring compliance with Major Facility Review Permit (APCO opposed.) – Pro Forma Hearing	Title V	Withdrawn. Both parties agreed to a Compliance & Enforcement Agreement	===	None
Solano/Benicia	VALERO REFINING COMPANY - CALIFORNIA (Appeal – Docket No. 3454) – Appeal from the Issuance to Valero Refining Company – California of a Major Facility Review Permit for Facility No. B2626 (Valero Benicia Refinery) – Pro Forma Hearing	Title V	Hearing continued to a later date. Parties to submit written status report no later than 7/1/04	===	===
Solano/Benicia	VALERO REFINING COMPANY – CALIFORNIA (Benicia Asphalt Plant) (Variance – Docket No. 3445) – Variance from regulation requiring compliance with Major Facility Review Permit (APCO opposed.) – Pro Forma Hearing	Title V	Withdrawn. Both parties agreed to a Compliance & Enforcement Agreement	===	None
Solano/Benicia	VALERO REFINING COMPANY – CALIFORNIA (Appeal – Docket No. 3453) – Appeal from the Issuance to Valero Refining Company – California of a Major Facility Review Permit for Facility No. A0901 (Benicia Asphalt Plant) – Pro Forma Hearing	Title V	Hearing continued to a later date. Parties to submit written status report no later than 7/1/04	===	===

SB = Small Business

**NOTE: During the first quarter of 2004, the Hearing Board dealt with 13 Dockets on 5 hearing days. A total of \$ 1,765.50 was collected as excess emission fees during this quarter.**

Respectfully submitted,

Thomas M. Dailey, M.D.  
Chair, Hearing Board

Prepared by: Neel Advani, Deputy Clerk of the Boards

FORWARDED: \_\_\_\_\_

NA:na (6/24/04) (HBEXQURT)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Haggerty and Members of the Executive Committee

From: Elinor Blake, Chairperson, Advisory Council

Date: June 18, 2004

Re: Report of the Advisory Council: April 1, – June 15, 2004

RECOMMENDED ACTION:

This report is provided for information only.

DISCUSSION:

Presented below are summaries of the key issues discussed at meetings of the Advisory Council and its Standing Committees during the above reporting period:

- (a) Joint Air Quality Planning and Technical Committee Meeting – April 6, 2004. District staff presented “Bay Area 2004 Ozone Strategy: Preliminary Draft Control Measure Descriptions.” The District is focused on mobile and stationary source measures that can be implemented through regulation, incentive and educational efforts. The Metropolitan Transportation Commission has taken the lead on evaluating transportation control measures. *(Minutes included in the May 19, 2004 Board of Directors Regular Meeting Agenda packet.)*
- (b) Public Health Committee Meetings – April 19 and May 12, 2004. On April 19, Staff reviewed the District’s proposed Community Risk Reduction Program and covered several elements, including the Technical Basis, Risk Assessment, Monitoring, Risk Reduction, Regulatory and Legislative Agenda, and Outreach. This is a new program for Fiscal Year 2004/2005. Staff also provided a summary of the District’s proposed Air Toxics New Source Review Rule and its responses to the suggestions of the Golden Gate University Environmental Law & Justice Clinic for addressing cumulative health risk & the Precautionary Principle in Air Toxics New Source Review. On May 12, the Committee discussed the two presentations given at the April 19<sup>th</sup> meeting in preparation for the full Council discussion in July. *(April 19 minutes included in the May 19, 2004 Board of Directors Regular Meeting Agenda packet. May 12 minutes included in the June 30, 2004 Board Executive Committee Meeting Agenda packet.)*
- (c) Executive Committee Meeting – May 12, 2004. The Committee received reports from the Chairs of the Standing Committees. The Committee requested staff make a presentation to the full Council on the District’s proposed Community Risk Reduction Program. Since that Program addresses the cumulative risk issues that staff had earlier asked the Council to review with regard to the Toxics New Source Review rule, the



Council will alter its assignment and instead provide comments on the proposed Program. Environmental security will be added to the Council's work plan toward the end of the year as time permits. The Committee approved the proposed procedure for tracking Council recommendations. *(Minutes included in June 30, 2004 Board Executive Committee Meeting Agenda packet.)*

- (d) Regular Meeting – May 12, 2004. Jed Waldman, Ph.D., Chief, Indoor Air Quality Section, California Department of Health Services, provided the Council with background on indoor air quality issues, including discussion of prominent contaminants, key agencies and governing regulations and areas of possible cooperation between the District and CDHS. Mr. Broadbent requested that the Council review the role of the District in indoor air quality management and consider potential future agency programs in this field. The Council received the reports of its Standing Committees. *(Minutes included in June 30, 2004 Board Executive Committee Meeting Agenda packet.)*
  
- (e) Technical Committee Meeting – June 3, 2004. Staff made a presentation on EMFAC 2002, its use in ozone attainment planning, and some problems affecting the current planning process. Staff also provided a presentation on NOx controls as they related to ozone formation in the Bay Area. With regard to the Community Risk Reduction Program, the Committee requested that, in particular, scientific and technical issues that may arise be brought to the Committee. Staff noted that it was anticipated the program will be on the next full Council agenda. *(Minutes to be provided in a future Board of Directors Regular Meeting Agenda packet.)*
  
- (f) Air Quality Planning Committee Meeting – June 15, 2004. Staff provided an update on control measure development for the District's 2004 Ozone Strategy. Ryan Glancy, Marketing Manager, Networkcar, San Diego, provided the Committee with an update on the results of the Networkcar demonstration project of remote emissions monitoring devices in taxi cab, paratransit and other specialty fleets. *(Minutes to be provided in a future Board of Directors Regular Meeting Agenda packet.)*

Respectfully submitted,

Elinor Blake  
Advisory Council Chairperson

Prepared by: Mary Romaidis

FORWARDED BY: \_\_\_\_\_

**AGENDA NO. 5 (b)**

Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, California 94109

DRAFT MINUTES

Advisory Council Public Health Committee Meeting  
12:30 p.m., Wednesday, May 12, 2004

1. **Call to Order – Roll Call.** 12:30 p.m. Quorum Present: Linda Weiner, Chairperson; Diane Bailey, Sanjiv Bhandari, Elinor Blake, Jeffrey Bramlett, Victor Torreano, Brian Zamora.
2. **Public Comment Period.** There were no public comments.
3. **Approval of Minutes of April 19, 2004.** Chairperson Blake stated she would present two minor typographical edits to the Deputy Clerk after the meeting and moved the minutes be approved; seconded by Mr. Torreano; carried unanimously.

4. **Discussion of the District's Proposed Community Risk Reduction Program (CRRP) and Toxics New Source Review Rule-Making.** Chairperson Weiner stated that today the Committee would discuss the staff presentations on these topics made at the previous Committee meeting.

In response to questions from the Committee, Gary Kendall, Technical Division Director, and Brian Bateman, Engineering Division Director, provided the following answers:

The District will develop a one-kilometer (1 km) gridded toxics emission inventory for the Bay Area that will include stationary, mobile and area source emissions. From this plot, one or two communities with greatest emissions density will be chosen for monitoring for the cumulative risk assessment pilot project that will address cumulative emissions from stationary sources. These data will be compared with incremental risk assessment data to determine whether there is a significant difference between incremental and cumulative risk assessment approaches.

- a) Targeted action plans are not limited to the areas chosen for cumulative risk assessment monitoring, and can be applied more broadly to areas with greater emissions on the grid.
- b) The definition of disproportionately impacted communities has not yet been established. The advisory committee for the CRRP will no doubt evaluate this criterion.
- c) The South Coast AQMD developed a 2 km gridded emission inventory that also incorporated photochemical modeling for mapping emission concentrations. Inclusion of photochemical modeling requires complex meteorological inputs that include broad annual averages and specific data sets with variations by day of week and time of day.
- d) The CRRP advisory committee should review the suggestions that staff coordinate with the San Mateo County Health Department's public outreach work concerning health disparities,

as well as with the staff from other city and county health departments in the Bay Area, and with the appropriate contact persons involved with the Bayview Hunters Point project.

- e) The project advisory committee should also review Ms. Blake's suggestion that the District's outreach include a staff member that is a formally trained health educator with inter-agency and community organizing skills, since the CRRP will contain a public outreach component.
- f) Staff will use California Air Resources Board (CARB) procedures in forming the model for the cumulative risk assessment. The 1 km gridded emission plot will not include modeling.
- g) The list of suggested participants to the advisory committee to the project is prototypical and adding a health official to it is certainly doable. The Public Health Committee could submit questions for the advisory committee to review as it works its way through the issues. The advisory committee should also refer questions to the Public Health Committee for review. The suggestion that one Public Health Committee member sit on the advisory committee and report back to the Public Health Committee as liaisons is well taken.
- h) The program time line is for the proposal to be considered by the Budget & Finance Committee and then the Board, which is scheduled to hold two public hearings on the budget in June. Since the CRRP was last discussed with the Committee, one of the positions proposed for this program will not be funded per direction of the Budget & Finance committee, and that work may be contracted out. The dollar amount proposed for the program appears to be the same at this time. The point at which the program features could be reviewed is not yet known and will depend on when the advisory committee is assembled. Some technical aspects are moving forward including the purchase of a carbon analyzer and the submittal of archived PM10 filters for analysis by Desert Research Institute.
- i) The results from the CRRP will form the basis for future policy development.

The Committee members noted that the framing the tasks of the CRRP offers the District an opportunity to reach out into the community, starting with the staff of health departments and coordinating with frameworks they have developed. Going forward with the technical processes is timely and will help meet community expectations to produce the product promptly. While the project will form the basis for policy, the process will take considerable time to complete.

Mr. Zamora requested that these comments be brought to the full Council for discussion, preceded by an abbreviated presentation from staff on the CRRP. Ms. Blake suggested the minutes from this meeting form the basis for identifying the key discussion issues, along with the April 19 minutes at which the CRRP was discussed in greater detail in a previous iteration.

Chairperson Weiner reminded the Committee that its original charge was to review TNSR rule making, and that it should be kept apprised of the rule-development process as it goes along. Ms. Bailey suggested that that staff consider making special provisions for sensitive receptors (children, the elderly, and the sites they frequent, schools, daycare centers, hospitals, etc.) and that stricter limits be set for such areas. The South Coast AQMD white paper on cumulative risk refers to this type of approach. Mr. Bateman replied that while staff has received comments that allowable risk levels were too high, so far none have suggested that these are too high for

sensitive receptors. While staff considers the current risk levels health protective, it can certainly review this matter. The white paper on cumulative risk addresses emissions near schools, and the District has fairly good data set for this category.

Mr. Zamora indicated that health department staff could identify in a discussion with District staff the location of senior citizen centers, convalescent homes and hospitals. Mr. Bateman noted that the rapid provision of such information for 50 permit applications a month for purposes of completing risk-screening analysis is challenging within the tight schedules for permits. Data inputs also need to be in electronic form and are most problematic when they concern land-use data. Current data sets also do not provide reliable data on sensitive receptors. However, the District's risk assessment approach is to treat everyone as a sensitive receptor and to adopt risk levels that protect them. An approach that includes differential standards would require very large resources to accommodate the vast increase in analytical complexity.

Ms. Blake replied that some counties are updating their emergency response capability and know the location of the sensitive receptors. The Office of Emergency Services may have data in this field as well. Mr. Bateman replied that for microscale analysis these would require detailed geo-coding. Ms. Bailey opined that the public may expect the District to develop this data. Ms. Blake noted that this is also a city and/or county zoning issue. She suggested that the advisory committee include a member with expertise in Graphical System Interface software.

Chairperson Weiner called for public comment. Dennis Bolt, Western States Petroleum Association, stated that these issues involve reciprocity. Businesses cannot be sited unless they are approved by local authority as to their location with respect to schools, daycare and senior citizen centers. Office parks in Silicon Valley are being encouraged to bring in daycare centers. The public health standard in the Bay Area is strict. To include these issues in TNSR rule-making is one-sided and regionally detrimental, and will discourage business from locating in the Bay Area and encourage jobs to go overseas.

Ms. Bailey replied that the issue concerns more of a safety net that would prevent uninformed decision making about co-locating of facilities that pose health risks. The District should have authority to intervene with a rule that would prohibit unhealthy co-location from occurring and past mistakes in siting from re-occurring. Mr. Bolt replied that, near where he lives, two gas stations, one dry cleaner and a daycare center are found on one street corner. There may be emissions regulations for facilities near schools, but the land-use field provides considerable flexibility for co-location. Mr. Bramlett added that there are some rules that govern child-care centers where pre-approval is required for establishing an evacuation point.

5. **Committee Member Comments/Other Business.** There were none.
6. **Time and Place of Next Meeting.** 1:30 p.m., Monday, July 19, 2004, 939 Ellis Street, San Francisco, California 94109.
7. **Adjournment.** 1:40 p.m.

James N. Corazza  
Deputy Clerk of the Boards

**AGENDA NO. 5 (c)**

Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, California 94109

DRAFT MINUTES

Advisory Council Executive Committee Meeting  
9:30 a.m., Wednesday, May 12, 2004

1. **Call to Order – Roll Call.** 9:32 a.m. Quorum Present: Elinor Blake, Chair, Louise Bedsworth, Ph.D., Harold Brazil, Linda Weiner, Brian Zamora. Absent: William Hanna, Kraig Kurucz.
2. **Public Comment Period.** There were no public comments.
3. **Approval of Minutes of March 10, 2003.** Mr. Zamora moved approval of the minutes; seconded by Dr. Bedsworth; carried unanimously.
4. **Standing Committee Chair Reports on Committee Work Plans.** Dr. Bedsworth reported that the Technical and Air Quality Planning Committees met jointly on April 6 and reviewed a staff presentation on stationary and transportation control measures for the District's ozone strategy. At the next Technical Committee meeting on June 3, discussion on how NOx controls relate to the Ozone Maintenance Plan will be discussed. In August, the Committee will develop comments on the District's ozone strategy for consideration by the full Council in September. The Committee may also discuss the topic of cumulative risk assessment at the June meeting.

Ms. Weiner reported that the Public Health Committee met on March 10 to discuss the February presentations on the precautionary principle and cumulative risk assessment. On April 19, the Committee received presentations from staff on the District's Toxics New Source Review (TNSR) rule making and the proposed Community Risk Reduction Program (CRRP). The deadline for comments on the TNSR rule making has been extended to late 2004 or early 2005.

Mr. Brazil stated that, at its June 15 meeting, the Air Quality Planning Committee would complete its comments on the ozone strategy. Chairperson Blake noted that the direction to comment on the TNSR rule making and the Cal/EPA Environmental Justice recommendations has been modified following discussions with executive management. Rather than the Council making formal recommendations on these issues, the Public Health Committee will instead provide informal comments to staff on the CRRP and thereby bring the Committee's expertise to bear on the issues of cumulative risk assessment and the precautionary principle.

After further discussion, the Executive Committee agreed that staff would make an abbreviated presentation on the CRRP to the Advisory Council at its Regular meeting of July 14, which would address the CRRP as well as the comments of the Public Health Committee regarding it.

Chairperson Blake added that Mr. Hayes had requested that environmental security be added to the Council's work plan. This issue could be taken up toward the end of the year or next year.

Chairperson Blake noted that at the Advisory Council Regular meeting of March 10, Council members Bornstein and Holtzclaw had inquired about pending modifications to the community right-to-know law on toxics stored at facilities. Staff replied that it would follow-up and report back to the Council on this matter and that this may be an item for a future staff report.

5. **Follow-up Discussion on Tracking Council Recommendations.** James Corazza, Deputy Clerk, presented, “Follow-up On Proposed Procedure to Track Advisory Council Recommendations,” dated May 12, 2004, stating that the proposed procedure for tracking Council recommendations follows the Committee’s direction at the March 10 Executive Committee meeting. This involves incorporating the tracked record of deliberations on a specific topic into the reporting format used by the Council for reports from Council Committee to the Council, and from the Council to the Board.

Mr. Corazza also informed the Committee that the Clerk’s Office prepares a list of staff referrals for the Board and each of its Committees that is attached to the minutes for the following meeting, and presented an example for the members’ review. He inquired if the Committee would like a similar process to be instituted for the full Council and Standing Committees.

After discussion, the Executive Committee approved the proposed procedure for tracking Council recommendations. It also directed the Deputy Clerk to develop a staff referral list for the Council and each of its standing Committees. The referral list should be maintained as a pending document with items to be removed upon their completion.

Deputy APCO Peter Hess requested that Council member requests for information from staff go through the Committee Chairs. Chairperson Blake directed the Committee Chairs to convey this information accordingly.

6. **Committee Member Comments/Other Business.** There was none.
7. **Time and Place of Next Meeting.** 9:00 a.m., Wednesday, July 14, 2004, 939 Ellis Street, San Francisco, California 94109.
8. **Adjournment.** 9:58 a.m.

James N. Corazza  
Deputy Clerk of the Boards

**AGENDA NO. 5 (d)**

Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, CA 94109

**DRAFT MINUTES**

Advisory Council Regular Meeting  
10:00 a.m., Wednesday, May 12, 2004

**CALL TO ORDER** 10:10 a.m.

**Opening Comments** Chairperson Blake welcomed new “Architect” category appointee Sanjiv Bhandari to the Advisory Council. Mr. Bhandari noted that he has been involved with the Metropolitan Transportation Commission Advisory Council and in a group in Contra Costa County that has been developing a green building program for the county and also the City of San Ramon.

**Roll Call** Present: Elinor Blake, Chairperson, Sam Altshuler, P.E., Diane Bailey, Louise Bedsworth, Ph.D., Sanjiv Bhandari, Jeffrey Bramlett, Harold Brazil, Irvin Dawid, Emily Drennen, Fred Glueck, Stan Hayes, John Holtzclaw, Ph.D., Norman A. Lopera, Jr., Victor Torreano, Linda Weiner, Brian Zamora.

Absent: Robert Bornstein, Ph.D., William Hanna, Kraig Kurucz, Kevin Shanahan.

**CONSENT CALENDAR**

**1. Approval of Minutes of March 10, 2004.** Chairperson Blake deferred this item until after the guest speaker presentation.

**PUBLIC COMMENT PERIOD** There were no public comments.

**PRESENTATION**

**2. Indoor Air Technical & Policy Issues: An Update for the BAAQMD Advisory Council.**

Jed Waldman, Ph.D., Chief, Indoor Air Quality Section, California Department of Health Services, stated that Americans spent approximately 90% of their time indoors. Most indoor environments have less effective air exchange than the urban atmosphere and certain pollutants occur at higher levels indoors than outdoors. In an indoor environment, cigarette smoke and pollen have a thousand-fold greater chance of reaching a human being than outside due to less dispersion.

Ambient air quality management emphasizes source control methods to reduce exposure to pollution. Indoor air quality management is somewhat more flexible and is achieved by modifying ventilation rates, either through code modification or building management staff. Green building design combines energy conservation and resource efficiency to build healthier buildings with lower indoor pollution sources and more effective ventilation. This enables “building commissioning” in which a building is constructed and operated according to its design.

Indoor air pollution contains gases and vapors similar to ambient air, including volatile organic compounds such as formaldehyde; particulate matter and dust from tobacco, wood combustion and cooking; allergens from dust mites, pollens and pet dander; fibers from asbestos and microbial fungi and viruses; and toxics such as lead, pesticides and polychlorinated biphenyls (PCBs). Other indoor sources include construction and cleaning products such as adhesives; solvents, insulation and ceiling tile, paints; furnishings such as carpets, upholstery, pressed wood; ventilation system components; office equipment, personal care products, and dry cleaned clothes. Tobacco was once the most important indoor pollution source, but that has been reduced by 90% through the law.

Health risks from indoor air pollution include eye and respiratory irritation, allergies, asthma, chronic sinusitis, increased rates of infectious diseases such as influenza and colds, neurological impairment such as headaches, memory and motor function, and increased cancer risks. The terminology governing such effects includes “building related illness,” “sick building syndrome” and “multiple chemical sensitivity.” These are broad terms for health effects caused by a multitude of factors, and many toxins also have the same health effects. An individual may feel better at home than at work, or vice versa. Symptoms from these circumstances range from perception of bothersome odors, temporary mild discomfort, to severe illness and permanent injury.

Regulatory authority for ambient air quality resides in the District and the California Air Resources Board (CARB). The California Occupational Safety & Health Administration (Cal/OSHA) promulgates workplace exposure standards and air toxics reference exposure level standards. California’s regulations on smoking are enforced locally. There is new legislation that will restrict smoking in vehicles in which small children are traveling.

Proposition 65 requires posted warnings indoors, and applies water quality exposure limits to indoor air quality. It is enforced through litigation — examples of which are the product reformulations of nail care products and typewriter correction fluid. Draft indoor air quality guidelines, based on ambient air quality standards and reference exposure levels, are under discussion. Federal clean air legislation will address radon content in drinking water, which is the greatest source of cancer risk in indoor air and is comparable to second hand smoke. A multi-media regulatory approach has been developed for water quality agencies that would allow radon content in homes above a lower end threshold in return for the institution of an indoor air quality program.

Indoor air quality emission limits are primarily addressed by focusing on individual appliances. The Gas Appliance Manufacturing Association (GAMA) sets the flame emission limits for stoves. The Housing & Urban Development commission regulates formaldehyde emissions from pressed wood products. Consumer products are regulated by the Food and Drug Administration (FDA). Section 01350 is a state specification developed by a group of representatives from the Department of General Services (DGS), Department of Health Services (DHS), and State Consumer Protection Society (SCPC), on the purchase of carpentry, office module furniture, etc. It requires a high-recycled content and a high recycling potential. Indoor lighting must be energy efficient. This group provides an excellent model for stakeholders to meet and produce an effective standard.

With regard to building design and construction standards and guidelines for materials, the standards for ventilation are created by a non-government group called the American Society of Heating Refrigeration and Air Conditioning Engineers (ASHRAE). The U.S. Green Building Council has established Leadership in Energy & Environmental Design (LEED). There are also self-inspection guidelines and a Collaborative for High Performance Schools (CHPS) in place.



Key indoor air quality agencies include the federal Environmental Protection Agency (EPA), the Center for Disease Control (CDC) (to assess moisture and mold), and the National Institute of Occupational Safety and Health (NIOSH) to provide funding for research. The State Department of Health Services (DHS) has an indoor air quality program. CARB has a research division that includes indoor air quality. Cal/OSHA is the regulatory agency. The Office of Environmental Health Hazard Assessment (OEHHA) provides risk assessment. The DGS oversees the construction of new buildings and materials procurement. The California Energy Commission (CEC) and the State & Consumer Services Agency (SCSA) provide additional oversight on the sustainable building effort.

Home inspection authority is found at the local level, through rental property requirements and individual homeowner compliance with building codes. Local environmental health, as well as housing, inspectors received training years ago but their success was variable. The American Lung Association is very knowledgeable and promotes indoor air quality improvement. The Green Building Council (GBC) promotes standards in building design and ASHRAE maintains the ventilation standards. The tobacco and hospitality industries are still fighting in other states. The Carpet & Rug Institute (CRI) is an exceptional group for minimizing indoor air pollution. Other research organizations on indoor air quality include the Lawrence Berkeley National Laboratory.

- Several years ago, the Toxic Mold Protection Act was passed, but it was written in a way that did not provide the DHS enforcement authority, and so it has mainly raised public awareness.
- EPA has advocated improving indoor air quality in schools, and the CHPS leads the nation in the sustainable green building effort for schools.
- In the 1980's, the DGS put together a building task force, which included the DHS and coordinated the energy efficiency and recycled products fields to promote indoor air quality.
- The Department of Education building in the east wing of the State capitol is a landmark of green building principles.
- The District can collaborate with DHS to address public health concern on air pollution exposures that include indoor air.
- The Spare the Air program provides an opportunity explicate the meaning of “shelter in place.”
- There are noteworthy public outreach opportunities regarding exposure to particulate matter generated on roadways and the idling of dieselbuses in schoolyards.
- The DHS is collaborating with CARB to develop a rule for pressed wood products that release formaldehyde, as indoor emissions affect outdoor air and should be included in the baseline emissions inventory.
- Plywood and pressed wood product manufacturers will need to respond to such emission standards.

In reply to Council member questions, Dr. Waldman stated:

- a) There is a 50/50 split between exposure to particulate matter in indoor and outdoor air; while 90% of the exposure to benzene occurs indoors even though more than 90% of benzene emissions derive from industrial sources. For formaldehyde, which has the largest carcinogenic risk, indoor exposure levels are three to four times greater than in outdoor air.

- b) There are no enforcement mechanisms for cigarette smoke in homes or apartments. Title V ventilation requirements that apply to the workplace cannot be applied to residential environments. However, property co-ops may provide some means of accountability.
- c) Radon in drinking water emanates only from ground water, and homes that obtain water directly from wells are the most at risk. A survey of California homes has never reached the high levels of radon found in homes in Pennsylvania or New Jersey. However, none of the counties in California will need to address radon in drinking water or in the air.
- d) Substandard housing is a socio-economic surrogate for indoor air pollution health risks.
- e) Nationwide statistical data on the cancer mortality risk comparing radon and tobacco smoke indicate that about 15,000 excess lung cancers are due to radon exposure. The risk is primarily associated with smokers as there are synergistic effects between indoor radon and tobacco. These data have not been adjusted for California, which has a lower than national average for smoking and a lower radon level as well. Data for diesel PM mortality on a national level predict that 60,000 cardiovascular related deaths occur annually.
- f) As to whether the causality of asthma is due more to indoor air in which 90% of Americans spend their time and are exposed to PM about 50% of the time, it depends upon the trigger. Bio-allergens such dust mites and pet dander are quite prevalent indoors.
- g) The DHS focuses its building commissioning efforts on schools and compliance is voluntary. Mr. Bhandari noted that there are no building commissioning regulations for tract homes. In Texas and California, agencies work cooperatively with but do not regulate home builders. Suppliers and builders can be encouraged to use preferred products prior to the adoption of policies, but such materials must be available for a policy to work. Indoor materials do pollute outside air when they are used on or near exterior surfaces.
- h) Recent indoor air chemistry analysis reveals that many home products release chemicals that react with ozone, and can produce a little smog factory within the home, despite lower concentrations of ozone indoors.
- i) The District and the DHS could collaborate in public outreach and education to deliver a message about how the choices people make in their home and work environments influence their both their health and ambient air quality.

Jack Broadbent, Executive Officer/APCO, requested that the Advisory Council review the role of the District in indoor air quality management and consider potential future agency programs in this field.

### **CONSENT CALENDAR**

1. **Approval of Minutes of March 10, 2004.** Ms. Bailey requested that she be listed as “Present” at the meeting. Mr. Dawid requested that in the first sentence on page five, SB 26883 be changed to AB 2683, and on page six, first paragraph, AB 2683 be changed to AB 2628. So moved by Dr. Holtzclaw; seconded by Mr. Dawid; carried.

### **COMMITTEE REPORTS**

3. **Report of the Joint Meeting of the Air Quality Planning and Technical Committee Meeting of April 6, 2004.** Mr. Brazil stated the Committees reviewed and discussed the stationary and mobile source control measures proposed for the District’s ozone strategy. The Air Quality Planning

Committee will make formal comments on the measures at its next meeting.

- 4. Report of the Public Health Committee Meeting of March 10 and April 19, 2004.** Ms. Weiner stated that the Committee has met on March 10 to discuss presentations given at a previous Committee meeting on the precautionary principle and cumulative risk assessment.

On April 19, staff provided a presentation on the proposed Toxics New Source Review (TNSR) rulemaking and staff's response to the comments of the Environmental Law & Justice Clinic on it. Staff also gave a presentation on the District's Community Risk Reduction Plan (CARE). The Committee will meet this afternoon to discuss these two presentations.

Mr. Glueck inquired if the risk factor analysis will include health impacts from personal lifestyles such as smoking, and if indoor pollution may have a greater impact from a public health perspective than pollution from outdoors. Ms. Weiner replied that while this may be possible, it is not the Committee's charge. From a public health viewpoint, the issue concerns health-based criteria and permitting new sites in a community that may have many other sources of pollution. Adults may spend 90% of their time indoors, but children spend a lot of time outdoors.

Chairperson Blake added that staff had asked the Council in January to review the TNSR rulemaking with an eye to cumulative risk and the precautionary principle. The rulemaking process led the District to develop the Community Risk Reduction Plan to address cumulative risk, and staff asked for Public Health Committee review. The Committee will comment on the Plan in place of the earlier assignment and will not bring formal recommendations to the full Council on cumulative risk and the precautionary principle. Staff will give the Council an abbreviated presentation on the Plan for discussion at the Council's July meeting.

- 5. Report of the Executive Committee Meeting of May 12, 2004.** Chairperson Blake stated the Executive Committee met this morning and added to the list of review topics the issue of homeland environmental security, if time permits this year. The Deputy Clerk also provided a follow-up proposal on tracking Council recommendations and referrals to staff, and the Committee endorsed this procedure. Ms. Blake added that the Chairs of the Committees should be the vehicles through which Council members contact staff and request information, whether via e-mail or telephone.

## **OTHER BUSINESS**

- 6. Report of the Executive Officer/APCO.** Mr. Broadbent stated:

- a) A \$52 million District budget is being proposed for FY 04/05. This includes \$500,000 for CARE; the Ozone Strategy; improvements to the computer database system; and some additional agency efficiencies. The Governor may propose a reduction of \$350 million in property tax revenues for special districts. The budget can be presented to the full Council following its adoption by the Governing Board.
- b) EPA recently designated the District as non-attainment for the 8-hour ozone standard.
- c) Council representation is sought on the Cost Recovery and CARE steering committees.
- d) Deputy APCO Peter Hess has been elected the President of the Air & Waste Management Association for 2006 and will be its President-Elect in 2005.

- e) The question raised at the previous Council meeting by Drs. Holtzclaw and Bornstein about a proposed revision to the toxics community right-to-know law will be answered via an e-mail to the Deputy Clerk for forwarding to the Council. The public comment period ends on May 20.
- f) The Supreme Court ruled last month that the South Coast AQMD lacks the authority to adopt fleet rules for private fleet operators that would have regulated emissions through purchase requirements. The Court ruled that these rules were de facto emission standards, and only the federal government may promulgate such. However, it still has not been decided whether such rules can be adopted for public fleets. The South Coast AQMD will seek a waiver from the EPA through CARB to keep in place the fleet rules that are directed toward public fleets. Staff will keep the Advisory Council apprised of further developments in this matter.

Ms. Bailey noted that the Court remanded the SCAQMD rules to a lower Court to be decided with regard to private fleets, and such rules as the yard hostler rule are still in place. The San Joaquin Valley APCD is will also move forward with a fleet rule for school buses.

- g) EPA announced this week its engine standards rule for off-road diesel engines, as well as future effective dates for rules regarding new on-road engines.

**7. Report of Advisory Council Chair.** Chairperson Blake stated that last week she and Vice-Chair Zamora met with the Mr. Broadbent in a periodic check-in to discuss Advisory Council direction.

**8. Council Member Comments/Other Business.** Mr. Dawid expressed an interest in seeing data comparing emissions from a new state-of-the-art bus fleet with emissions from a fleet that is experiencing a fairly rapid turnover. Ms. Bailey noted that the NRDC just released a report on achieving further emission reductions from the Port of Oakland. Chairperson Blake indicated she has received from the State Department of Health Services a document on environmental health surveillance.

**9. Time and Place of Next Meeting.** 10:00 a.m., Wednesday, July 14, 2004, 939 Ellis Street, San Francisco, CA 94109.

**10. Adjournment.** The meeting was adjourned at 12:04 p.m.

James N. Corazza  
Deputy Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Inter-Office Memorandum

To: Chairperson Haggerty and  
Members of the Executive Committee

From: Jean Roggenkamp  
Director of Planning

Date: June 16,2004

Re: Status Report on Bay Area 2004 Ozone Strategy

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

The District, in consultation with MTC and ABAG, is preparing the Bay Area 2004 Ozone Strategy. The Ozone Strategy will include all feasible measures for progress towards the State 1-hour ozone standard and will include a redesignation request and maintenance plan for the national 1-hour ozone standard. Staff will present a status report on progress to date.

DISCUSSION

The Ozone Strategy will address State and national air quality planning requirements. With respect to State requirements, the Ozone Strategy will identify all feasible measures to make progress towards the State 1-hour ozone standard in the Bay Area and to address transport mitigation requirements. The Ozone Strategy will also include a redesignation request and maintenance plan for the national 1-hour standard. In addition, the Ozone Strategy will include other miscellaneous items addressing national planning requirements. MTC has proposed revisions to the region's Interagency Consultation Procedures (for transportation conformity) and Transportation Control Measure (TCM) Substitution Procedures. These two items are not required in the Maintenance Plan, but they do need to be included in the State Implementation Plan (SIP), so MTC has proposed to include them in the current SIP submittal.

Staff has evaluated a wide range of potential control measures for inclusion in the Ozone Strategy. Staff has reviewed CAPCOA guidance on all feasible measures and has engaged in a rule comparison process with ARB, and Sacramento, San Joaquin and Yolo-Solano AQMDs. We have also received input from District Board members and the Advisory Council, and from the public at community meetings and through the Ozone Working Group. Based on these evaluations, staff has identified 14 stationary source measures, 3 mobile source measures and 19 TCMs as feasible for implementation in the Bay Area to further reduce emissions of ozone precursors. We have also identified 20 further study measures that may be feasible, but will require further analysis to determine whether they warrant inclusion in the Ozone Strategy. (The region will also continue to benefit from State and national regulations on mobile sources and consumer products.)

## AGENDA NO 6

Photochemical modeling results will help prioritize control measures, both for continued improvement in Bay Area ozone levels and to reduce transport to downwind regions.

Preparation of the 2004 Ozone Strategy has included substantial public outreach. Outreach efforts have included bimonthly Ozone Working Group meetings, community meetings, community training meetings, Modeling Advisory Committee meetings, the District website, and reports to District Board Committees, the Regional Agency Coordinating Committee and the Advisory Council. We will continue all of these outreach efforts through the remainder of the planning process, with particular emphasis when a draft document is available for public review and when a final document is proposed for Board consideration.

Pursuant to the California Environmental Quality Act we are preparing an Environmental Impact Report to analyze potential secondary environmental impacts of the Ozone Strategy control measures. A consulting firm, Environmental Audit, is assisting with preparing the EIR. A Draft and Final EIR will be circulated for public review along with the Draft and Final Ozone Strategy.

The Ozone Strategy will also address other issues not directly related to reducing ozone levels. The document will also discuss benefits that the control measures will have on emissions of fine particulate matter and global warming gases, environmental justice issues and potential local benefits of control measures, and public outreach processes.

Staff anticipates releasing a Draft Ozone Strategy for public review and comment this summer. We will conduct outreach in late summer and early fall, evaluate public input, and prepare a Final Ozone Strategy for Board consideration in late 2004.

### BUDGET CONSIDERATION/FINANCIAL IMPACT

Preparation of the 2004 Ozone Strategy – including control measure evaluation, modeling, inventory preparation, environmental review, public outreach, and other tasks – has required substantial resources, as reflected in the FY 03/04 and FY 04/05 budgets.

Respectfully submitted,

Jean Roggenkamp  
Director of Planning

FORWARDED: \_\_\_\_\_

Prepared by: Henry Hilken

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Inter-Office Memorandum

**AGENDA NO. 7**

To: Chairperson Haggerty and Members of the Executive Committee  
From: Jeff McKay, Director of Information Services  
Date: June 30, 2004  
Re: Replacement of DataBank and IRIS

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

The Air District has successfully moved its financial function to JD Edwards and is now prepared to initiate attention to its production processes.

Unique software applications, DataBank and IRIS, are used to carry out District business processes. Examples of these processes include Planning, Permitting, Inspection and Emission Inventory.

The Air District first implemented the DataBank application in 1977. This application pre-dates database technology, and stores information in flat files. In 2001 the District implemented the IRIS application, partially relieving Databank of some function. The migration to modern technology must continue for the District to fulfill its mission. Staff will present a plan.

DISCUSSION

The migration will make maximum use of common existing business applications. These applications will be integrated with any custom elements required to enable the District's unique business needs. Build and Development will begin only after substantial verification of Design. Identification of Design in the first calendar quarter of 2005 will enable final targets for resource requirements. Although these targets are still to be determined, the migration should be substantially complete in calendar year 2007. The Executive Committee will receive regular updates on this process.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Initial funds of \$2.75M are included in the 2004/2005 District budget.

Respectfully submitted,

Jeff McKay, Director  
Information Services Division

FORWARDED: \_\_\_\_\_

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Inter Office Memorandum

**AGENDA NO. 8**

To: Chairperson Haggerty and  
Members of the Executive Committee

From: Brian C. Bunger  
District Counsel

Date: June 17, 2004

Re: Use of Small Claims Court in Enforcement Cases

RECOMMENDED ACTION

Receive and file.

BACKGROUND

Staff will present an overview of the use of Small Claims Court in pursuing enforcement cases.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Brian C. Bunger  
District Counsel

FORWARDED: \_\_\_\_\_