



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS' REGULAR MEETING

October 19, 2005

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
OCTOBER 19, 2005

BOARD ROOM
7TH FLOOR

9:45 A.M.

CALL TO ORDER

Opening Comments
Roll Call
Pledge of Allegiance
Commendations/Proclamations

Marland Townsend, 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 – 6)

Staff/Phone (415) 749-

1. Minutes of September 21, 2005 Meeting
M. Romaidis/4965
mromaidis@baaqmd.gov
2. Communications
Information only
J. Broadbent/5052
jbroadbent@baaqmd.gov
3. Report of the Advisory Council
B. Zamora/4962
Bzamora@co.sanmateo.ca.us
4. Monthly Activity Report
Report of Division Activities for the month of September, 2005
J. Broadbent/5052
jbroadbent@baaqmd.gov
5. Quarterly Report of Air Resources Board Representative
J. Broadbent/5052
jbroadbent@baaqmd.gov
6. Quarterly Report of the Clerk of the Boards
J. Broadbent/5052
jbroadbent@baaqmd.gov

COMMITTEE REPORTS AND RECOMMENDATIONS

7. Report of the **Stationary Source Committee** Meeting of September 26, 2005
CHAIR: M. DeSAULNIER
J. Broadbent/5052
jbroadbent@baaqmd.gov

8. Report of the **Budget and Finance Committee Meeting** of September 28, 2005
CHAIR: J. MILLER J. Broadbent/5052
jbroadbent@baaqmd.gov

Action(s): The Committee recommends Board of Director approval of the following:

- A) *Increase the Executive Officer/APCO credit card limit from \$5,000 to \$10,000;*
- B) *Add the District Counsel and Executive Office Manager to the list of credit cards issued with a limit of \$10,000 each;*
- C) *Credit card limits of \$5,000 each for the two Deputy APCOs and for the two existing Division Directors;*
- D) *Approve the transfer of \$122,000 from the Reserve for Building and Facilities, and approve an increase in the Administrative Services Building Maintenance budget of \$60,000 for installation of rooftop Safety Anchors, and approve an increase in the Administrative Services Building Maintenance budget of \$62,000 for Air District Building West Exterior Epoxy Injection; and*
- E) *Transfer \$250,000 from the Reserve for Production System, and approve an increase the Information Systems Professional Services budget of \$250,000, and approve a Purchase Order not to exceed \$250,000 to CH2MHill for configuration and building of Oracle database.*

9. Report of the **Executive Committee Meeting** of October 12, 2005
CHAIR: M. TOWNSEND J. Broadbent/5052
jbroadbent@baaqmd.gov

Action(s): The Committee recommends Board of Director approval of the Report of the Advisory Council with the recommendation to appoint Ken Blonski to the Regional Park District category on the Advisory Council to complete an unexpired term of office that began January 1, 2004 and will end December 31, 2005.

CLOSED SESSION

10. Report of Executive Committee Meeting of October 12, 2005 and Closed Session to Conduct Public Employee Performance Evaluation

Pursuant to Government Code Sections 54957 and 54957.6, a performance evaluation will be conducted of the Executive Officer/APCO and the District Counsel

11. Conference with Legal Counsel

Significant Exposure to Litigation

Pursuant to Government Code Section 54956.9(b), a need exists to meet in closed session to discuss one potential litigation matter against the District.

OPEN SESSION

12. Report of the Executive Officer/APCO
13. Chairperson's Report
14. 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)

15. Time and Place of Next Meeting – 9:45 a.m. Wednesday, November 2, 2005 - 939 Ellis Street, San Francisco, CA 94109
16. Adjournment

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 Townsend and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 12, 2005

Re: Board of Directors' Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Board of Directors meeting of September 21, 2005.

DISCUSSION

Attached for your review and approval are the draft minutes of the September 21, 2005 Board of Directors' meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET – SAN FRANCISCO, CA 94109

Draft Minutes: Board of Directors' Regular Meeting – September 21, 2005

Call To Order

Opening Comments: Chairperson Townsend called the meeting to order at 9:51 a.m.

Roll Call: Present: Marland Townsend, Chair, Harold Brown, Chris Daly, Mark DeSaulnier, Dan Dunnigan, Erin Garner, Scott Haggerty, Jerry Hill, Liz Kniss, Patrick Kwok, Jake McGoldrick, Nate Miley, Julia Miller, Mark Ross, Michael Shimansky, John Silva, Pam Torliatt, Gayle B. Uilkema, Brad Wagenknecht, Shelia Young.

Absent: Roberta Cooper, Tim Smith.

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

Public Comment Period: There were no public comments.

Commendations/Proclamation: Teresa Galvin-Lee, Public Information & Outreach Division Director, received from Chairperson Townsend a plaque in recognition of her retirement from the Air District after 31 years of dedicated service. Ms. Lee expressed her appreciation and noted that the public outreach program at the District is well integrated and successful. She wished the Board and the District well in future endeavors. The Board members proffered their appreciation to Ms. Lee.

Director Haggerty presented and read into the record a resolution from the Association of Bay Area Governments (ABAG) adopted on July 21, 2005, honoring the District on its 50th anniversary.

Chairperson Townsend took Item No. 7 out of order.

Committee Reports and Recommendations

7. Report of the Mobile Source Committee Meeting of September 13, 2005

Action(s): Due to a lack of a quorum the Committee referred the following items to the Board of Directors for consideration and approval without recommendations:

a) *Selection of Environmental Engineering Studies, Inc., Pick-N-Pull, and Pick Your Part as the vehicle scrapping contractors for the fiscal year (FY) 2005/06 Vehicle Buy Back (VBB) Program;*

b) *Authorize the Executive Officer/APCO to execute contracts in the total amount of \$7 million allocated for this purpose to the VBB Program in FY 2005/06 for vehicle*

scrapping and related services with Environmental Engineering Studies, Inc., Pick-N-Pull, and Pick Your Part to be distributed on a monthly reimbursement basis;

c) Selection of ICF Consulting as the contractor to conduct performance reviews of selected TFCA projects; and

d) Authorize the Executive Officer/APCO to execute a contract with the selected contractor for an amount not to exceed \$200,000 for the provision of the performance review services.

Director Haggerty presented the report and stated that the Mobile Source Committee met on Tuesday, September 13, 2005. It received presentations from the staff from the California Air Resources Board on plug-in hybrid vehicles, and from District staff on a project of the District's Tri-Valley Resource Team called "The Great Race for Clean Air" and "4 Modes in 4 Weeks." Director Haggerty requested James Paxon of the Tri-Valley Resource Team provide a summary of these two events, and Mr. Paxon distributed an informational flyer on the events.

Board Action: Director Haggerty stated that, due to a lack of a quorum, the Committee is referring Items No. 7(a) through 7(d) identified above to the Board of Directors for consideration and approval without recommendation. Director Haggerty moved the Board adopt Items 7(a) through 7(d); seconded by Director Kwok; carried unanimously without objection.

Director Haggerty noted that the next meeting of the Mobile Source Committee is scheduled for 9:30 a.m., Thursday, October 13, 2005.

Commendations/Proclamation: Clean Air Champion Awards 2005.

Teresa Lee, Director Public Information & Outreach, noted that in concert with the American Lung Association, RIDES for Bay Area Commuters, Live 105 and Alice 97.3, KCBS radio, and the U.S. Environmental Protection Agency have co-sponsored the Clean Air Champions Awards to honor Bay Area citizens and organizations for their efforts to improve air quality. Four champions were honored this year.

The Board of Directors recognized the winners of the 2005 Bay Area Clean Air Champions. The awards were presented as follows: Director Uilkema, Miller, Daly and McGoldrick presented plaques to Jannatt Muhammad, Joan Spencer, Maria Luz Torre, and Steven Moss, respectively.

Consent Calendar (Items 1 – 6)

1. Minutes of July 20, 2005 Meeting
2. Communications. Correspondence addressed to the Board of Directors
3. Report of the Advisory Council. There was no report.
4. Monthly Activity Report – Report of Division Activities for the months of July and August 2005.
5. Consider Approval of Resolution Regarding Authority of the Non-Board of Directors Administrative Committee

6. Consider Approval of Request to Transfer Signature Authorization

Board Action: Director Torliatt moved approval of the Consent Calendar; seconded by Director Brown; carried unanimously without objection.

Other Business

9. Report of the Executive Officer/APCO. Mr. Broadbent:

- Reviewed the 2005 ozone season, regarding one federal excess in Livermore and eight recorded state excesses. One month remains for the ozone season to conclude.
- Reported that one Spare the Air Day was called on July 26, which triggered the free commute program on 21 Bay Area transit systems. Initial results indicate a 10%-12% increase in ridership for certain transit authorities. BART ridership was fairly constant.
- The District's Ozone Strategy has been issued for public comment, environmental review and public meetings will follow. The Strategy is scheduled for public hearing on December 21, 2005.
- Regulatory actions include a PM implementation schedule pursuant to SB 656. When combined with pending ozone control regulations, the regulatory agenda will be set for the next two to three years. Staff will bring this to the Board for public hearing in November.
- Stationary source rules are underway which are the outcome of a lawsuit settlement a few years ago. The flare control rule adopted in July is one of these measures. This rule received a great deal of recognition, and the South Coast AQMD is considering adopting a similar rule. Other pending rules concern pressure relief valves, marine vessel loading operations, blowdown systems and refinery wastewater treatment systems. These are scheduled to come before the Governing Board in public hearings in November and December of this year.
- The District will hold a 50th anniversary dinner on November 10 in Jack London Square in Oakland.

10. Chairperson's Report. Chairperson Townsend:

- Stated that the Board seeks to be in the forefront of innovative air quality solutions, such as climate change. He stated he will form an Ad Hoc Committee on Climate Change and invited interested Board members to e-mail their interest in serving on this Committee to the Executive Officer/APCO.
- Several Board members were given a tour by the California Fuel Cell Partnership in Sacramento on August 17. Chairperson Townsend directed staff to investigate the District's membership at the Associate level.
- Canceled the October 5, 2005 Board Regular Meeting.

Closed Session (The Board adjourned to Closed Session at 11:45 a.m.)

8. Conference with Legal Counsel

Existing Litigation:

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

Open Session (The Board reconvened to Open Session at 11:58 a.m.)

Brian Bunger, Counsel, reported that the Board met in Closed Session with Counsel and necessary personnel on agenda number 8. The Board received a report from Counsel and provided general direction.

11. Board Members' Comments – Director Ross reported that in Martinez the District's wood-smoke ordinance will be presented for adoption. Director Torliatt reported that the City of Petaluma adopted a solar policy that requires all new residential development put the necessary infrastructure in place for solar power. Director Haggerty stated that Alameda County passed a resolution yesterday that allows the selling back of employee vacation and sick leave for purposes of donation to victims of Hurricane Katrina, and he requested that the District look into such an arrangement for employees of the District. Director Shimansky added that he just returned from New Orleans where he spent two weeks with the Red Cross, and the situation there is difficult. Director Kwok stated the City of Cupertino just adopted a resolution to donate or support the Katrina relief fund in the amount of \$25,000.
12. Time and Place of Next Meeting – 9:45 a.m., Wednesday, October 19, 2005, 939 Ellis Street, San Francisco, CA 94109.
13. Adjournment – The meeting adjourned at 11:10 a.m.

James N. Corazza
Deputy Clerk of the Boards

:jc

Memorandum

To: Chairperson Townsend and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 19, 2005

Re: Report of Division Activities for the Month of September 2005

ADMINISTRATIVE SERVICES DIVISION – J. MCKAY, ACTING DIRECTOR

Status of various capital projects in process:

	<u>Started</u>	<u>% Complete</u>	<u>Completion</u>
Phase III Fire Alarm System	August 05	75	Nov 30 2005
Phase IV HVAC Upgrade	August 05	50	Dec 30 2005
ADA upgrades for 7th, 4th floor	August 05	80	Oct 30 2005
Replace fire doors	NA	NA	Oct 15 2005
7th and 4th floor lighting	October 1	10	Oct 30 2005
All electrical closets up to code:	NA	NA	Oct 1 2005
Garage pedestrian early warning:	August 29	100	Sept 15 2005
Emergency generator lights	NA	NA	Oct 30 2005

COMPLIANCE & ENFORCEMENT DIVISION – K. WEE, DIRECTOR**Enforcement Program**

Staff received Pacific Steel Casting's odor control plan to address odors coming from their metal casting operations in Berkeley. They requested the District review and comment on the plan before it was released to the public. Staff is in the process of reviewing the plan. Staff attended a debriefing from a multimedia inspection at Pacific Cement, a concrete batch plant in San Francisco on September 9, 2005. Staff attended the Environmental Crimes Task force meeting in Martinez on September 14, 2005. The Kains Avenue Neighborhood Association in Berkeley invited Inspection Section staff to address their organization about odors from Pacific Steel Castings. Staff responded to a CAPCOA survey regarding enforcement activities.

Compliance Assurance Program

Staff evaluated whether any confined animal facilities within the District's jurisdiction were subject to methane control per SB700. The results of staff's research indicate that no facilities exceed the thresholds for SB 700, at this time. Inspection staff completed full compliance inspections at all Title V and Synthetic Minor Facilities and met the EPA Compliance Monitoring Strategy goals for the two-year inspection targets. Staff responded to a survey from Region IX regarding the District's ability to report new compliance data elements to EPA. Staff attended the Community Warning System Meeting in Martinez and the APCO and staff met with Pacific Steel Casting representatives on September 20, 2005.

Compliance Assistance Program

Staff posted to the Compliance and Enforcement Division (CED) webpage a Compliance Advisory for Regulation 8, Rule 8: Wastewater Collection and Separation. Revisions were made to the Asbestos Programs webpage, including a link to an expanded Naturally-Occurring Asbestos (NOA) program page. A new webpage listing the past Industry Compliance Schools (ICS) topics and dates presented was also added. Staff attended the bi-monthly Green Business Coordinators' meeting in Oakland.

Training

In-Service Training (IST) classes were presented covering Legal Issues, Radio Procedures, Instrumentation Overview, Reg. 2, Rule 5, Toxic Air Contaminants, Breakdown procedures, Portable Equipment Registration Program (PERP) procedures, and a retest of materials covered during the last IST. CARB VEE re-certification was conducted in Pleasanton. Staff participated in another CARB Cross Media Training meeting via Web-Ex.

Operations

CED and Engineering Division staff continue to meet regarding flare data submittals under the flare monitoring regulation (Reg 12-1111), and flare management plans (FMP's) under Regulation 12, Rule 12. Staff completed review of the revised Naturally Occurring Asbestos Dust Mitigation Plan for construction and grading operations at the Hunters Point Shipyard. San Francisco. The St. Germain property Smoke Management Plan (SMP), located within the Suisun Marsh, was approved.

(See Attachment for Activities by County)

ENGINEERING DIVISION – B. BATEMAN, DIRECTOR

Toxics Program

A total of 35 health risk-screening analyses were completed in September for new/modified source permit applications. The majority of these risk screens were for diesel engine emergency generators and gas stations. Staff continued work associated with Health Risk Assessment being prepared by Pacific Steel Casting Company (Berkeley) under the requirements of the Air Toxics Hot Spots Program.

Title V Program

The public comment period ended for Revision 3 of the Title V permit for Chevron Refinery (Richmond), Tesoro Refinery (Martinez), Conoco Phillips Refinery (Rodeo), and Valero Refinery (Benicia), and staff began preparing responses to comments received. The Title V permit renewals for Duke Energy (Oakland) and San Francisco Drydock (San Francisco) were issued.

Permit Evaluation Program

Permit application submittals in September continued at high levels, with a total of 226 applications received. Staff participated in: (1) a CAPCOA meeting to discuss innovative alternatives for generation of Emission Reduction Credits, (2) a meeting of the STAPPA/ALAPCO Permitting Committee, and (3) a meeting to discuss the NUMMI Environmental Excellence project.

Engineering Special Projects Program

Staff participated in a roundtable discussion of the air quality impacts of distributed power generation (DG) conducted by UC Riverside and funded by the California Energy Commission. District staff recommended that an emissions test program be conducted to establish toxic emission factors for DG units, a major data need because these small units emit at ground level near where people work or reside. Staff met with PG&E to discuss permitting and regulatory compliance issues associated with retrofitting diesel emergency generators with natural gas bi-fuel capability. Work continued on the development of a new data form, emission calculation routine, and annual update questionnaire for internal combustion engines.

Community Air Risk Evaluation (CARE) Program

Staff began a quality assurance and quality control review of the results of the Toxic Air Contaminant Emission Inventory Report and underlying data tables provided by the District's consultants. This work is expected to take about six months. Upon completion of this and other investigatory work, the District will be ready to explore policy options for translating the findings into plans for further reducing the public's exposure to toxic air contaminants in the Bay Area. Staff hosted presentations by Dr. Eric Roberts on the DHS Environmental Health Tracking "Alameda County Pilot Project," and Dr. Manuel Pastor on "Environmental Equity: Research Trajectories and Future Plans." Staff continued training on the ArcGIS software, and met with consultants to further discuss available geographical mapping data.

INFORMATION SYSTEMS DIVISION – J. MCKAY, DIRECTOR**Toolsets for Permits/Enforcement/Legal**

The District is on target to have a new Oracle database design ready for the Pilot implementations scheduled to begin in the first calendar quarter of next year. A design document has been created. Although underlying structured database design can be performed apart from the design of systems for Content Management (forms and documents), the two elements will be pursued concurrently and each process will inform the other.

The District received responses from eight vendors in its Request For Information (RFI) prior to vendor demonstration selection. Four vendors were selected and each presented their version of a script defined by the District. Two of these vendors will be selected to provide substantial Pilot implementations at the District.

LEGAL DIVISION – B. BUNGER, DISTRICT COUNSEL

The District Counsel's Office received 65 Violations reflected in Notices of Violation ("NOVs") for processing.

Mutual Settlement Program staff initiated settlement discussions regarding civil penalties for 117 Violations reflected in NOVs. In addition, Mutual Settlement Program staff sent 4 Final 30 Day Letters regarding civil penalties for 7 Violations reflected in NOVs. Finally, settlement negotiations by Mutual Settlement Program staff resulted in collection of \$28,200 in civil penalties for 33 Violations reflected in NOVs.

Counsel in the District Counsel's Office initiated settlement discussions regarding civil penalties for 6 Violations reflected in NOVs. Settlement negotiations by counsel in the District Counsel's Office resulted in collection of \$178,500 in civil penalties for 49 Violations.

(See Attachment for Penalties by County)

PLANNING DIVISION – H. HILKEN, DIRECTOR**Grant Programs**

The Board of Directors approved the following recommendations made by staff: 1) the selection of three dismantling contractors for the Vehicle Buy Back Program; and 2) the selection of a contractor to provide performance review services for completed projects funded by the Transportation Fund for Clean Air. A total of 315 eligible light-duty vehicles were purchased and scrapped by the three Vehicle Buy Back Program contractors.

Air Quality Planning Program

The Draft Bay Area 2005 Ozone Strategy is available for public review and comment. Two public meetings have been scheduled: an Ozone Working Group Meeting on October 25th in Oakland and a Community Meeting on October 26th in Richmond. The proposed Particulate Matter Implementation Schedule (pursuant to SB 656) is also available for public review and comment. Staff wrote five letters regarding air quality impacts of development projects and plans in the Bay Area: Rohnert Park – University District Specific Plan; Walnut Creek – Walnut Creek General Plan; Marin County – Redwood Landfill Solid Waste Facilities Permit Revision; DTSC – Romic Waste Facility Permit Application; Contra Costa County - Conoco-Philips Refinery Clean Fuel Expansion Project.

Rule Development Program

Regulation 8, Rule 28: Pressure Relief Devices. Staff hosted a public workshop in Rodeo, CA regarding proposed amendments, and also met with the Contra Costa Health Department, Communities for a Better Environment and Dow Chemical concerning this rule.

Regulation 8, Rule 44 and 46: Marine Tank Vessel Loading and Marine Tank Vessel to Marine Tank Vessel Loading. Staff posted draft amendments to these rules, draft amendments to a source test procedure, a workshop report and a public workshop notice. The workshop is scheduled for October 19 in Benicia, CA.

Refinery Wastewater Treatment Systems. Staff hosted a technical workgroup meeting to discuss emissions estimates. Staff posted a public workshop notice and report on wastewater systems, scheduled for October 27 in Martinez, CA.

Atmospheric Blowdown Systems. Staff hosted a technical workgroup meeting on to discuss blowdown systems at Tesoro Refinery. A public workshop to discuss these blowdown systems will be held on October 27 in Martinez.

Regulation 12, Rule 12: Flares at Petroleum Refineries. Staff presented information about the rule to the Benicia City Council. On September 26, staff presented information to the Stationary Source Committee regarding staff's recommendations in the rule.

Staff also presented information to the Stationary Source Committee regarding remaining refinery rule development activities for 2005, and met with Communities for a Better Environment regarding the refinery rule development schedule.

Research and Modeling

Staff participated in a workshop sponsored by the California Regional Particulate Air Quality Study (CRPAQS) where progress of CRPAQS data analysis and modeling projects was discussed. Staff evaluated four proposals submitted to the Central California Ozone Study (CCOS) to investigate trends of ambient ozone and its precursors as well as anthropogenic emissions from 1990 to 2004. A Bay Area consulting firm ENVAIR is the winner. Staff successfully downloaded, installed and applied a new meteorological model named the Weather Research and Forecast (WRF) model over the CCOS study domain. This model was developed by the National Center for Atmospheric Research and considered to be the most advanced meteorological model in the nation. Using this model, staff plans to generate meteorological inputs to air quality models applied at the District.

PUBLIC INFORMATION & OUTREACH

During the month of September, one public workshop was held in Rodeo to discuss amendments to Regulation 8, Rule 28 on episodic releases from pressure relief devices at refineries and chemical plants. These are safety devices used on equipment operated at high pressures to prevent safety

hazards. The meeting was well attended by environmental groups, industry, and community members. Staff also had a presence at several community events including the Sierra Club Summit (San Francisco), the Day on the Glen (Dublin), the San Jose Flea Market with KISS FM (San Jose), the Berkeley Festival, and the Fuel Cell Road Rally (Berkeley and San Jose).

In September, the weather was moderate and no Spare the Air days were called. On September 21, the District together with KCBS, Alice 97.3, the American Lung Association, US EPA, and RIDES hosted the Clean Air Champion awards. During the month the cities of Mill Valley and Martinez adopted the wood smoke model ordinance. 1839 smoking vehicle complaints were received. The Director of Public Information, Teresa Lee, retired after 31 years with the Air District.

Resource Teams

The Southern Alameda County Air Quality Resource Team co-sponsored the Smart Growth Summit with the Fremont Chamber of Commerce, September 16th. Team members discussed city-based air quality demonstration projects and business outreach efforts. The team is working to develop a bike-related demonstration project in the City of Fremont.

The San Francisco/San Mateo Air Quality Resource Team began planning their first outreach meetings with San Francisco stakeholders in regard to a Car Free Tourism website for the City aimed at both regional and out-of-state tourists.

The Santa Clara County Air Quality Resource Team met on September 14 and is working to have local businesses partner with schools to reduce traffic congestion and increase student safety in Sunnyvale and Milpitas.

The East Palo Alto Environmental Justice Resource Team on Air Quality met on September 28th. The group discussed anti-idling issues and is considering working on a Bay Area-wide Anti-Idling Day, an educational event to raise consciousness about vehicle idling laws and the health impacts of idling.

TECHNICAL DIVISION – G. KENDALL, DIRECTOR

Air Quality

Air quality in the Bay Area remained in the Good category from September 1st through September 28th due to persistent onshore flow and cool temperatures aloft. On September 29th and 30th, offshore flow prevented any significant sea breeze from diluting pollutant concentrations. On both days the air quality was in the Moderate category for ozone as temperatures reached the mid-80's near the coast and the mid-90's inland. On September 30th, the 1-hour and 8-hour State ozone standard were exceeded at Concord, and the 8-hour State ozone standard was exceeded at five other stations.

Air Monitoring

Thirty-two of the thirty-three air monitoring stations were operational during the month of September 2005. The Crockett station, located at a water district facility, is shut down during seismic upgrades. The Concord air monitoring station was relocated to a new site, and became operational in September. The old station was damaged in last year's winter storms and required substantial repairs and upgrades that would have resulted in significant periods of down time.

Meteorology and Forecasting

June 2005 air quality data were quality assured and entered into the EPA Air Quality System (AQS) database. Staff continued to make daily air quality and burn forecasts. Staff assisted an outside auditor, contracted by the District, to conduct an audit of the District meteorological network.

Quality Assurance

The Quality Assurance (QA) group conducted regular, mandated performance audits of 55 monitors at 12 District air-monitoring stations.

Laboratory

In addition to the ongoing, routine analyses, the concentrations of pentanes in two raw foam samples from Storopak in San Jose were determined. Seven coatings from container manufacturers were speciated for organic compounds. The sulfur content of a fuel oil sample from a ship, the Meridian Navigator, in Crockett was determined. The heavy metals and volatile organic compounds content of three sand samples from Pacific Steel Casting in Berkeley were determined.

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 August was reviewed. The Source Test Section provided ongoing participation in the District's Further Studies Measures for refineries.

**These facilities have received one or more Notices of Violations
Report period: September 1, 2005 – September 30, 2005**

Alameda County

Received Date	Site #	Site Name	City	Regulation Title
9/12/2005	D0476	Alameda Gas & Mart	Alameda	Gasoline Dispensing Facilities
9/28/2005	J9290	Asbestos Management Group of California	Oakland	Asbestos Demolition, Renovation
9/22/2005	B2749	CertainTeed Corporation	Fremont	Failure to Meet Permit Conditions
9/22/2005	Q9348	Darren Lee	Oakland	Asbestos Demolition, Renovation
9/22/2005	A1371	Dublin San Ramon Services District - Wastewater TP	Pleasanton	Failure to Meet Permit Conditions
9/7/2005	P1737	Gettler Ryan	Dublin	Aeration of Contaminated Soil and Removal of Underground Storage Tanks
9/22/2005	A0151	Hexion Specialty Chemicals, Inc	Fremont	Failure to Meet Permit Conditions
9/22/2005	A8181	New England Lead Burning Co, Inc	San Leandro	Authority to Construct; Permit to Operate
9/22/2005	A2066	Waste Management of Alameda County	Livermore	Parametric Monitoring & Recordkeeping Procedures
9/22/2005	B6779	Western Truck Fabrication	Hayward	Motor Vehicle Coating Operations

Contra Costa County

Received Date	Site #	Site Name	City	Regulation Title
9/13/2005	Q5494	Andreas Castaneros	San Pablo	Asbestos Demolition, Renovation
9/1/2005	C1164	Brentwood American Station	Brentwood	Gasoline Dispensing Facilities
9/1/2005	D0500	Hirbod Enterprise, Inc	Antioch	Gasoline Dispensing Facilities
9/21/2005	A7034	Shore Terminals - Martinez	Martinez	Storage of Organic Liquids

Marin County

Received Date	Site #	Site Name	City	Regulation Title
NONE				

Napa County

Received Date	Site #	Site Name	City	Regulation Title
NONE				

San Francisco County

Received Date	Site #	Site Name	City	Regulation Title
9/1/2005	B0672	Equity Office Properties	San Francisco	Authority to Construct; Gasoline Dispensing Facility
9/1/2005	B5113	Norcal Printing Inc	San Francisco	Graphics Arts Printing and Coating Operations

San Mateo County

Received Date	Site #	Site Name	City	Regulation Title
9/22/2005	R0530	Auto Plus	Daly City	Motor Vehicle Coating Operations
9/1/2005	B7280	Elan Pharmaceuticals	South San Francisco	Authority to Construct; Permit to Operate
9/29/2005	B1443	H N Lockwood Inc	Redwood City	Graphics Arts Printing and Coating Operations
9/22/2005	A7509	Hills Cleaners	San Mateo	Perc Dry Cleaning
9/6/2005	C2929	Menlo/Atherton Shell	Menlo Park	Gasoline Dispensing Facilities
9/29/2005	A0265	RMC Pacific Materials Inc	Redwood City	Failure to Meet Permit Conditions
9/22/2005	A4353	Top Hat Cleaners	San Mateo	Perc Dry Cleaning
9/1/2005	B2197	United Airlines SFOPV	San Francisco	Failure to Meet Permit Conditions

Santa Clara County

Received Date	Site #	Site Name	City	Regulation Title
9/22/2005	A9927	Concours Auto Restoration	Campbell	Authority to Construct; Permit to Operate
9/19/2005	A0592	FASL LLC	Sunnyvale	Failure to Meet Permit Conditions
9/19/2005	B2445	QualTech Circuits, Inc	Santa Clara	Failure to Meet Permit Conditions
9/19/2005	A4020	SFPP, LP	San Jose	Equipment Leaks

Solano County

Received Date	Site #	Site Name	City	Regulation Title
NONE				

Sonoma County

Received Date	Site #	Site Name	City	Regulation Title
9/6/2005	F6985	Daniel O Davis Inc.	Santa Rosa	Authority to Construct; Permit to Operate
9/7/2005	A2254	Sonoma County Department of Public Works	Petaluma	Major Facility Review (Title V)
9/7/2005	A4169	Sutter Warrack Hospital	Santa Rosa	Authority to Construct; Permit to Operate
9/7/2005	A4169	Sutter Warrack Hospital	Santa Rosa	Authority to Construct; Permit to Operate
9/7/2005	A7974	Western Fiberglass, Inc	Santa Rosa	Major Facility Review (Title V)
9/7/2005	R0173	Winzler-Kelly Consultants	Santa Rosa	Aeration of Contaminated Soil and Removal of Underground Storage Tanks

Outside Bay Area

Received Date	Site #	Site Name	City	Regulation Title
9/15/2005	Q0274	Reeve Knight Construction	Roseville	Asbestos Demolition, Renovation

September 2005 Closed NOVs with Penalties by County**Alameda**

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Tri-Cities Recycling	A2246	Fremont	\$16,500	11
Nella Oil	C0189	Fremont	\$400	1
New England Lead Burning Co, Inc	A8181	San Leandro	\$1,500	2

Total Violations Closed: 14

Contra Costa

Site Name	Site Occurrence	City	Penalty	# of Violations Closed
Shell Martinez Refinery	A0011	Martinez	\$145,500	31
Criterion Catalysts Company LP	A0227	Pittsburg	\$6,500	3
Zweite NORDCAP	Q5490	Richmond	\$4,250	1
Georgia Pacific Corporation	A0173	Antioch	\$500	1
Beneto Tank Lines	B1956	Martinez	\$2,000	1
Gary Crandell Auto Restoration	A9267	Concord	\$750	1
Andreas Castaneros	Q5494	San Pablo	\$300	1
Stewart Heating	Q7838	Concord	\$4,000	2

Total Violations Closed: 41

ACRONYMS AND TERMINOLOGY

ABAG	Association of Bay Area Governments
AC	Authority to Construct issued to build a facility (permit)
AMBIENT AIR	The surrounding local air
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
BIODIESEL	A fuel or additive for diesel engines that is made from soybean oil or recycled vegetable oils and tallow. B100=100% biodiesel; B20=20% biodiesel blended with 80% conventional diesel
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
CNG	Compressed Natural Gas
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
LNG	Liquefied Natural Gas
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
ULSD	Ultra low sulfur diesel
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
Interoffice Memorandum

TO: Chairperson Townsend and Members
of the Board of Directors

FROM: Mary Ann Goodley
Executive Office Manger

DATE: January 11, 2006

RE: Quarterly Report of the Clerk of the Boards: October 1 – December 30, 2005

RECOMMENDED ACTION

This report is provided for information only.

DISCUSSION

Listed below is the status of minutes for the Board of Directors and Advisory Council and activities of the Hearing Board for the fourth quarter of 2005:

Board of Directors

<u>Meeting Type</u>	<u>Meeting Date</u>	<u>Status of Minutes</u>
Regular Meeting	October 19	Minutes Completed/Pending Approval
Regular Meeting	November 2	Minutes Completed/Pending Approval
Regular Meeting	November 16	Minutes Completed/Pending Approval
Regular Meeting	December 7	Minutes Completed/Pending Approval
Regular Meeting	December 21	Minutes Completed/Pending Approval
Executive Committee	October 12	Minutes Completed/Pending Approval
Budget & Finance Committee	October 26	Minutes Completed/Pending Approval
Budget & Finance Committee	November 23	Minutes Completed/Pending Approval
Budget & Finance Committee	December 28	Minutes Completed/Pending Approval
Public Outreach Committee	October 24	Minutes Completed/Pending Approval
Mobile Source Committee	November 10	Minutes Completed/Pending Approval
Mobile Source Committee	December 8	Minutes Completed/Pending Approval
Stationary Source Committee	November 28	Minutes Completed/Pending Approval
Legislative Committee	October 31	Minutes Completed/Pending Approval

Advisory Council

<u>Meeting Type</u>	<u>Meeting Date</u>	<u>Status of Minutes</u>
Regular Meeting	November 9	Minutes Completed/Pending Approval
Executive Committee	November 9	Minutes Completed/Pending Approval
Public Health Committee	October 24	Minutes Completed/Pending Approval
Public Health Committee	December 19	Minutes Completed/Pending Approval
Air Quality Planning Committee	December 14	Minutes Completed/Pending Approval
Joint Technical & Air Quality Planning Committees	October 12	Minutes Completed/Pending Approval

Hearing Board

1. During the Period July – September 2005, the Hearing Board processed and filed seven Applications for Variance.
2. The Deputy Clerk attended and took minutes at a total of two hearings and other discussions at the District facility.
3. A total of \$ 3,058.31 was collected in excess emission fees.
4. On August 23 and 24, 2005 the Deputy Clerk and one Hearing Board alternate member attended the CARB Advanced Hearing Board Workshop in Fresno.

Respectfully submitted,

Mary Ann Goodley
Executive Office Manager

FORWARDED _____

G/Board/Quarter.doc

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Townsend and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 12, 2005

Re: Report of the Stationary Committee Meeting of September 26, 2005

RECOMMENDED ACTION

Receive and file.

BACKGROUND

The Stationary Source Committee met on September 26, 2005. Staff reported on the following items:

- A) Status Report on Regulation 12, Rule 12: Flares at Petroleum Refineries. Staff reviewed the development of Regulation 12-12 and discussed a 160 ppm hydrogen sulfide limit in flare vent gas and a mass emissions based trigger level for the most detailed level of causal analysis. Staff was directed to provide the Committee with a report on the proposed South Coast AQMD flare control rule feasibility analysis for emitting hydrogen sulfide.
- B) Refinery Rule Development Efforts. Staff reviewed accomplishments in adopting stationary source control measures from the 2001 Ozone Attainment Plan and analysis of refinery further study measures, and reported on the four remaining study measures to be brought before the Board in 2005: marine vessel loading operations, pressure relief devices, blowdown systems and refinery wastewater treatment systems.
- C) Ozone and Particulate Matter Planning Requirements. Staff provided an overview of the Draft 2005 Ozone Strategy and the proposed Particulate Matter Implementation Schedule, both of which are currently undergoing public review and comment.
- D) Compliance Program 04 – 05 Year in Review. Staff provided a summary of Compliance and Enforcement Division activities.

Attached are the staff reports presented to the Committee for your review.

Chairperson DeSaulnier will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Henry Hilken
Reviewed by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Office Memorandum

To: Chairperson DeSaulnier and
Members of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 19, 2005

Re: Status Report on Regulation 12, Rule 12: Flares at Petroleum Refineries

RECOMMENDED ACTION

Receive and file.

BACKGROUND

On July 20, 2005 the Board of Directors adopted Regulation 12: Miscellaneous Standards of Performance, Rule 12: Flares at Petroleum Refineries. In adopting the rule, the Board directed staff to examine issues related to two provisions of the rule and report back to the Stationary Source Committee beginning in September, 2005. Specifically, the Board directed staff to report on comments made at the public hearing related to:

- The trigger point for the most detailed level of causal analysis, and
- A proposed limit of 160 ppm hydrogen sulfide for gases sent to a flare.

DISCUSSION

Staff will present background on how these issues were addressed during the rule development process and in the adopted rule. Staff will summarize additional information gathered to date on these issues, and outline next steps for further analysis.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Reviewed by: Henry Hilken

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Office Memorandum

To: Chairperson DeSaulnier and
Members of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 19, 2005

Re: Status Report on Refinery Rule Development Efforts

RECOMMENDED ACTION

Receive and file.

BACKGROUND

The 2001 Ozone Attainment Plan included stationary source control measures and further study measures. Many of the control measures and all of the further study measures addressed emissions from petroleum refineries and related operations. All of the control measures have been adopted and the analysis anticipated in the further study measures has largely been completed. Evaluation of and action on the few remaining further study measures are nearing completion.

DISCUSSION

Staff will summarize progress to date and update the Stationary Source Committee on the status of each of the remaining measures. The report will include:

- Summary of 2001 Ozone Attainment Plan Control Measures and Further Study Measures
- Accomplishments to date
- Status of measures in progress
- Remaining steps

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Reviewed by: Henry Hilken

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Office Memorandum

To: Chairperson DeSaulnier and
Members of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 19, 2005

Re: Status Report on Refinery Rule Development Efforts

RECOMMENDED ACTION

Receive and file.

BACKGROUND

The 2001 Ozone Attainment Plan included stationary source control measures and further study measures. Many of the control measures and all of the further study measures addressed emissions from petroleum refineries and related operations. All of the control measures have been adopted and the analysis anticipated in the further study measures has largely been completed. Evaluation of and action on the few remaining further study measures are nearing completion.

DISCUSSION

Staff will summarize progress to date and update the Stationary Source Committee on the status of each of the remaining measures. The report will include:

- Summary of 2001 Ozone Attainment Plan Control Measures and Further Study Measures
- Accomplishments to date
- Status of measures in progress
- Remaining steps

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Reviewed by: Henry Hilken

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Office Memorandum

To: Chairperson DeSaulnier and
Members of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 26, 2005

Re: Status Report on the 2005 Ozone Strategy and Particulate Matter Implementation Schedule

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

The District has recently released the Draft Bay Area 2005 Ozone Strategy for public review and comment. The Ozone Strategy is a roadmap showing how the San Francisco Bay Area will achieve compliance with the State one-hour ozone standard as expeditiously as practicable and how the region will reduce transport of ozone and ozone precursors to neighboring air basins.

The District has also recently released the Proposed Particulate Matter Implementation Schedule for public review and comment. Pursuant to SB 656 (Sher, 2003), the District has evaluated existing rules and programs to reduce particulate matter emissions in the Bay Area, and has identified additional control measures that could be implemented to further reduce particulate matter emissions in the region.

DISCUSSION

Staff will present an update on the 2005 Ozone Strategy and PM Implementation Schedule, including:

- Release of the draft documents for public review and open comment period.
- Public involvement process, including scheduled workshops in October 2005.
- Summary of the proposed control measures.
- Next steps.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Reviewed by: Henry Hilken

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Office Memorandum

To: Chairperson DeSaulnier and Members of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 26, 2005

Re: Compliance Program FY04-05 Year in Review

RECOMMENDED ACTION:

Informational Report. Receive and file.

BACKGROUND:

The Compliance Program is one of the District's major core programs to maintain and improve air quality. It encompasses a wide range of activities from inspections, source testing, sampling & laboratory analysis, and compliance assistance to citations, penalties and settlements, and Hearing Board activity. The Program's mission is to deliver the emission reductions expected from adoption of District Regulations, State or Federal Law, and permit conditions. The Program provides companies with assistance in complying with air quality rules and regulations, and when companies cannot comply, the District applies an appropriate level of enforcement action proportional to the non-compliance.

Enforcement, Penalties and Settlements, Hearing Board

The Enforcement component of the Program consists of activities designed to respond when sources are discovered in violation of applicable District, state, or federal regulations. This comprehensive and technically-based Enforcement component provides both an essential deterrent to continued or future non-compliance as well as consistency in practices throughout the regulated industries. This Program component includes all activities necessary to address non-compliance; issuing Notices of Violation and Notices to Comply; identifying causes of non-compliance and solutions for compliance; assessing penalties; and providing research and testimony before the District's Hearing Board. Other elements of the program include responding to citizen complaints about air pollution and assuring sources return to compliance.

Accomplishments achieved in FY 04-05 include:

- Received and investigated 3,031 citizen complaints.
- Discovered 1,972 violations of District, State and/or Federal regulations resulting in issuance of 1,182 Notices of Violation and 790 Notices to Comply.
- Settled 1,287 Notices of Violation for \$3.118 Million in penalties.
- Filed 13 cases in Small Claims Court for recovery of penalties.
- Provided technical assessments for 25 Hearing Board cases. Filed one accusation for a conditional order of abatement against the Tesoro Refinery.

Compliance Assurance, Source Testing, Sampling & Laboratory Analysis

The Compliance Assurance component concentrates on assurance of continued compliance through: conducting compliance inspections; source testing emissions; reviewing continuous emission, ground level and parametric monitors; sampling & laboratory analysis of coatings. Routine inspections combined with targeted audits of sources of air pollution help ensure that emission reductions, anticipated with adoption of regulations, are actually achieved. The Compliance Assurance component utilizes a cooperative working relationship with the regulated sources, in conjunction with graduated levels of enforcement actions, to maintain compliance with air quality regulations.

Accomplishments achieved in FY 04-05 include:

- Conducted inspections, sources tests, and sampling & laboratory analysis:
 - 9,717 Source Inspections
 - 1,495 Service Station Inspections
 - 1,634 Asbestos Demolition and Renovation Site Inspections
 - 294 Inspections at open burn/prescribed burn sites
 - 890 Idling Port Truck Surveillances
 - 36,727 Valve, Flange, & Connector inspections at refineries & chem. plants.
 - 622 Reviews of CEMs, GLMs, & Parametric Monitors.
 - 820 Source Tests conducted by District Staff
 - 6,859 Source Tests conducted by private contractors and reviewed by District staff.
 - 415 Samples collected and laboratory analyses conducted.
- Investigated five air pollution incidents and posted incident reports to the District website within 24 hours.
- Completed the following activities in support of Title V enforcement:
 - Audited the Title V Landfills within the District for compliance with Title V and Regulation 8, Rule 34.
 - Audited petroleum bulk terminals in Contra Costa County for compliance with Regulation 8, Rules 5, 18, 33, & 44 and Title V requirements.
 - Completed an Inspection Program Review that resulted in inspection frequency changes that prioritizes inspections to achieve the greatest emissions reductions.
 - Completed an in-depth analysis of the compliance history from 2001 to 2004 for two Title V Refineries.

Compliance Assistance

The Compliance Assistance component includes a full range of educational and technical activities directed at individual companies, industry groups, trade associations, small businesses, and green business programs. Compliance assistance outreach to affected industries is planned for those industries where new requirements are being implemented from either rule amendments or future effective dates codified in the regulations. Multiple language translations are increasing the effectiveness of program outreach. Operations activities comprise the framework for District rule administrative requirements, such as notifications, plans and petitions, reportable compliance activities, etc., which are sometimes evaluated jointly with Meteorology or Air Monitoring staff.

Accomplishments achieved in FY 04-05 include:

- Conducted a series of Industry Compliance Schools for Automobile Refinishing Operators (Regulation 8, Rule 45).
- Provided timely response to 740 compliance questions on the same-day that they were received via the email and telephone Compliance Assistance Hotline.
- Published and posted to the District website a variety of new or revised compliance assistance documents, including:
 - Eight (8) Compliance Assistance Advisories, which are timely alerts focused on rule or policy changes.
 - One (1) new Policies and Procedures Guideline, which are documents that provide the foundation for self-instituted compliance programs by industry and consistent enforcement implementation by Inspection staff.
 - Seven (7) Compliance Tips, which are quick reference fact sheets directed at small businesses that put rule requirements into easily understandable language.
- Supported the ABAG Green Business Program and conducted 79 compliance inspections within six counties for Green Business certifications. Participated in other local pollution prevention planning activities.
- Established Reg 12-11 Flare Monitoring Information on the District website.
- Initiated review of Division In-Service Training program to better align with rule and policy changes.
- Reviewed and evaluated over 100 plans and petitions for materials usage changes, Prescribed, Stubble or Marsh burns and grading proposals where Naturally Occurring Asbestos (NOA) is present in the soil (all pursuant to rule administrative procedures).
- Processed almost 10,000 notifications for asbestos demolition or renovation activities, Reportable Compliance Activities, open burning and soil or tank removals.
- Processed over 26,400 Smoking Vehicle complaints.

Summary

The overall compliance rate is 97-98% for all Compliance Program activities combined. This high level of compliance is due to an aggressive program that seeks to provide industry with all the necessary information in order to comply with air quality regulations, but then applies appropriate levels of enforcement action when non-compliance is discovered and assures follow-up on every violation.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Reviewed by: Kelly Wee

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Townsend and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 12, 2005

Re: Report of the Budget & Finance Committee Meeting of September 28, 2005

RECOMMENDED ACTION

The Budget and Finance Committee recommends Board of Directors approval of the following items:

- A) Increase the Executive Officer/APCO credit card limit from \$5,000 to \$10,000;
- B) Add the District Counsel and Executive Office Manager to the list of credit cards issued with a limit of \$10,000 each;
- C) Approval of credit card limits of \$5,000 each for the two Deputy APCOs and the two Division Directors with existing cards;
- D) Approval of the transfer of \$122,000 from the Reserve for Building and Facilities, and approval of an increase in the Administrative Services Building Maintenance budget of \$60,000 for installation of rooftop Safety Anchors, and approval of an increase in the Administrative Services Building Maintenance budget of \$62,000 for Air District Building West Exterior Epoxy Injection; and
- E) Approval of the transfer of \$250,000 from the Reserve for Production System, and an increase in the Information Systems Professional Services budget of \$250,000, and approval of a Purchase Order not to exceed \$250,000 to CH2MHill for configuration and building of Oracle database.

BACKGROUND

The Budget & Finance Committee met on September 28, 2005. Staff presented updates and recommendations on the following items:

- Fourth Quarter Financial Report;
- Request to Increase Credit Card Limits and Issue Additional Cards;
- Request to Amend FY 2005/2006 Budget and Transfer Funds from Reserve for Building and Facilities; and
- Request to Approve a Purchase Order, Amend the FY 2005/2006 Budget and Transfer Funds from Reserve for Production System.

Attached are the staff reports presented to the Committee for your review.

Chairperson, Julia Miller will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Staff recommendations to increase the District's credit card limit and issuing additional cards will have no impact on the District's budget.

The FY 2005/2006 Administrative Services Building Maintenance budget will be increased by \$122,000 with staff's recommendation to transfer \$122,000 from the Reserve for Building and Facilities.

The FY 2005/2006 Information Systems budget will be increased by \$250,000 with staff's recommendation to transfer \$250,000 from the Reserve for Production System.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Mary Romaidis
Reviewed by: Mary Ann Goodley

BAY AREA AIR QUALITY MANGEMENT DISTRICT

Office Memorandum

To: Chairperson Julia Miller and
Members of the Budget and Finance Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 19, 2005

Re: Fourth Quarter Financial Report – Fiscal Year 2004-05

RECOMMENDED ACTION:

Informational report. Receive and file.

DISCUSSION

GENERAL FUND BUDGET: STATEMENT OF REVENUE

Comparison of Budget to Actual Revenue

- County Revenue receipts were \$15,071,500 (100.7%) of budgeted revenue. As usual, Alameda, San Mateo and Santa Clara counties accounted for the majority of the receipts received.
- Permit Fee receipts were \$16,600,364 (102.1%) of budgeted revenue.
- Asbestos Fees were \$1,641,880 (126.3%) of budgeted revenue.
- Penalties and Settlements were \$3,090,636 (110.4%) of budgeted revenue.
- CMAQ Funding was \$1,779,643 (144.9%) of budgeted revenue.
- State Subvention was \$1,730,915 (92.9%) of budgeted revenue.
- Interest Income was \$559,635 (114.2%) of budgeted revenue.
- Miscellaneous Revenue receipts were \$494,459 (116.3%) of budgeted revenue.

GENERAL FUND BUDGET: STATEMENT OF EXPENDITURES

Comparison of Budget to Actual Expenditures

- Salaries and Benefits were \$30,653,943 (93.1%) of estimated expenditures.
- Operational Services and Supplies were \$10,910,592 (113.9%) of estimated expenditures.
- Capital Outlay was \$920,711 (18.5%) of estimated expenditures.

TFCA FUND: STATEMENT OF INCOME AND EXPENDITURES

- Total Revenue was \$6,917,498 (112.2%) of estimated revenue and expenditures.
- In keeping with TFCA Fund requirements, expenditures must equal revenue.
- Salary and Benefits were \$1,405,452 (90.5%) of estimated expenditures.
- Operational Services and Supplies were \$5,512,046 (119.6%) of estimated expenditures.

BUDGET CONSIDERATION/FINANCIAL IMPACT

No impact on Fiscal Year 2004/2005 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Michael White

Reviewed by: Jeff McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Office Memorandum

To: Chairperson Julia Miller and
Members of the Budget and Finance Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 20, 2005

Subject: Request to Increase Credit Card Limits and Issue Additional Cards

RECOMMENDED ACTION

Consider recommending Board of Director approval of request to increase the Executive Officer/APCO credit card limit from \$5,000 to \$10,000 and to issue credit cards to senior management staff of the agency with credit limits of \$10,000. This will increase the District's total credit card limit from \$15,000 to \$60,000.

BACKGROUND

The District has three credit cards, each having a \$5,000 credit limit, currently issued to the Executive Officer/APCO and two Division Directors. In order to enhance the operational efficiency of the District, staff is recommending that the Executive Officer's credit limit be increased to \$10,000 and increase the two existing Division Director limits to \$10,000 each. This recommendation will also provide similar cards to the District Counsel and the DAPCOs. The Table below compares the District's current credit card structure to the proposed structure.

CARDHOLDER	CURRENT CREDIT LIMIT	PROPOSED CREDIT LIMIT
Executive Officer/Air Pollution Control Officer	\$ 5,000	\$ 10,000
District Counsel	---	10,000
Deputy Air Pollution Control Officer	---	10,000
Deputy Air Pollution Control Officer	---	10,000
Administrative Services Director	5,000	10,000
Technical Services Director	5,000	10,000
TOTAL CREDIT LIMIT	<u>\$15,000</u>	<u>\$60,000</u>

BUDGET CONSIDERATIONS/FINANCIAL IMPACTS

Increasing the District's credit card limit and issuing additional cards will have no impact on the District's budget.

Respectfully Submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Michael White
Reviewed by: Jeff McKay

BAY AREA AIR QUALITY MANGEMENT DISTRICT

Office Memorandum

To: Chairperson Julia Miller and
Members of the Budget and Finance Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 22, 2005

Re: Rooftop Safety Anchors and Air District Building West Exterior Epoxy Injection:
Consider Approval of Increase in FY 2005/2006 Budget, and Transfer from Reserve
for Building and Facilities

RECOMMENDED ACTION:

Consider recommending that the Board of Directors approve staff's recommendation to transfer \$122,000 from the Reserve for Building and Facilities, and approve an increase in the Administrative Services Building Maintenance budget of \$60,000 for installation of rooftop Safety Anchors, and approve an increase in the Administrative Services Building Maintenance budget of \$62,000 for Air District Building West Exterior Epoxy Injection.

DISCUSSION

CAL OSHA requires certified anchoring devices and an OPOS (Operations Procedure Outline Sheet) on San Francisco commercial building rooftops. The anchors are used during servicing of the building, including window washing and painting. These funds will provide for design and engineering of the anchors, for installation, and for creation of the OPOS sheet referenced above.

Cracks in the west side of the 939 Ellis Street facility have been considered for epoxy injection over the last several years. A recent increase in the volume of leakage from those cracks motivates the current recommendation for epoxy injection. This work will include epoxy injection followed by elastic sealant, primer, and ground-to-roof paint.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The FY 2005/2006 Administrative Services Building Maintenance budget will be increased by \$122,000 with a transfer from the Reserve for Building and Facilities.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jeff McKay

BAY AREA AIR QUALITY MANGEMENT DISTRICT

Office Memorandum

To: Chairperson Julia Miller and
Members of the Budget and Finance Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 22, 2005

Re: Production System Replacement of IRIS and DataBank: Consider Approval of Purchase Order, Increase of FY 2005/2006 Budget, and Transfer from Reserve for Production System

RECOMMENDED ACTION:

Consider recommending Board of Directors approval of staff's recommendation to transfer \$250,000 from the Reserve for Production System, and approve an increase in the Information Systems Professional Services budget of \$250,000, and approve a Purchase Order not to exceed \$250,000 to CH2MHill for configuration and building of an Oracle database.

DISCUSSION

Air District databases are located on multiple platforms and their structure reflects ad hoc growth over a period of nearly twenty years. A key opportunity associated with replacement of IRIS and Databank is the opportunity to substitute a planned Oracle database structure for the existing non-optimal database architecture. Modern relational database structures are inextricably linked to the business functions and associated processes that employ and create the data elements. For this reason, the District benefits by employing a vendor with specific experience in the field of air quality regulation and even with experience in the District's specific processes. CH2MHill is recommended as the sole source based on these criteria, and based on the high costs of training other vendors. This work will result in a populated, functioning Oracle database suitable for use in the upcoming pilot projects at the District. These pilot projects will focus on the Authority to Construct process.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The FY 2005/2006 Information Systems Budget will be increased by \$250,000 with a transfer from the Reserve for Production System.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jeff McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Townsend and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 12, 2005

Re: Report of the Executive Committee Meeting of October 12, 2005

RECOMMENDED ACTION

The Committee recommends Board of Director approval of the Report of the Advisory Council with the recommendation to appoint Ken Blonski to the Regional Park District category on the Advisory Council to complete an unexpired term of office that began January 1, 2004 and will end December 31, 2005.

BACKGROUND

The Executive Committee met on Wednesday, October 12, 2005. The Committee received a report from the Advisory Council Chairperson, Brian Zamora that included a recommendation from the Advisory Council on the District's role in Indoor Air Quality (IAQ). The Committee also received a recommendation from Bill Hanna, Chairperson of the Applicant Selection Working Group, to appoint Ken Blonski to the Regional Park District category on the Advisory Council to complete an unexpired term beginning January 1, 2004 and ending December 31, 2005.

Tom Dailey, M.D., Chairperson of the Hearing Board, presented the Hearing Board Quarterly Report for the second quarter of 2005.

Ted Droettboom, Regional Planning Program Director of the Joint Policy Committee provided an update on the activities of the Joint Policy Committee.

Staff presented updates and reports on the following items:

- An update on the Affirmative Action Plan; and
- A report on organizational realignment of various divisions.

Attached are the staff reports presented to the Committee for your review.

Chairperson Townsend will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None from recommended actions.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Mary Romaidis
Reviewed by: Mary Ann Goodley

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

TO: Chairperson Marland Townsend and Members of the Executive Committee
FROM: Chairperson Thomas M. Dailey, M.D., and Members of the Hearing Board
DATE: September 8, 2005
RE: Hearing Board Quarterly Report – APRIL 2005 – JUNE 2005

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/Union City	UNITED STATES PIPE AND FOUNDRY COMPANY (Variance – Docket No. 3491) – Variance from regulation requiring compliance with permit conditions	2-1-307	Withdrawn. Variance not needed to complete the Source Tests	===	===
Contra Costa/Martinez	TESORO REFINING & MARKETING (Variance - Docket No. 3485) – Variance from regulation requiring implementation of the operating permit requirements of Title V of the federal Clean Air Act, as amended in 1990; from regulation limiting the quantity of particulate matter in the atmosphere through the establishment of limitations on emission rates, concentration, visible emissions and opacity; and from regulation limiting emissions of nitrogen oxides and carbon monoxide from boilers, steam generators, and process heaters in petroleum refineries (APCO opposed.)	2-6-307; 6-301, 302, 310 & 310.3; 9-10-301	Withdrawn	===	(Ringelmann No. 1) (Opacity) (Particulate Matter) (VOC) (NOx) and (CO)
Contra Costa/Martinez	APCO vs. TESORO REFINING & MARKETING CO., GOLDEN EAGLE REFINERY SITE NO. B2758 (Accusation – Docket No. 3492) – Accusation and Request for Conditional Order for Abatement from regulation requiring compliance with standards of Public Nuisance; from regulation requiring compliance with permit conditions; from regulation requiring compliance with an orderly procedure for the review of new sources of air pollution, and of the modification and operation of existing sources and of associated air pollution control devices, through the issuance of authorities to construct and permits to operate; from regulation limiting the quantity of particulate matter in the atmosphere through the establishment of limitations on emission rates, concentration, (continued on next page)	1-301 2-1-307 2-6-407 6-301, 302, 305 & 310 9-10-301 & 304 H&SC Section 41700	Stipulated Conditional Order for Abatement issued. Further hearing on 9/29/05 per Condition No. 4 of the Order	===	===

<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>
	<i>visible emissions and opacity; from regulation establishing emission limits for sulfur dioxide from all sources including ships, and limits ground level concentrations of sulfur dioxide; and from Health & Safety Code Section 41700 (public nuisance)</i>				
Contra Costa/Richmond	NARDSON'S ENTERPRISES, INC. (Variance – Docket No. 3493) – <i>Variance from regulation limiting emissions of organic compounds from gasoline dispensing facilities (APCO opposed.)</i>	8-7-301.2	Withdrawn	===	===
Contra Costa/Rodeo	CONOCOPHILLIPS COMPANY (Variance – Docket No. 3494) – <i>Variance from regulation limiting emissions of nitrogen oxides and carbon monoxide from boilers, steam generators, and process heaters in petroleum refineries</i>	9-10-301 & Title V	Withdrawn. Not in violation of 9-10-301	===	===
Santa Clara/San Jose	USA GASOLINE CORPORATION (Variance – Docket No. 3497) – <i>Variance from regulation limiting emissions of organic compounds from gasoline dispensing facilities</i>	8-7-301.1, 301.2, 301.7, 301.8 & 301.9	Withdrawn	===	===
Santa Clara/Santa Clara	SILICON VALLEY POWER-PICO POWER PLANT CITY OF SANTA CLARA, CA. (Long-Term Variance – Docket No. 3481) – <i>Variance from regulation requiring compliance with permit conditions; and from regulation to provide for the review of new and modified sources and provide mechanisms, including the use of BACT, TBACT and emissions offsets, by which authorities to construct such sources may be granted (APCO not opposed.)</i>	2-1-307 2-2-419	Granted	2/28/05 to 3/24/05. Total testing period time will be 60 hrs/turbine for two turbines (total of 120 hrs) during the variance period.	===

NOTE: During the second quarter of 2005, the Hearing Board dealt with three Dockets on three hearing days. A total of \$299.75 was collected as excess emission fees during this quarter.

Respectfully submitted,

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

Prepared by: Neel Advani
Reviewed by: Mary Romaidis

FORWARDED: _____
NA:na (9/8/05HBEXQURT)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Townsend and Members of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 21, 2005

Re: Report of the Advisory Council

RECOMMENDED ACTIONS:

- (A) Receive and file attached minutes.
- (B) Consider recommending Board of Director approval of Applicant Selection Working Group appointment recommendation of Ken Blonski to the “Regional Park District” category on the Advisory Council effective October 19, 2005 to fill an unexpired term of office ending December 31, 2005.
- (C) Consider recommendation regarding Indoor Air Quality.

DISCUSSION:

Presented in Items 5A1-8, 5B and 5C are the minutes and recommendations of the Advisory Council referred to above.

Respectfully submitted,

Jack P. Broadbent
Executive Officer

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Townsend and Members of the Executive Committee
From: Brian Zamora, Chairperson, Advisory Council
Date: September 21, 2005
Re: Report of the Advisory Council: May 11 – August 16, 2005

RECOMMENDED ACTIONS:

Receive and file.

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.

- 1) Executive Committee – May 11, 2005. The Committee reviewed a draft Code of Conduct for the Advisory Council, and heard Committee reports on work plan progress. *(Minutes included in the October 12, 2005 Executive Committee Meeting Agenda packet.)*
- 2) Regular Meeting – May 11, 2005. The Council received a staff presentation on District public information and outreach efforts in 2005. It received the reports of its Standing Committees, as well as an overview of District activities presented by the Executive Officer. *(Minutes included in the October 12, 2005 Executive Committee Meeting Agenda packet.)*
- 3) Joint Air Quality Planning & Technical Committee Meeting – June 8, 2005. The Committees received staff presentations on climate change, on the District's Community Air Risk Evaluation (CARE) program, and the Governor's hydrogen highway blueprint. *(Minutes included in the October 12, 2005 Executive Committee Meeting Agenda packet.)*
- 4) Public Health Committee Meeting – June 13, 2005. The Committee reviewed the subject of indoor air quality, and discussed possible District roles in this air pollution field. *(Minutes included in the October 12, 2005 Executive Committee Meeting Agenda packet.)*
- 5) Executive Committee – July 13, 2005. The Committee reviewed and edited a draft Code of Conduct for the Advisory Council, and reports on Committee work plans. *(Minutes included in the October 12, 2005 Executive Committee Meeting Agenda packet.)*
- 6) Regular Meeting – July 13, 2005. The Council received a staff presentation on the District's Enhanced Mobile Source Incentive Program, and reviewed its Standing Committee reports and an overview of District activities presented by the Executive Officer. *(Minutes included in the October 12, 2005 Executive Committee Meeting Agenda packet.)*

- 7) Public Health Committee Meeting – August 15, 2005. The Committee met to further discuss and refine its recommendations on Indoor Air Quality for presentation to the Advisory Council. (*Draft minutes included in the October 12, 2005 Executive Committee Meeting Agenda packet.*)
- 8) Joint Air Quality Planning & Technical Committee Meeting – August 16, 2005. The Joint Committee received and discussed a presentation from Diane Wittenberg, President, California Climate Action Registry, on the work of the Registry and possible areas of collaboration with the Air District. (*Draft minutes included in the October 12, 2005 Executive Committee Meeting Agenda packet.*)

Respectfully submitted,

Brian Zamora
Advisory Council Chairperson

Prepared by: James N. Corazza

FORWARDED BY: _____

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

APPROVED MINUTES

Advisory Council Executive Committee Meeting
9:00 a.m., Wednesday, May 11, 2005

1. **Call to Order – Roll Call.** 9:04 a.m. Present: Brian Zamora, Chairperson, Elinor Blake, Fred Glueck, Stan Hayes, John Holtzclaw, Ph.D., Victor Torreano. Absent: Kraig Kurucz.
2. **Public Comment Period.** There were none.
3. **Approval of Minutes of March 9, 2005.** Mr. Glueck moved approval of the minutes as submitted; seconded by Dr. Holtzclaw; carried, with Ms. Blake abstaining.
4. **Update of Advisory Council By-Laws.** Chairperson Zamora summarized the changes in the By-Laws and called for discussion. Dr. Holtzclaw suggested that “and” be added after “September” in Article I and moved adoption of the By-Laws as further amended; seconded by Mr. Hayes; carried unanimously. Chair Zamora directed that today’s correction and the other tracked changes be incorporated into the By-Laws for review at the next Regular meeting.
5. **Code of Conduct.** Chairperson Zamora called for discussion on the first draft of the “Code of Conduct for Public Officials” as it might be applied to a Code of Conduct for the Advisory Council. The following comments were offered by the Committee members:
 - The first draft is an excellent overview from which to consider and address a wide variety of issues. However, the extensive detail should be reduced and the direction of the document be revised to reflect a more general orientation. There is no need for a clause referencing the matter of “confidentiality” as the Council performs an advisory function. (Holtzclaw)
 - The text should identify which Council positions are the responsible spokespersons for the Council or a Committee. When Council members are contacted by groups, there should be clear direction as to whom to refer the inquiry: whether to the Air District staff or the Council Chair, or a Committee Chair if it concerns a guest speaker at a Committee meeting. Such direction should be placed into a single section and entitled “Council representation.” It should identify the Council’s duties, and explain that the membership must vote on a matter before it goes to the Governing Board. It should also note that Council recommendations are made only to the full Council, and that the Chair alone speaks for the Council unless a member is designated by the Chair to represent an issue. (Glueck, Holtzclaw)
 - There are some underlying assumptions in the draft document that differ from the principles that govern the operation and purpose of the Council. The California Health & Safety Code establishes the Advisory Council as representing diverse interest groups and a variety of stakeholders, and any references in the Code of Conduct to incompatible interests and neutrality should be considered in light of the statutory mandate. A member should not feel that being active politically outside the Council is limited by the Code of Conduct. (Hayes)

- The meaning of “loyalty” in Article V is unclear. The reference to “public confidence” in Article IX is commendable. References to conflict-of-interest should be brief and incorporate any references to “misuse of position.” (Blake)
- The document should provide a baseline that educates any new member on the expectations that concern proper conduct on an advisory panel. (Zamora)
- The text does not affect business activities outside the Advisory Council. It is a template that offers guidance that can be edited over time. (Torreano)

Suggestions were made by Committee members that the following articles should be deleted: 18, 19, 20, 22, 24, 25, 26, 27 and sections 3 and 4 of Article 28. Article 21 should be reworked to include the issue of Advisory Council representation, and Article 10 revised to deal with use of resources without reference to “discretionary powers.” Chairperson Zamora requested Committee member assistance in incorporating the suggestions made at today’s meeting into a second draft of the Code. Messrs. Holtzclaw and Hayes volunteered to so assist the Chair.

- 6. Work Plan Review with Committee Chairs.** Mr. Hayes stated that the Technical Committee is reviewing the Community Air Risk Evaluation (CARE) program and focusing on the source apportionment for air toxics and particulates. In its review of climate change, the Committee is evaluating the connection between the regulation of criteria and greenhouse gas emissions.

Dr. Holtzclaw reported that the Air Quality Planning Committee received a presentation on the Governor’s Hydrogen Highway Blueprint from Dr. Shannon Baxter-Clemmons of the California Environmental Protection Agency. The Committee will consider adopting recommendations on this Blueprint at its next meeting. Messrs. Holtzclaw and Hayes agreed that on June 8, 2005 their respective Committees will meet jointly. The agenda will contain three items: the CARE program, the hydrogen highway blueprint and greenhouse gas emissions. The full Council’s discussion of a resolution on climate change later today will provide the baseline for discussion at the Committee level on next steps.

Mr. Torreano reported that the Public Health Committee received a presentation from California Air Resources Board staff on indoor air quality. At its next meeting, the Committee will consider crafting recommendations based on previous presentations and discussions at both the Committee and Council level. In discussion, several Executive Committee members suggested that the Public Health Committee examine the linkage between indoor and outdoor pollutants and the ability of the District to conduct public outreach and education on indoor air quality.

- 7. Committee Member Comments/Other Business.** There were none.
- 8. Time and Place of Next Meeting.** 9:00 a.m., Wednesday, July 13, 2005, 939 Ellis Street, San Francisco, CA 94109.
- 9. Adjournment.** 9:56 a.m.

James N. Corazza

James N. Corazza
Deputy Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

939 ELLIS STREET - SAN FRANCISCO, CALIFORNIA 94109

Approved Minutes: Advisory Council Regular Meeting – May 11, 2005

CALL TO ORDER

Opening Comments: Chairperson Zamora called the meeting to order at 10:06 a.m.

Roll Call: Present: Brian Zamora, Chair, Sam Altshuler, P.E., Diane Bailey, Elinor Blake, Jeffrey Bramlett, Harold M. Brazil, Irvin Dawid, Emily Drennen, Fred Glueck, William Hanna, Stan Hayes, John Holtzclaw, Ph.D., Victor Torreano, Linda Weiner.

Absent: Cassandra Adams, Louise Bedsworth, Ph.D., Bob Bornstein, Ph.D., Kraig Kurucz, Norman A. Lopera, Jr., Kevin Shanahan.

PUBLIC COMMENT PERIOD: There were no public comments.

CONSENT CALENDAR:

1. **Approval of Minutes of March 9, 2005.** Chairperson Zamora deferred this item to the July 13, 2005 Advisory Council Regular meeting.

PRESENTATION:

2. **Public Outreach at the District.** Teresa Lee, Director, Public Information & Outreach Division, stated that free morning commutes on all Bay Area transit lines will be provided for the first five Spare the Air days on non-holiday weekdays this summer. The free commute is offered this summer in connection with the 8-hour ozone standard. The goal is to reduce the heavy traffic during the morning work commute when ozone precursors are released into the atmosphere from the vast number of vehicles on the road.

Funding for the five free transit days includes the \$780,000 from the Transportation Fund for Clean Air (TFCA) and \$3.9 million in Congestion Management Air Quality (CMAQ) funds. The program will access its employer network and the public through advertisement over a wide array of print and electronic media. Program effectiveness will be measured through telephone surveys and ridership counts. Nineteen transit operators have opted into the program and must submit an operating plan to show how they will accommodate the anticipated 10% increase in ridership.

Approximately 80% of the population in the Bay Area knows what a Spare the Air day is. To obtain a total clean air commute, and to increase the incentive to take public transit, shuttle service to BART stations in the Bay Area has been organized and is steadily expanding.

Ms. Lee presented two District videos entitled, respectively, “*30 Years of Progress: 1955-1985*” and “*Sparing the Air for a healthier future.*”

3. Resolution on Climate Change. Technical Committee Chair Hayes introduced the draft Advisory Council Resolution No. 89 “A Resolution Encouraging the Bay Area Air Quality Management District to Address Climate Change.” He stated that the item was discussed at the Technical Committee meeting of April 13, 2005. The Committee conceptually endorsed the subjects set forth in the text and requested staff to prepare a first draft. If the text is endorsed by the Council, it can be submitted in the context of the District’s 50th Anniversary and prior to World Environment Day.

Ina Shlez, Principal Environmental Planner, observed that the correlation between higher temperatures generated by global warming and increased ozone exceedances provides a link to the ambient air and health protection standards which are at the core of the District’s mission. Temperature variation impacts regional air quality: last summer, there were few instances of high temperatures and few Spare the Air days. Higher temperatures will generate a greater number of Spare the Air Days. Reduction of greenhouse gas emissions will lessen global warming, keeping temperatures lower and reducing the number of ozone excesses.

In discussion of the resolution, Council members offered the following observations and suggestions:

- add “and precipitation” after “wind” in the third “Whereas”; add “refineries and chemical plants” after “generation” in the first “Whereas” on page two; add “data collection and analysis” to the last paragraph on page two where it is most appropriate. (Holtzclaw)
- change “overwhelming” to “strong and convincing” in the first “Whereas”; add “increases the severity storms” after “patterns” in the third “Whereas”; add “and the public health and welfare” after “local air quality” in line three of the same paragraph; add “the” before “photochemical” on line one of paragraph four and add “that cause ozone and other pollutants to form” after “sunlight and heat” in the same paragraph. Add “adversely” before “impact” in the last line of paragraph five. (Hayes)
- the evidence is “overwhelming” that greenhouse gases are causing global warming, and the language should remain as originally drafted. (Bailey, Weiner).
- add a reference to the relationship between increased temperatures and mortality where the text references adverse impacts on human health; add “potential energy independence” to the next to last “Whereas” on page one as an additional benefit of reducing greenhouse gas emissions; add the measurement of greenhouse gas emissions to permit applications, environmental review processes, the Carl Moyer and Transportation Fund for Clean Air grant criteria; and replace “support” with “leadership” in the last paragraph. (Altshuler)
- the resolution should include a commitment to an action plan with specific goals for reductions in greenhouse gas emissions. (Bailey)
- the resolution is a call to action, rather than an action plan, and should remain as such. Next steps can be discussed once general direction from the Board of Directors is received. (Glueck)

In reply to questions, Ms. Shlez stated that greenhouse gases are now being included in the District’s emissions inventory of stationary sources. This will provide major assistance to local municipalities and agencies in developing a baseline inventory. If the state develops a cap and trade program, for which the California Climate Action Registry is preparing, the District will be ready to join it.

Jack Broadbent, Executive Officer/APCO, added that the Board of Directors has inquired as to the Advisory Council’s opinion on whether climate change is an issue that should be addressed by this agency. Some groups, such as the Western States Petroleum Association, believe that the regulation

of greenhouse gases is outside the District's purview. While the State Legislature will decide this issue, it is preferable to begin review of this complex topic now. Increases in temperatures may also erode gains made in the District's Ozone Attainment Plan. Mr. Broadbent noted that he has asked the Advisory Council Chair to present the resolution on May 20, 2005 to the Board Executive Committee. If it is approved, the staff and the Council can commence with discussing next steps.

After further discussion, the Council reached consensus on all of the proposed language changes except for the substitution of "strong and convincing" for "overwhelming" and Mr. Hanna moved adoption of the resolution as modified; seconded by Dr. Holtzclaw; carried unanimously. Mr. Dawid requested that a copy of the resolution also be sent to the regional water quality agencies.

AIR DISTRICT OVERVIEW

- 4. Report of Air Pollution Control Officer.** Mr. Broadbent summarized the proposed budget for Fiscal Year 2005-06 with regard to proposed new staff positions, fiscal challenges facing the agency this year in increased PERS and medical insurance costs, and the loss of 10% in county revenues. Staff proposes to increase permit fees based on the recommendations of the Cost Recovery Study. It is also proposing a modest transfer from undesignated reserves to balance the budget.

As a result of AB 923, the District will also receive \$11 million to distribute in mobile source incentive funds deriving from increases in vehicle registration fees and the Carl Moyer program. The CARE program is moving forward, as well as the District's efforts to convert its database production system to a newer architecture. Mr. Broadbent added that he would provide a copy of the presentation on the budget that he gave to the Budget & Finance Committee to the Council for its review.

Other activities this year include the presentation to the Board next month of an air toxics regulation under the New Source Review rule, and the development of a flare control rule for refineries in July. On June 20, a Symposium on the 50th Anniversary of the District is scheduled in Yerba Buena Gardens near the Moscone Center. The Advisory Council is invited to attend this event.

In discussion, Mr. Broadbent stated that three of the proposed new positions will assist with the mobile source incentive funds, overseeing accounting and working with cities and counties. With regard to the recent Supreme Court decision on fleet rules in the South Coast AQMD, the results are limited to public fleets, and such fleet rules may be adopted only for districts designated "severe" or "extreme." The Advisory Council may elect to further investigate the issue of fleet rules and make recommendations to the Board of Directors. Some Board members are interested in seeing the District adopt a rule requiring school bus fleets to be retrofitted with pollution abatement devices.

COMMITTEE REPORTS

- 5. Report of the Air Quality Planning Committee of April 4, 2005.** Dr. Holtzclaw stated that the Committee received a presentation on the Governor's Hydrogen Highway Blueprint. This topic will be taken up again, with input from District staff, at the June 8 joint meeting with the Technical Committee. The Committees will also address the CARE program and greenhouse gas emissions.
- 6. Report of the Technical Committee Meeting of April 13, 2005.** Mr. Hayes stated that the Committee is reviewing greenhouse gas emissions and tracking the progress of the CARE program.

The Committee is especially interested in the issue of source apportionment in air toxics emission inventory analyses.

7. **Report of the Public Health Committee Meeting of April 18, 2005.** Mr. Torreano stated that the Committee received a presentation on indoor air quality from the Air Resources Board. At its next meeting the Committee will consider developing recommendations on the District's role in this field.
8. **Report of the Executive Committee Meeting of May 11, 2005.** Chairperson Zamora stated that the Committee has completed its revisions to the Council's By-Laws, which will be presented for adoption at the July 13, 2005 Advisory Council Regular Meeting. It also reviewed a first draft of the proposed Advisory Council Code of Conduct and will review a second draft at its next meeting.

OTHER BUSINESS

9. **Report of Advisory Council Chair.** Chairperson Zamora stated that Board Chairperson Townsend reads the Advisory Council's reports with great care and has expressed appreciation for the Advisory Council's work.
10. **Council Member Comments/Other Business.** Ms. Bailey stated that World Environment Week will take place June 1-5 in San Francisco. Mr. Dawid indicated that the Sierra Club is a co-sponsor of this event and encouraged Advisory Council members to attend. He also expressed an interest in seeing a demonstration of the two fuel cell vehicles that will be used by the City and County of San Francisco. Jean Roggenkamp, Deputy APCO, replied that the Air District will be allocated two DaimlerChrysler fuel cell vehicles, which can be demonstrated for the Council at a future date.
11. **Time and Place of Next Meeting.** 10:00 a.m., Wednesday, July 13, 2005, 939 Ellis Street, San Francisco, CA 94109.
12. **Adjournment.** The meeting was adjourned at 12:03 p.m.

James N. Corazza

James N. Corazza
Deputy Clerk of the Boards

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

APPROVED MINUTES

Joint Air Quality Planning & Technical Committee
9:30 a.m., Wednesday, June 8, 2005

- 1. Call to Order – Roll Call.** Chairperson Holtzclaw called the meeting to order at 9:40 a.m. Air Quality Planning Committee (AQPC) Members Present: John Holtzclaw, Ph.D., Harold Brazil, Irvin Dawid, Emily Drennen, Fred Glueck, Kraig Kurucz. Air Quality Planning Committee Members Absent: Kevin Shanahan. Technical Committee Members Present: Sam Altshuler, P.E., Diane Bailey, Louise Bedsworth, Ph.D., William Hanna, John Holtzclaw, Ph.D., Norman Lapera, Jr. Technical Committee Members Absent: Stan R. Hayes, Chairperson, Robert Bornstein, Ph.D.
- 2. Public Comment Period.** There were no public comments.
- 3. Approval of Minutes.**
 - A. Air Quality Planning Committee – April 4, 2005.** Mr. Glueck moved approval of the minutes; seconded by Ms. Drennen; carried.
 - B. Technical Committee – April 13, 2005.** Dr. Holtzclaw requested that at the bottom of page two on item five, after “this” insert “absorbed energy is remitted as” and delete “is absorbed and re-emitted” in the same sentence. In line three of paragraph four on page three, insert “of” after “development.” Mr. Lapera moved approval of the minutes as corrected; seconded by Mr. Altshuler; carried.
- 4. Continuing Review of Climate Change.** Henry Hilken, Planning Division Director, presented a memorandum entitled “Draft: District Climate Protection Activities.” He noted that the Advisory Council resolution on climate change that it adopted on May 11 was endorsed by the Board Executive Committee on May 20, 2005 and adopted by the Board on June 1, 2005. Several Board members emphasized the importance of linking climate change to the mission of the District to reduce criteria pollutants, as well as to establish a connection between climate protection and citizen actions. He added that the District is part of the California Climate Action Registry and is developing a greenhouse gas (GHG) emission inventory. Jean Roggenkamp, Deputy Air Pollution Control Officer, added that the District’s FY 05-06 budget provides funding for a climate change protection program.

Mr. Altshuler stated that the relationship of fine carbon to global warming as explained by Professor Mark Jacobson to the Council a few years ago should be considered. Mr. Hanna added that some experts have spoken of the difficulty in tracing the impact of individual actions to slow global warming given how slowly global temperatures increase over time.

- 5. Community Air Risk Evaluation (CARE) Program.** Janet Stromberg, CARE Program Manager, distributed a memorandum entitled “Goals and Objectives” for the CARE program. The goals include staff consultation with the Advisory Council and Care Task Force, development of an average annual toxic air contaminant emission inventory, contracting with Sonoma Technologies to develop appropriate emissions maps, and embarking on a two-pronged review of emissions for toxic air contaminant and diesel particulate matter (PM). The first assessment will be based on the District’s emissions inventory for stationary source emissions. The area selected for the pilot project will be reviewed in greater detail. The Council’s input on the selection of the neighborhood is welcome. A health risk assessment will then be conducted in the pilot project area. The results at each step will be brought to the Advisory Council and the CARE Task Force for review. Peter Hess, Deputy APCO, indicated that staff would like for the Council to suggest criteria for neighborhood selection.

Dr. David Fairley, District Statistician, presented “Sources of Bay Area Fine Particles,” noting that ten years ago the District conducted a study of wintertime particles in the Bay Area, and more recently the Central California Ozone Study studied data from some Bay Area sites. Analysis of data from filters loaded with ambient PM is compared with the emission inventory to estimate contributions from more specific sources. Information gaps can, in part, be filled by using Carbon 14 measurement and organic speciation.

Dr. Fairley showed a slide distinguishing PM₁₀ and PM_{2.5} size fractions, and noted that the health effects associated with PM exposure include asthma exacerbation, chronic bronchitis, hospitalizations for respiratory and cardiovascular effects. For the San Francisco Bay Area in the year 2000, there were 1,400 deaths associated with PM exposure and 500 to motor vehicle accidents. Notwithstanding uncertainty, this is an order of magnitude difference.

The District does not attain the state standards for PM₁₀ and PM_{2.5} but does attain the national annual and 24-hour standards. However, the latter will be modified, and it is not clear whether the attainment status will continue under the revised standards.

The goal of the District’s present study of PM is to estimate the contributions of various sources to Bay Area PM_{2.5} whether derived from direct emissions from woodsmoke, motor vehicle exhaust and road dust or through secondary formation from gases in the atmosphere and undergo chemical reactions to form ammonium nitrate. There are two approaches to estimating PM sources. The first is the emissions inventory with engineering calculations for a relatively complete set of sources even though ambient concentrations may not be reflected within it, and secondary PM is omitted from it. The second is chemical mass balance (CMB) analysis of PM filter samples: this reflects actual PM and includes secondary PM. However, only certain sources can be measured and it is difficult to distinguish among some sources.

CMB analysis begins with an ambient filter sample, and the aim is to find, measurement by measurement, the mix of sources that best represents the PM on the filter. Available PM_{2.5} speciation studies include the California regional Particulate Air Quality Study (CREPAQS) which addressed data from three Bay Area sites (Bethel island, Livermore, San Francisco); the Speciated Trends Network which evaluated San Jose data, and the Interagency Monitoring of Protected Visual Environments in Point Reyes.

The chemical species measured were divided in arrays of higher molecular weight elements, ranging from aluminum through zirconium, and then ions such as nitrates, sulfates, ammonium, sodium, chloride, soluble potassium, and then by elemental and organic carbon. In evaluating PM_{2.5} species from annual averages, there is ample evidence of large amounts of secondary PM in the Bay Area. In terms of sodium and chloride concentrations, which derive from sea salt in marine air, the Point Reyes monitor registers the greatest amount. Organic and elemental carbon are found in the greatest abundance at the Livermore and San Jose stations. Geologic dust does not register very much in the data. As for peak PM_{2.5} measurements, Point Reyes registered considerable quantities of sea salt but less sulfate.

The sources used in the CMB analysis include those that are directly emitted such as road dust, motor vehicle exhaust, tire and break wear, wood smoke, meat cooking, and marine air, as well as those from secondary formation in the atmosphere such as ammonium nitrate and ammonium sulfate. According to the analysis, tire and break wear are minor sources.

With regard to annual PM_{2.5} contributions in sources such as ammonium sulfate, ammonium nitrate, marine air, road dust, fossil fuels and woodsmoke and fires, for six Bay Area sites, the data indicate that at Point Reyes marine air and ammonium sulfate predominate. For the same sites, peak PM_{2.5} contributions differ somewhat in that there is a significantly more ammonium nitrate than in the annual averages, though it is significant in the annual measurements as well. Ammonium nitrate is a large contributor to Bay Area PM_{2.5} in both annual averages and peak concentrations, while ammonium sulfate contributes more to the annual level than to peak concentrations. In both scenarios, fossil fuels contribute a great deal to PM_{2.5}, but road and geological dust, and tire and break wear, contribute insignificantly.

The CMB analysis provides information on source categories more than individual sources. It can be combined with the emissions inventory to estimate contributions from specific sources and assess contributions to secondary PM from nitric oxide (NO_x) and sulfur dioxide (SO₂). Dr. Fairley showed a slide with estimates of the percentage total contribution to annual PM_{2.5} concentrations from various sources including wood burning, cooking, on-road, off-road, refining, power plants, aircraft, marine air, and others. On- and off-road combustion directly or indirectly contributed nearly 50% to the total. For peak PM_{2.5}, wood burning is a large source that contributes 25% to the total and off- and on-road sources 20%. Other substantial sources of Bay Area PM are refineries, commercial cooking, aircraft and power plants. Almost all Bay Area PM derives directly or indirectly from combustion.

However, some gaps remain in the ability to distinguish fossil fuel sources from wood burning and cooking. Carbon-14 analysis can assist in differentiating between “new” carbon (i.e., woodsmoke, cooking, wildfire) and “fossil” carbon (i.e., gasoline, diesel, natural gas). Preliminary results from Carbon-14 analysis, when compared with the CMB analysis, indicate that at San Jose 4th Street, San Francisco, Livermore and Bethel Island there is considerably more new than old carbon. On weekdays, two of the sites had more new than old carbon, while the others had as much new as old carbon. However, in the summer, levels of new carbon far exceed old carbon. Mr. Brazil observed that the Reid Vapor Pressure in reformulated fuel might be responsible for the latter phenomenon.

Dr. Fairley stated that the University of Arizona will use Carbon 14 methodology to analyze samples of District PM₁₀ filters obtained in 2004, to quantify new and fossil carbon on an annual basis. The District is contracting with Desert Research Institute to speciate organic carbon for a range of PM_{2.5} filters collected at the San Jose Jackson Street site to evaluate individual sources using organic markers for meat cooking, motor vehicle emissions, wood smoke, and secondary organic aerosol. No unique marker exists for diesel emissions. Ms. Bailey noted that some diesel fuels have a dye which may serve as a potential tracer. Mr. Hanna added that tax payments on red dye diesel are not required. In reply to a question on the high levels of Bay Area ammonia, Gary Kendall, Technical Division Director, stated that the exhaust from the five million Bay Area vehicles may be the primary ammonia.

Dr. Holtzclaw observed that PM concentrations are highest at their sources—highways, ports and freight yards—and their concentrations fall off rapidly downwind. He opined it would be important to sample PM at the sources and at two or nearby downwind sites. Dr. Fairley responded that the District has mobile samplers and could conduct this kind of monitoring.

- 6. Hydrogen Highway Blueprint.** Michael Murphy, Advanced Projects Advisor, presented “Update on the California Hydrogen Highway Blueprint.” He noted that through the Transportation Fund for Clean Air (TFCA) the District is sponsoring three hydrogen fuel demonstration projects: (1) an AC Transit fuel cell bus that will go into revenue service in September 2005; (2) one of three Santa Clara VTA/SAMTRANS fuel cell buses that is already in revenue service, and (3) the leasing and fueling of two Honda fuel cell vehicles for San Francisco.

The TFCA will support a fuel cell project at Pleasant Hill BART station, involving a stationary fuel cell that will in turn generate fuel for vehicles. The District recently joined the California Hydrogen Business Council and also participates in the California Stationary Fuel Cell Collaborative. A District chemist participates in the American Society for Testing and Materials (ASTM) Hydrogen Fuel Cell Committee which will be developing fuel standards. District staff will also participate in the Santa Clara County Hydrogen Working Group, as well as in a DaimlerChrysler & BP F-Cell three-year vehicle demonstration project. These vehicles will have 100 mile range on 2 kilograms of hydrogen fuel.

The Blueprint initially focuses on Southern California and the Bay Area, and on stationary fuel cells to produce fuel for vehicles. The 2005-2006 state budget proposes \$9.5 million for the Blueprint, with 15 staff positions and \$1 million for contracts. Mr. Murphy noted that a possible District role is to work with local planning and safety departments on the fueling network, and apply its incentive funding toward fuel cell vehicle projects and the development of refueling stations that rely on renewable resources. Adopting a policy that directs support exclusively for projects approved of, or supported by, the Blueprint is also possible. Mr. Altshuler noted that different sources of hydrogen fuel produce fuel with varying efficiency. Those that produce fuel from renewable sources are the most energy-efficient.

- 7. Committee Member Comments/Other Business.** In response to Ms. Bailey’s question on SB 656, Ms. Roggenkamp indicated that staff would be providing a presentation to the full Advisory Council at the July 13 meeting on the District’s mobile source incentive program.

8. Time and Place of Next Meeting. AQPC - 9:30 a.m., Wednesday, August 10, 2005.
Technical Committee - at the call of the Chair, 939 Ellis Street, San Francisco, CA 94109.

9. Adjournment. 11:59 a.m.

James N. Corazza

James N. Corazza
Deputy Clerk of the Boards

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

APPROVED MINUTES

Advisory Council Public Health Committee Meeting
1:30 p.m., Tuesday, June 13, 2005

- 1. Call to Order – Roll Call.** Chairperson Torreano called the meeting to order at 1:37 p.m. Present: Victor Torreano, Chairperson, Elinor Blake, Jeffrey Bramlett, Linda Weiner. Absent: Cassandra Adams.
- 2. Public Comment Period.** There were no public comments.
- 3. Approval of Minutes of April 18, 2005.** Chairperson Torreano moved approval of the minutes; seconded by Mr. Bramlett; carried unanimously.
- 4. Discussion of Recommendations Regarding the District’s Role in Indoor Air Quality (IAQ) Management.** Chairperson Torreano briefly reviewed the chronology of the Committee’s discussion on IAQ and distributed his memorandum entitled “Air District’s Role in Indoor Air Quality (IAQ)” dated June 13, 2005. It set forth the following:
 - A. The District develops a relationship with applicable crafts through State Registered training facilities where registered apprentices and service technicians:
 - are trained to assist schools and homeowners to perform District approved IAQ assessment when on site for “best practice” in repair, maintenance or construction of building systems.
 - Are educated to the health risks related to poor indoor air quality and their role in identifying, reducing and removing indoor contaminant sources and emissions.
 - Work from a District endorsed standard for the commissioning of mechanical system in schools and homes. Approach school districts on developing and requiring new building practice and requiring new building commissioning and retro commissioning.
 - B. Have the Air District publicly endorse a list of acceptable and unacceptable portable indoor air cleaners/filters.
 - C. Concentrate on homes and schools for “high priority, high benefit” action.
 - D. Form a summit/workshop with university/industry researchers to legislatively develop IAQ standards and regulations through state and local government. Addressing product labeling requirements with manufacturers held responsible to test products and publish the data on labels.
 - E. Partner with labor organizations and management associations to create a viable supply source of certified contractors and technicians for school districts and housing authorities to measure CO, CO₂, radon, ozone, VOC and airborne particulates.

In discussion of the foregoing memorandum, the following comments were raised:

Pending Legislation

- Pending state legislation would provide the California Air Resources Board (CARB) with more authority over IAQ. Efforts to regulate IAQ were made by CARB and several air districts in the 1980s but were successfully opposed by the business community. The District has a brochure on radon, but it has not adopted a program on IAQ. (Jean Roggenkamp, Deputy APCO) Were California to adopt an IAQ program, the District could move forward with an IAQ program that would supplement a state's program. (Peter Hess, Deputy APCO)
- The Committee should hear about the state legislation that is currently proposed and avoid recommendations that go ahead of the proposed bills, especially if home servicing or home ownership standards are being contemplated in the legislation. (Bramlett)

Committee Recommendations from 2004

- Recommendations from 2004 should be combined with those that are adopted today. (Weiner)
- The Committee's previous recommendation that the District hire a graduate student to work on IAQ issues was intended primarily to establish a liaison with academic researchers. (Blake)
- The Committee's previous recommendation that the District hold an IAQ workshop can also be used as a survey tool of community needs as well as a forum within which to obtain and discuss ideas. (Weiner) Information from future meetings should be combined with data gathered at previous community meetings which were the context from which this referral to the Council originated. The extent to which state and local health departments and CARB have already gathered such information should be assessed to avoid duplicating completed surveys. (Blake)

Regulatory Jurisdiction and Available Information

- The District has jurisdiction over exposure to outdoor air but people spend nearly 90% of their time indoors. Since the District has received numerous questions on IAQ from the public at community meetings, the issue concerns whether the District should respond and, if so, in what manner. The District should improve its ability to redirect or refer questions to the agencies that have set pieces of this issue and also be prepared to answer such questions. (Bramlett) The District does refer some questions to other agencies but also has IAQ information available that could be added to a larger mission statement. (Roggenkamp)
- The American Lung Association (ALA), Environmental Protection Agency (EPA), and the California Department of Health Services (SHSD) have developed considerable information on IAQ, which could be distributed by the District.
- Effective development of educational materials could be achieved by market research of the target audience, and addressing specific areas for action, and examining additional channels of dissemination beyond the more standard public workshops. (Weiner)

Focusing on IAQ in Residences

- Residential IAQ assessment at the time of appliance change-out or retrofit by a technician mirrors a PG&E energy audit. The deeper question is how to make IAQ a priority in a residence. (Roggenkamp) The graduate student recommended by the Council could develop the informational materials on how individual citizens affect IAQ in the home. (Bramlett)

- District inspectors can inspect facilities with operating permits and conduct odor nuisance abatement visits at residences, but they may not inspect homes for IAQ. (Roggenkamp)
- Owners of larger buildings might be concerned over liability for sick building syndrome. Therefore, residences are a better starting point from which to address IAQ. At the time homes are repaired or modified, a technician could conduct an IAQ assessment. A list of things that the homeowner or resident would look out for could be provided by the District to renters, homeowners, and the various trades crafts. Union locals could have IAQ training as part of their apprenticeship training, and this could be applied to any contractor who wants training. Addressing the larger building facilities would be a next step in the IAQ process. (Torreano)
- The District's role in IAQ must be defined before home assessment can be recommended. It is unclear that homeowners could afford such assessments. (Blake, Weiner)
- EPA provides an extensive check list in its informational materials. (Bramlett) Then it is more of a distribution issue, and dissemination issue at the time of repair or retrofit. (Torreano) The type of asthma programs administered by local health departments would have to first be assessed and local planning departments accessed for residential permit data. At this point information could be provided to homes and also advertise the District. (Blake)

Focusing on Schools

- The District does conduct public outreach on air quality in general to students in schools. Barbara Spark of EPA indicated California has taken up the "Tools for Schools" program less robustly than other states. (Roggenkamp)
- The ALA "Open Airways for Schools" teaches about asthma in schools. Educational materials were developed in an incremental manner, starting with small, doable steps. The same could be distributed to home owners, renters, and environmental justice groups. (Weiner)

Future Focus on Collaboration with Labor Crafts

- The District could collaborate with applicable labor crafts to ensure consistent training and testing of indoor environments. A technician could volunteer to assess the home for appliance efficacy, pesticide and chemical use indoors and walk through the home. (Torreano)
- Hard copy materials could be developed for distribution, addressing how District programs influence IAQ, thus initiating the documentation and distribution process. Distribution should begin through local channels and work outward toward unions and other groups. (Bramlett)
- Training the trades' technicians in the field of IAQ and providing them with information from the District, ALA, CARB and EPA's check list is a potentially fruitful idea for long-term, future development, but this entails a massive program beyond the District's present capability. The extent to which such associations would like to become distributors of such information should be ascertained, and if they would like to do so, they should be encouraged. (Blake)
- Trades craft training involves approximately two evenings a week with a five-year program, and IAQ could be incorporated into the curriculum. A pilot program targeted only toward specific locals cannot be considered because such training should be consistent throughout all the locals of the Central Labor Councils. (Torreano)

Other Areas of Future Focus

- Interview health department staff that operate asthma programs and also check in with planning departments and ascertain if the District could supply something that is missing. (Blake)
- There are large mailing lists for community forums. A lot of information has already been gathered by the District and other agencies on IAQ and the District should evaluate recent material to make sure there is no duplication. Such meetings should reach more than the traditional attendees with which the District has had a long-standing relationship. (Blake)

The Committee reached consensus that the District's IAQ focus should initially be on residences, followed by schools. It should involve developing materials on IAQ awareness that identify the issues of concern, sources of available information, and accesses a larger distribution network. Both the EPA and ALA have considerable IAQ information for schools and it is best to refer others to such information. However, there are academic studies on IAQ to which additional reference would need to be made in the District's IAQ awareness documentation. Representatives from CARB, EPA and the SHSD all strongly suggested the District disseminate information on IAQ.

Regarding the issue of ozone-generating residential air cleaners, CARB indicated this is an issue of false advertising and the state Attorney General is investigating the matter. However, the Council could consider recommending the District indicate that its ambient program aims to reduce ozone, and that residents that add ozone to the indoor home environment refute the District's efforts.

5. **Committee Member Comments/Other Business.** There was none.
6. **Time and Place of Next Meeting.** 1:30 p.m., Monday, August 15, 2005, 939 Ellis Street, San Francisco, CA 94109.
7. **Adjournment.** 3:03 p.m.

James N. Corazza

James N. Corazza
Deputy Clerk of the Boards

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

APPROVED MINUTES

Advisory Council Executive Committee Meeting
9:00 a.m., Wednesday, July 13, 2005

- 1. Call to Order – Roll Call.** 9:02 a.m. Present: Brian Zamora, Chairperson, Elinor Blake, Fred Glueck, Stan Hayes, John Holtzclaw, Ph.D., Victor Torreano.
- 2. Public Comment Period.** There were no public comments.
- 3. Approval of Minutes of May 11, 2005.** Mr. Glueck moved approval of the minutes; seconded by Mr. Torreano; carried unanimously.
- 4. Code of Conduct.** Chairperson Zamora stated that the changes made to the first draft of the Code were incorporated into the second draft contained in the agenda packet. Throughout the text, “public official” has been replaced with “council member.” The Committee reviewed each Article in the Code, and reached consensus on the following editorial decisions:

Throughout the text, replace “should” with “shall.”

Articles 1-3: no further amendments.

Article 4: replace “neutral” with “appropriate.”

Article 5: No. 1 – no further amendments; No. 2 – delete “only”; replace “impartial” with “appropriate, courteous”; No. 3 – delete entirely.

Article 6: no further amendments.

Article 7: delete entirely.

Article 8: insert a period after “interest” and delete the last clause of the sentence.

Article 9: delete “always.”

Article 10: in the second sentence, insert “or speak for” after “shall not represent”; replace “from” with “of” before “the Chairperson”; and add “on behalf of the Council” as the final clause.

Article 11: delete entirely.

Article 12: no further amendments.

Article 13: Nos. 1, 2 and 4 – no further amendments; No. 3, after “such conflict” in the second bullet insert “including but not necessarily limited to recusal”; No. 5 – replace “candidate to the public service” with “for council membership.”

Article 14: delete entirely.

Articles 15 and 16: no further amendments to their deletion from the text.

Article 17: no further amendments

Articles 18-20: no further amendments to their deletion from the text.

Article 21: no further amendments.

Article 22: no further amendments to its having been stricken from the text.

Article 23: delete “on” from the first line.

Articles 24-27: no further amendments to their deletion from the text.

Article 28: add “by the Board” to the end of the final sentence in No. 2.

Mr. Torreano moved that the Committee adopt the edits set forth in the discussion of this item; seconded by Dr. Holtzclaw; carried unanimously.

Chairperson Zamora stated that the third draft of the Code of Conduct would be placed on the Agenda of a future Advisory Council Regular Meeting. The Committee also agreed that the Code of Conduct, once adopted, should be added to the packet of materials that is sent to every candidate selected for interview by the Applicant Selection Working Group.

5. **Work Plan Review With Committee Chairs.** Dr. Holtzclaw stated that the Air Quality Planning and Technical Committees met jointly on June 8, 2005 to receive staff presentations on climate change, the Community Air Risk Evaluation (CARE) program, and the Hydrogen Highway Blueprint. Mr. Torreano reported that the Public Health Committee met on June 13 and reviewed previous presentations on indoor air quality (IAQ) and the Council’s previous recommendations from last year. At its August 15 meeting the Committee will review an initial report on its review of, and recommendations regarding, IAQ.
6. **Committee Member Comments/Other Business.** Mr. Glueck inquired if in fact there is enough evidence to justify implying a correlation between asthma and the ambient air conditions, as recent Air District public outreach and advertisement seems to do. Chairperson Zamora replied that a prominent public health figure, Dr. Richard Jackson, will address the Council in September, and this question should be reserved for his answer.
7. **Time and Place of Next Meeting.** 9:00 a.m., Wednesday, September 14, 2005, 939 Ellis Street, San Francisco, CA 94109.
8. **Adjournment.** 9:58 a.m.

James N. Corazza

James N. Corazza
Deputy Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

939 ELLIS STREET - SAN FRANCISCO, CALIFORNIA 94109

Approved Minutes: Advisory Council Regular Meeting – July 13, 2005

CALL TO ORDER

Opening Comments: Chairperson Zamora called the meeting to order at 10:13 a.m.

Roll Call: Present: Brian Zamora, Chair, Cassandra Adams, Diane Bailey, Elinor Blake, Bob Bornstein, Ph.D., Jeffrey Bramlett, Harold M. Brazil, Irvin Dawid, Emily Drennen, Fred Glueck, Stan Hayes, John Holtzclaw, Ph.D., Kraig Kurucz, Kevin Shanahan, Victor Torreano, Linda Weiner.

Absent: Sam Altshuler, P.E., Louise Bedsworth, Ph.D., William Hanna.

PUBLIC COMMENT PERIOD: There were no public comments.

CONSENT CALENDAR:

1. **Approval of Minutes of March 9 and May 11, 2005.** Mr. Glueck moved approval of the March 9 minutes; seconded by Mr. Torreano; carried unanimously. Mr. Glueck moved approval of the May 11 minutes; seconded by Ms. Bailey; carried unanimously.

PRESENTATION:

2. **Mobile Source Incentive Program.** Juan Ortellado, Grants Manager, Planning Division, stated that on-road motor vehicles are the most significant sources of ozone precursors and particulate matter (PM) in the San Francisco Bay Area. The Bay Area’s Clean Air Plan contains transportation control measures that aim to reduce vehicle miles traveled and vehicle trips, as well as mobile source measures which encourage the retirement of older, more polluting vehicles. The Transportation Fund for Clean Air (TFCA) is the largest and best known grant program in the District. Since 1992, it has imposed a \$4 fee for vehicle registration. To date the District has allocated \$300 million to over 1,600 projects. The additional \$2 vehicle registration surcharge approved recently by the state Legislature is not allocated to the TFCA but instead to the Mobile Source Incentive Fund.

Of the TFCA’s \$21 million, 60% will be allocated to the “regional fund” and 40% to the “program manager” fund. Only public entities, or private entities that provide essential public services, are eligible for TFCA funds. The Regional Fund allocates money based on a competitive process which evaluates, ranks and scores projects. A cost-effectiveness threshold of \$90,000 per ton of pollutant is required to be eligible for funding. The Program manager funds are allocated by the Congestion Management Agencies in each county, and public agencies can apply within their counties. The amount of available funds varies in each county. Program managers adopt their own criteria for evaluating projects. The District’s Governing Board must approve the projects proposed in Program Manager Expenditure Plans. These are due for submittal to the District by the end of April. The Regional and Program Manager fund is audited once every two years.

Programs funded by the TFCA include several programs:

- The *Vehicle Incentive Program*, which began in FY 1999-2000, aims to streamline the process for awarding incentives to public agencies to obtain alternative fuel light-duty vehicles. The fund contains \$500,000 per year.
- The *Vehicle Buy-Back Program* provides \$650 per vehicle (usually 1985 or older), which must be roadworthy and registered as operable for three months prior to being scrapped.
- The *Solid Waste Collection Vehicle Incentive Program* is not permanent, but is presently open to public and private fleets and applies only to particulate matter reduction. It offers incentives to solid waste vehicle operators to purchase new natural gas vehicles or retrofit diesel filters that reduce NOx. For this purpose, \$1.5 million in TFCA funds, and \$2 million in Congestion Management Air Quality funds, have been made available.
- The state's *Carl Moyer Program* was created in 1998 and seeks to achieve near term NOx reductions from heavy-duty diesels. Its eligibility criteria now include particulate matter (PM) reductions and its cost-effectiveness threshold is \$13,600 per ton. It is jointly administered by CARB and the air districts, and both public and private entities may apply for funding. In the upcoming funding cycles \$2.5 million are available. To date, 80 projects have been funded. Recent legislation ensured a 10-year funding source for the program.
- The *Lower Emission School Bus* program funds new, cleaner school buses to replace existing diesel buses. Funding for this program derives primarily from the State of California, although some TFCA funds have been used for this program as well.
- The *Mobile Source Incentive Fund* was created by AB 923 and authorized an additional \$2 surcharge per vehicle registration. Funding collection began this April. The \$11 million that will be allocated through the District will be allocated to four specific project types: Carl Moyer program-like projects, lower emission school buses, accelerated vehicle retirement or repair programs, and agricultural projects. Both private and public entities will be eligible for funding.

In reply to questions, District staff replied as follows:

- The South Coast AQMD also splits Regional and Program Manager funds, although the formula is different from the District's. The \$2 per vehicle surcharge from the Mobile Source Incentive Fund is not split like the TFCA funds are. (Jean Roggenkamp, Deputy Air Pollution Control Officer)
- Of the 400,000 pre-1985 vehicles driven in the Bay Area, approximately 25,000 have been replaced. Regarding buses, 800 new buses have been purchased, 160 retrofitted and 30 received new engines. Brochures for the TFCA program were just recently distributed. (Ortellado)
- For the Carl Moyer Program and Lower Emission School Bus program, state guidelines require that 50% of the funds be used for projects in areas greater exposure to air pollution. (Ortellado)
- For the buy-back program for light duty vehicles, there are very specific requirements, including a survey for each person who sells the vehicle to the program. (Ortellado)
- Traffic counts are used to assess the cost-effectiveness of pedestrian and bike projects. (Ortellado)

- Staff has published in its annual report and uploaded to its website information on tons of specific pollutants that are saved and the percentage reduction of total emissions of a given pollutant. The conclusion is that ozone precursors and PM are being significantly reduced. (Roggenkamp)
- Although Carl Moyer funds are not being allocated to a MUNI diesel-hybrid electric buses, there is the potential for Moyer funds to be spend on transit operator projects. (Ortellado)
- The state's vehicle buy-back program will purchase a non-operating vehicle, and pay \$1,000 per vehicle, whereas the District's program will scrap only operable vehicles and pay \$650 for each. The District tracks legislation that concerns vehicle registration fees, even if the purpose of such fees is to be dedicated to projects with criteria that differ from those in the TFCA. (Roggenkamp)

PRESENTATION:

3. Report of the Executive Officer/APCO. Jack P. Broadbent, Executive Officer/Air Pollution Control Officer (APCO), stated:

- a) The District has adopted a new fee schedule that will shore up anticipated shortfalls identified in the Cost Recovery Study. The loss of \$1.6 million in county property tax revenues will continue this year, and retirement costs and medical insurance expenses will also be increased this year.
- b) A major effort to update the District's production system in permitting and enforcement activities is now in the design phase and will cost several million dollars to implement.
- c) There are pending discussions with EPA on the matter of approving Title V permit applications. The issues under review concern monitoring and reporting requirements.
- d) The District is looking to replace the radio system for its inspection.
- e) The penalties accrued under the compliance and enforcement system have netted significant revenues and collected \$1 million beyond the \$1.7 million anticipated in the previous budget.
- f) Efforts are underway to enhance the District's monitoring system, particularly under the CARE program and the Biowatch program.
- g) Enhanced public outreach is taking place this year regarding the Spare the Air Program with five days of free transit to be provided on Spare the Air days.
- h) To celebrate its 50th anniversary, the District held a Symposium in San Francisco last month. It featured former San Francisco Mayor Willie Brown, Professor Steven Schneider of Stanford University, former District Governing Board member Sunne Wright McPeak who is now a member of the Governor's Office, and former EPA Administrator Christine Todd-Whitman.
- i) The District's CARE is moving forward. Two meetings of its advisory group having been held.
- j) EPA revoked the 1-hour ozone standard on June 15 of this year.
- k) On July 20, the District's Board of Directors will hold a public hearing regarding the adoption of a refinery flare control rule. This follows the refinery flare monitoring rule which was implemented a few years ago and is the first of its kind in the country.
- l) The Council's resolution on climate change was adopted by the Board and was featured at the Symposium. A series of resolutions endorsing this approach were presented at the Symposium. The Board is interested in the Council's views and this showed excellent cooperation between the Council and the Board. The six-hour Symposium was filmed and is being edited for a DVD.

In reply to Mr. Torreano, Mr. Broadbent stated that the flare control rule was contained as a “further study measure” in the 2001 Ozone Plan, and the Council provided initial review through its initial review of measures contained in the Plan. As part of the rule-making process, staff has sought public input through the workshop process. Peter Hess, Deputy Air Pollution Control Officer, added that for the last 25 years staff has ceased placing regulations in front of the Advisory Council for review, and that it is important to meet statutory deadlines in the rule-making process. Gary Kendall, Technical Division Director, noted that staff did take the results of the flare monitoring rule before the Technical Committee and the Council and part of its inquiry with the Advisory Council was whether or not rule-making could be justified.

In reply to Dr. Bornstein, Mr. Broadbent stated that the District’s role in emergency response is as a secondary response support to primary responders—chiefly in providing technical support—which is fairly typical of most air pollution control agencies. Mr. Hess added that the District also has cooperative arrangements with Lawrence Livermore Laboratory for catastrophic situations. Chairperson Zamora stated the best approach is preventative. Dr. Bornstein observed that, at this writing, Lawrence Livermore Laboratory does not have the latest generation of models to evaluate plume dispersal in street canyons. Instead, all of its plume modeling focuses on rooftops. The newer models are becoming available, although the District does not engage in that scale of modeling. Mr. Broadbent added that the Federal Emergency Management Agency (FEMA) will take the lead in the event of a catastrophic release. It has some complex instructions in such a scenario and the District is a part of that if there is such a release.

Mr. Dawid stated that at the Symposium, Ms. McPeak had requested the District become involved in a comprehensive study that assesses whether ambient concentrations of pollution over a long period of time can be correlated with data in the cancer registry. Mr. Broadbent stated that the CARE program is heading in this direction in some of its approaches to evaluating areas with higher exposure to pollution. Ms. Bailey added that for cancer risk maps, the California Air Resources Board (CARB) has them and she could provide Advisory Council members with the website.

COMMITTEE REPORTS AND RECOMMENDATIONS

- 4. Joint Technical & Air Quality Planning Committee Meeting of June 8, 2005.** Dr. Holtzclaw stated that the Committees discussed staff reports on climate change, the CARE program and the Governor’s hydrogen highway blueprint. Recommendations may be forthcoming on these topics.
- 5. Public Health Committee Meeting of June 13, 2005.** Mr. Torreano stated that the Committee reviewed previous minutes of meetings at which indoor air quality (IAQ) was discussed. It is in the process of adding further recommendations to those adopted by the Council last year on IAQ. Dr. Bornstein suggested the Committee hear from Dr. Wayne Ott as he is a major expert in the IAQ field.
- 6. Executive Committee Meeting of July 13, 2005.** Chairperson Zamora stated the Committee met this morning to further review the proposed Code of Conduct, which will be presented for review by the full Council at its November Regular meeting. At the September Regular meeting, the Council will receive a presentation on public health from Dr. Richard Jackson.

OTHER BUSINESS

- 7. Approval of Revised Advisory Council By-Laws.** Chairperson Zamora stated the Executive Committee has been updating the Council’s By-Laws over its last several meetings, and the final draft of them is contained in the Agenda Packet.

Ms. Drennen requested that the gender-specific language in Article IV under Vice-Chair (“in ‘his’ absence” and “at ‘his’ request”) and in Article VI (“when ‘he’ attends Committee meetings”) be modified in such a way that it is not gender-specific. Dr. Holtzclaw moved adoption of the By-Laws with Ms. Drennen’s amendment; seconded by Mr. Hayes; carried unanimously. Dr. Bornstein requested that, in terms of typesetting, “ex officio” and “Robert’s Rules of Order” be italicized in the text, and the word “Second” revised to “second” where it refers to the Council’s meeting schedule.

- 8. Report of Advisory Council Chair.** Chairperson Zamora thanked Mr. Hayes for his presentation to the Board Executive Committee on climate change. He also announced that Mr. Lopera has resigned from the “Regional Park District” category, and inquired as to the status of the application process. The Deputy Clerk responded that the application period began June 15 and will end on July 15. The California Park and Recreation Service kindly provided 88 mailing labels for purposes of conducting a comprehensive, targeted mailing to park districts and agencies in the nine Bay Area counties.
- 9. Council Member Comments/Other Business.** Mr. Dawid raised a concern over the proliferation of diesel and hybrid automobiles. Chairperson Zamora suggested he start the discussion of the subject in the Air Quality Planning Committee. Ms. Bailey urged the District to consider other benchmarks for mobile source emission reduction programs beyond cost effectiveness, such as sensitive receptors that include school children and the elderly. School buses were separated from receipt of Carl Moyer funds as they could not successfully compete for Moyer funds on cost-effectiveness criteria alone. Also, two workshops on diesel emissions will be held in August. Lastly, a study was released today in Seattle that quantifies the economic costs of health impacts related to environmental pollution.
- 10. Time and Place of Next Meeting.** 10:00 a.m., Wednesday, September 14, 2005, 939 Ellis Street, San Francisco, CA 94109.
- 11. Adjournment.** The meeting was adjourned at 11:52 p.m.

James N. Corazza

James N. Corazza
Deputy Clerk of the Boards

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

DRAFT MINUTES

Advisory Council Public Health Committee Meeting
1:30 p.m., Tuesday, August 15, 2005

1. **Call to Order – Roll Call.** Chairperson Torreano called the meeting to order at 1:37 p.m.
Present: Victor Torreano, Chairperson, Elinor Blake, Linda Weiner. Absent: Cassandra Adams, Jeffrey Bramlett.
2. **Public Comment Period.** Marissa Yau, Intel Corporation, Environmental Health & Safety, introduced herself, noting she was attending on behalf of Council member Kraig Kurucz.
3. **Approval of Minutes of June 13, 2005.** Ms. Weiner requested that on page two, paragraph seven, the phrase “that could be imprinted with the District’s logo” be deleted and the remainder of the sentence to read “which could be distributed by the District.” In the next paragraph “gathering leads from” should be replaced with “conducting market research of.” At the top of page three, “Areas of Future Focus” should be an underlined above the three bulleted items set forth below. She moved approval of the minutes as amended; seconded by Ms. Blake; carried unanimously.
4. **Continued Discussion of Recommendations Regarding the District’s Role in Indoor Air Quality (IAQ) Management.** Chairperson Torreano reviewed his memorandum entitled “Air District Role in Indoor Air Quality (IAQ)” along with an e-mail from Committee Member Jeffrey Bramlett dated August 10, 2005 concerning the memorandum. In discussion of the recommendations contained in the memorandum, the Committee agreed to the following:
 - Shorten the statement on the role of the Council in IAQ to read “Further recommendations from the Advisory Council on the District’s role in IAQ.” Transfer the more elaborate statement to the “Background” section and note the APCO requested further Council review.
 - Identify the title of each of the guest speakers listed on the meeting history be included as well. Leave No. 1 in the section on recommendations from 2004 as written.
 - Delete the paragraph concerning “elaboration in 2005” that immediately follows No. 1.
 - Leave No. 2 on graduate student investigator as written, but add “In addition to having an entirely District controlled program, the District could also seek out grants that others might be applying for, to seek out a Bay Area-specific component for them to leverage existing District money.” Additional reference should be made to leveraging state and national study grants.

On Recommendations from 2005:

- Replace the “Background” paragraph with: “In September of 2004, the Board of Directors Executive Committee accepted the Advisory Council’s report and recommendations for District action concerning IAQ. That report noted the generation of indoor air pollution by outdoor as well as indoor sources, and the well-documented harm of indoor air pollution on the public’s health. This year the APCO requested the Council to further review the District’s role in IAQ.”
- Eliminate No. 1 on legislative issues and await developments in the 2006 Legislative session.
- Modify No. 2 to read: “The District should disseminate information on IAQ, with initial focus on residences, followed by schools.” From subpoint A(1) two phrases should be deleted: “could be imprinted with the District’s logo” and “State Health Services Department,” with the latter revised to read “California Department of Health Services.” Subpoint A(2) should read: “The District should develop educational materials based on market research on target audiences. (For example, EPA’s “Tools for Schools” and the ALA’s “Open Airways for Schools.”)” The final subpoint should be deleted.
- Revise the phrase that follows “Information for Residences” to read: “The District should develop educational materials based on market research on the target audiences.”
- Replace the entire text on “Possible Future Collaboration with Labor Crafts” with the following: “Future Collaboration with Crafts and Professions: As a subsequent step, the District should collaborate with the craft, professional and other organizations whose work impinges on IAQ to seek further ways to disseminate information and develop programs to reduce and prevent indoor air pollution.”

- 5. Committee Member Comments/Other Business.** There were no public comments.
- 6. Time and Place of Next Meeting.** Rescheduled from 1:30 p.m., Monday, October 17, 2005 to Monday, October 24, 2005, 939 Ellis Street, San Francisco, CA 94109.
- 7. Adjournment.** 2:50 p.m.

James N. Corazza
Deputy Clerk of the Boards

AGENDA NO. 5A8

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

DRAFT MINUTES

Joint Air Quality Planning & Technical Committee
10:00 a.m., Wednesday, August 16, 2005

- 1. Call to Order – Roll Call.** Chairperson Holtzclaw called the meeting to order at 10:00 a.m. Air Quality Planning Committee (AQPC) Members Present: John Holtzclaw, Ph.D., Harold Brazil, Irvin Dawid, Emily Drennen, Fred Glueck. Air Quality Planning Committee Members Absent: Kraig Kurucz, Kevin Shanahan. Technical Committee Members Present: Stan R. Hayes, Chairperson, Louise Bedsworth, Ph.D., Robert Bornstein, Ph.D., William Hanna, John Holtzclaw, Ph.D. Technical Committee Members Absent: Sam Altshuler, P.E., Diane Bailey,
- 2. Public Comment Period.** There were no public comments.
- 3. Approval of Joint Committee Meeting Minutes of June 8, 2005.** Mr. Dawid requested that in line four of paragraph four on page four the acronym “ASTM” be spelled out to reflect “American Society for Testing and Materials.” Mr. Hanna moved approval of the minutes as corrected; seconded by Mr. Glueck; carried unanimously.
- 4. California Climate Action Registry.** Diane Wittenberg, President, California Climate Action Registry, stated the Registry would like to collaborate with the Air District and appreciates the District’s initiative and leadership regarding global climate change. The Registry is not an advocacy group; rather, it performs an emissions banking function and engages in data collection which ensures the accuracy, consistency and relevance of the data, harmonizing them with a given state, nationally or internationally.

The Registry is non-profit voluntary organization, created by state statute in 2000, and which became public in 2002. Over those two years, the Registry created a protocol for reporting and accounting greenhouse gases (GHGs). The Registry has a nine-member Board, seven of whom are appointed by the Governor, and two from the state legislature. Members of the Registry represent business, government and some non-government organizations. The state supports the Board and is charged with standing behind the data, and tries to have regulatory quality data. The California Energy Commission (CEC) assists the Registry in terms of data acquisition and maintenance. The Registry came into being as a result of companies contacting Senator Byron Sher and sought credit for early actions in reducing emissions of GHGs. Senator Sher observed that the legislature encourages early action prior to regulation of GHGs. If an agency belongs to the Registry, it has a choice of whether or not to report California emissions or US-wide emissions. These are categories of certified emissions.

The Governor’s “Action Plan” encourages companies and government agencies to join the Registry. Once a company joins the Registry, it inventories GHGs according to Registry protocols. These are available on the web or can be sent by mail. For the first three years,

only CO₂ requires registration, and thereafter all six Kyoto gases. The categories involved are direct stationary emissions, mobile, process, fugitive emissions, and indirect emissions from electricity and steam. Product use emissions are excluded from the foregoing.

The certification of emissions in the inventory occurs by using a Registry-approved third-party certifier, and once the certification is approved, the aggregate of data are reported on the Registry's website. The Registry keeps every year of data separate, so that if there is a future regulatory plan, the data can be reviewed year-by-year. There is a general reporting protocol derived from an operational handbook based on internationally accepted guidelines. It is based primarily on categories of combustion. There are specific power utility and forest project guidelines. There is a certification protocol that must be followed as well. The goal is to lower the cost of a certification over time.

In reply to questions, Ms. Wittenberg noted that the Registry envisions participating in a broader US registry framework that is collaborative. Direct and indirect emissions must be counted separately. The Registry works with organizations rather than individuals; hence, emissions from individual activities will not be captured in the Registry's emissions inventory. The Registry does not issue "credit" since these are only offered by regulatory agencies. However, the Registry does measure emissions from agency mobile fleets.

To date, the Registry has 53 members, 130 of which certified 2002 data, 17 of which certified 2003 data, and 35 are expected to certify 2004 data. About 12% of the state's entire GHG emissions are captured by the Registry. There are also "affiliate" members to the Registry, that use the Registry's protocols and software on an internal basis to calculate their GHG emissions but do not certify the data and have it reported on the Registry's website. Affiliate members may be approached by the Registry twice a year to join. The Registry is looking at emissions associated with agriculture as an emission offset category. The Registry considers the severity of a particular GHG being measured, such as methane fugitive emissions, whether from agricultural, landfill or natural gas storage and delivery systems.

California has committed to use its best efforts to ensure that organizations establish GHG emission baselines and register emissions results, receive appropriate consideration under any national federal or state regulatory scheme of national, state or international origin.

The benefits of full participation in the Registry include baseline data protection, the management of risks and early detection and reduction of GHG emissions, money saving due to energy efficiency, use of software and participation in the development of standards, the strengthening of environmental leadership, addressing of shareholder concerns, preparation for emission trading, learning best practices, and using the Climate Action Leader logo. The Air District could collaborate with the Registry in a number of these areas.

The Registry feels that companies in the Silicon Valley and oil and gas companies ought to join in greater numbers. In reply to questions, Ms. Wittenberg noted that despite a number of conversations with colleges and universities, such as the University of California, campus affiliation with the Registry is pursued by campuses individually rather than on a system basis. Some may join initially join at the affiliate level. Community colleges can certainly be canvassed for membership in the Registry as well.

A major project for the Registry concerns standardization in emissions across regions and borders and regimes. The next level concerns establishing an emissions common currency. The Registry will be discussing this approach with US EPA, and the states in the nations are all offered the same protocols and software in measuring and quantifying their GHGs.

The certification of emissions remains the Registry's largest challenge, due to the cost. Membership would increase in the absence of a certification requirement. Nonetheless, companies that have certified data have found it a positive experience. The data will be available if inquiries as to GHGs are made, along with a real commitment to reduce GHGs. Small companies can be certified for about \$500, while a larger company may be certified for about \$15,000-\$20,000. The Registry keeps close tracking of certification costs among third-party certifiers. The cleaner the data to be certified, the less the cost of certification. Once data is collected and certified, a structure is established and costs decrease over time.

There are benefits to conducting entity-wide certification, to avoid leakage and approximate a kind of source regulation within an entity. It is important to capture fleet and indirect emissions, and to be consistent with international standards. The Registry is working with the Department of Energy on a CO₂ sequestration project in Shasta County, and receives assistance from the CEC in choosing certifiers and auditing them, and conducting agency and public review of proposed protocols/measurement guidelines. In forest project protocols, reforestation is being registered and the tons sequestered that the Registry will verify are real. Project protocols that quantify reductions enable the marketing of them.

The Registry is working with the public utilities in the state with regard to reporting GHG emissions over megawatt hours delivered in order to capture out-of-state power transmission. GHG emissions will also be considered as part of energy efficiency monitoring projects, and utilities have been discussing with the Registry the possible creation of an offset tariff that customers would pay in order to be climate neutral. The Registry is seeking absolute reductions in GHG emissions over time and not merely in the "intensity" of such emissions.

Registry working with the California Environmental Protection Agency (Cal/EPA) and has a climate action team which will make recommendations to the Governor on how to reach the GHG emission reduction targets. These recommendations are due in January. Whether these will involve mandatory reporting or a cap and trade program remains to be seen.

With regard to brainstorming ideas for collaboration between the Air District and the Registry, the District's commitment to "become leader and institutional home for climate change protection in the Bay Area" is most praiseworthy. The first task to be done is to identify and measure the emissions, because what cannot be measured cannot be managed. From there, the encouragement of reduction, and then the mandating of emission reductions, can take place. But the Air District does not have authority under the California Clean Air Act to regulate GHGs. There is litigation pending elsewhere in the country regarding the declaration of GHGs as a pollutant. The extent to which state regulation of mobile source emissions affords a basis for establishing a regulatory scheme for GHGs from stationary sources is not clarified. Nonetheless, there are ways to promote voluntary reporting, through sponsoring meetings of companies that the District regulates to encourage voluntary reporting, and also to provide incentives for reporting GHG emissions reductions to the Registry. Letters from the Executive Officer, or from the District's Governing Board, would contribute toward this kind of encouragement, along with publicity and recognition.

The extent to which GHG emission inventorying can be linked to permitting is another field of inquiry. Mr. Hayes suggested making GHGs an optional category in a permit application, with a link to an inventory protocol provided therein. Ina Shlez, Principal Environmental Planner, stated there are many opportunities in the District for collecting permit data, from various grants programs such as the Transportation Fund for Clean Air and the Carl Moyer Program. Opportunities also exist for public outreach and education, to bring stakeholders into the Registry process, first through their own internal processes, examining their daily operations, and how climate change reference can be incorporated into daily business.

Mr. Hayes added that a motivation for a company to join is to be accurately represented in a Bay Area GHG emission inventory. Ms. Shlez added that the District's modelers have taken a first draft approach, and included CO₂, methane and NO_x data from stationary and mobile source categories. Mr. Glueck expressed concern that companies will resist this because it will lead to regulation. Ms. Wittenberg replied that as a non-profit organization the Registry tends to minimize this kind of concern and provide the basis for acknowledging and quantifying efforts early on so that these are not lost in future scenarios.

She added that another idea concerns ranking large commercial building for energy efficiency, so that they can see how well they do in contrast with their peers. This could in turn lead to the development of a best practices list and approach, in which the District could provide a major assist. Commercial buildings could report electrical usage to the Registry and would then be ranked. Information would remain confidential and be seen only by the utility in question. The potential for self-correction is significant in this type of approach. Mr. Dawid encouraged the Registry to work with the United States Green Building Council, which has a rating system for buildings and would seem to be a natural collaborator. Ms. Wittenberg replied that the Registry has been in contact with that Council, and is also promoting the use of a "Climate Action Leader" logo for companies with certified emissions.

The Registry has found that the largest challenge in certification is with cities, as it is often quite expensive to collect the data and certify it. Some discussion on pre-certification with Cities for Climate Protection (ICLEI) has occurred in this context. Emissions would be quantified primarily through government agency emissions from operations and fleets. Ms. Shlez observed that different cities in climate action plans have taken diverse approaches. San Francisco examined vehicle miles traveled within city boundaries not only for city owned equipment but for passenger vehicles in general. It has also examined energy use on the county level. Sonoma County has closely looked at city operations. The City of Oakland conducted an emission inventory in 1996. Consistency is a chief issue in city inventories.

Cities have an incentive, however, to engage in inventory work if offsets can be identified and used in projects as potential credits. The Registry is considering development of templates for offsets. Examples of these include traffic light coordination, diverting 60% of corporate waste from landfills, incorporating local shuttles in downtown areas, boiler replacements in schools and biodigesters/manure management.

The Registry is focusing on developing a Project Registry framework and the next iteration of possible industry protocols for solid waste streams, methane capture, cement operations and oil and gas. Mr. Hanna noted that he had heard on public radio that at a National Mayor's conference a resolution was passed on cities joining the effort to reduce GHGs.

Mr. Hayes suggested that at the next meeting the Joint Committee could evaluate and endorse the staff effort to develop a Bay Area GHG emission inventory, investigate options for reporting GHG emissions voluntary efforts or approaches that provide for more encouragement in this field, including best practices, incentives, publishing data, ranking GHG emitters, energy conservers identifying good citizens.

- 5. Committee Member Comments/Other Business.** Mr. Dawid encouraged a Council to review diesel hybrids. He noted that in the South Coast AQMD remote sensing is being used to address vehicle emissions and requested a staff update on that effort at a future point. Peter Hess, Deputy APCO, clarified that the Bureau of Automotive Repair, rather than the South Coast AQMD, is conducting the vehicular remote sensing program.
- 6. Time and Place of Next Meeting.** Air Quality Planning & Technical Joint Committee meeting, 9:30 a.m., Wednesday, October 12, 2005, 939 Ellis Street, San Francisco, Ca. 94109.
- 7. Adjournment.** 12:08 a.m.

James N. Corazza
Deputy Clerk of the Boards

AGENDA NO. 5A8

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939 Ellis Street
San Francisco, California 94109

DRAFT MINUTES

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5. **Committee Member Comments/Other Business.** Mr. Dawid encouraged a Council to review diesel hybrids. He noted that in the South Coast AQMD remote sensing is being used to address vehicle emissions and requested a staff update on that effort at a future point. Peter Hess, Deputy APCO, clarified that the Bureau of Automotive Repair, rather than the South Coast AQMD, is conducting the vehicular remote sensing program.
6. **Time and Place of Next Meeting.** Air Quality Planning & Technical Joint Committee meeting, 9:30 a.m., Wednesday, October 12, 2005, 939 Ellis Street, San Francisco, Ca. 94109.
7. **Adjournment.** 12:08 a.m.

James N. Corazza
Deputy Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Townsend and Members of the Executive Committee
From: Bill Hanna, Chairperson, Applicant Selection Working Group
Date: September 6, 2005
Re: Recommendation for “Regional Park District” Category on the Advisory Council

RECOMMENDED ACTION: Appoint Ken Blonski to the “Regional Park District” category on the Advisory Council to complete an unexpired term beginning January 1, 2004 and ending December 31, 2004.

BACKGROUND: Norman A. Lopera, Jr. was appointed to the “Regional Park District” category in February of 2001. He tendered his resignation from the Council effective June 8, 2005, in anticipation of his retirement from the East Bay Regional Park District. His term expires December 31, 2005.

DISCUSSION: A Press Release soliciting applications for the vacancies on the Advisory Council was issued on June 15, 2005, posted on the District’s website and forwarded to the Board of Directors, Advisory Council and Hearing Board. It was transmitted via fax to the District’s list of newsprint, radio and television recipients and mailed to over 80 representatives of regional park districts and local park and recreation districts in the nine Bay Area counties. The application period concluded on July 15, 2005. On August 12, the Applicant Selection Working Group received and reviewed seven applications, of which three were selected for subsequent interview. The remaining applications were for categories not currently vacant on the Council, and were submitted by the applicants in case vacancies arise in those categories in the future. The three candidates were interviewed on September 6, 2005. The Group unanimously recommends appointment of Ken Blonski for the “Regional Park District” category. His resume is attached.

I will attend the Executive Committee meeting to answer any questions that you may have.

Respectfully submitted,

Bill Hanna
Chairperson
Applicant Selection Working Group

Prepared by: James N. Corazza

FORWARDED BY: _____
BH:jc



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

APPLICATION FOR ADVISORY COUNCIL

1. NAME First Middle Last
 Kenneth S. Blonski

2. ADDRESS (If Address is temporary, please indicate.)

Street: 6928 Balsam Way City: Oakland
 State: CA. Zip: 94611

3. TELEPHONE NUMBER:

Home: 510-655-2175 Office: 510-544-3056 Cell Phone:

FAX: 510-881-4942 E-Mail: kblonski@ebparks.org

4. Please circle the Advisory Council category (or categories) for which you are applying:

- | | | | |
|----------------------------------|-------------------------|-------------------------|---------------------|
| Conservation Organization | Colleges & Universities | Regional Park Districts | Park and Recreation |
| Public Mass Transportation | Agriculture | Industry | Community Planning |
| Transportation | Organized Labor | General Contractor | Architect |
| Registered Professional Engineer | Public Health Agency | | |

5. Do you have any commitments which would prevent you from meeting the attendance requirements of the Advisory Council? Please explain:

No _____

6. EDUCATIONAL BACKGROUND

COLLEGE OR UNIVERSITY ATTENDED AND POST GRADUATE EDUCATION :

	Mo. / Yr.	to	Mo. / Yr.	Major Courses	Degrees & Subject
Colorado State University	01/76		05/78	Forestry/Resource Mgmt.	MS. Forestry
Univ. of California, Berkeley	03/69		06/71	Criminology	MS. Criminology
Chico State University	1966		1969	Social Science	BA.
Contra Costa College	1964		1966	General Ed.	AA.

7. Please list professional, trade, or business associations held which relate to the Advisory Council category for which you are applying.

Presently Vice-Chair of The California Fire Safe Council Bd. of Directors, Bd. member of the Diablo Fire Safe Council, Staff liaison EBRPD to the Hills Emergency Forum.

8. EMPLOYMENT HISTORY:	
<p>FROM: Mo. <u> 9 </u> Yr. <u> 03 </u> TO: Mo. <u> </u> Yr. <u> </u> Present <u> </u></p> <p><i>Name and Address of Employer:</i> <u>East Bay Regional Park District Fire Department</u> <u>17930 Lake Chabot Rd.</u> <u>Castro Valley, Ca. 94546-1950</u></p>	<p>Title of Position: <u>Fire Marshal</u></p> <p>Brief Description of Responsibilities: <u>I'm responsible for the development and implementation of fire protection planning and/or prevention programs including management, administrative and technical overview of specialized projects.</u></p>
<p>FROM: Mo. <u> 6 </u> Yr. <u> 02 </u> TO: Mo. <u> 9 </u> Yr. <u> 03 </u></p> <p><i>Name and Address of Employer:</i> <u>University of California</u> <u>1301 So. 46th St.</u> <u>Richmond, Ca. 94804</u></p>	<p>Title of Position: <u>Forest Advisor</u></p> <p>Brief Description of Responsibilities: <u>Extension Advisor hired to develop a program on Urban Wildland Interface Fire (UWI) Authored papers, organized workshops and communicated to publics ways to mitigate the threat of UWI Fire.</u></p>
<p>FROM: Mo. <u> 5 </u> Yr. <u> 00 </u> TO: Mo. <u> 6 </u> Yr. <u> 02 </u></p> <p><i>Name and Address of Employer:</i> <u>Fire Management</u> <u>USDA Forest Service</u> <u>1322 Club Drive</u> <u>Vallejo, Ca. 94592</u></p>	<p>Title of Position: <u>Deputy Director Fire Management</u></p> <p>Brief Description of Responsibilities: <u>Developed a full range of Fire Management Strategies including: Prevention, Detection, Fuels Management and Suppression. Responsible for internal relations (Union) and external (Federal, State, Local and Tribal governments).</u></p>
<p>FROM: Mo. <u> </u> Yr. <u>1989</u> TO: Mo. <u> </u> Yr. <u>1989</u></p> <p><i>Name and Address of Employer:</i> <u>Same as above</u></p>	<p>Title of Position: <u>Asst. Chief Administration</u></p> <p>Brief Description of Responsibilities: <u>Program leader for Planning, Computer Systems and Telecom. Coordinated Regional Dispatching. Initiated action necessary to respond to changes to risk including : incendiary outbreaks, industrial operations, fire weather and cooperatior issues.</u></p>
<p>9. Please describe any experience or education that directly relates to air quality, and provide any references along those lines.</p> <p><u>When working for the Forest Service I was actively involved In the Prescribed Fire Program Statewide. This included all aspects of fuels treatment and fire use. I have attended many workshops on Rx fire as: sponsor, speaker and participant.</u></p>	
<p>10. List relevant accomplishments, publications, or awards:</p> <p><u>2000 Recognition for Cooperative Fire Protection by Director CDF, 2002 Partnership Award Director CDF, 2004 Leadership California Fire Alliance.</u></p> <p><u>Co-author: Code Red: Urban Wildland Interface Fires Lessons from the 1991 Oakland Berkeley Tunnel Fire .The Environmental Monitor, Summer 2003; Green to Gold-Helping California Stay Out Of The Black, Growing Points, Volume 7, Number 3, Summer 2003., Wildfire: Coming This Summer to a Community Near You!, Cal-Planner, July/August 2003. see Google for more!</u></p>	
<p>- PLEASE ATTACH RESUME -</p>	
<p>I hereby certify that all statements made in this application are true and complete.</p> <p style="text-align: center;">DATE: <u> July 12, 2005 </u> SIGNATURE (<i>In full</i>): <u> S/K/Blonski </u></p>	
<p>BAY AREA AIR QUALITY MANAGEMENT DISTRICT, 939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109</p> <p>ATTN: CLERK OF THE BOARDS</p>	

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

August 16, 2005

To: Chairperson Townsend and Members of the Board Executive Committee

From: Brian Zamora, Chairperson, Advisory Council

Subject: Air District Role in Indoor Air Quality (IAQ)

Topic:

Further recommendations from the Advisory Council on the District's role in IAQ.

Background:

In September of 2004, the Board of Directors Executive Committee accepted the Advisory Council's report and recommendations for District action concerning IAQ. That report noted the generation of indoor air pollution by outdoor as well as indoor sources, and the well-documented harm of indoor air pollution on the public's health. This year the APCO requested the Council to further review the District's role in IAQ.

The Public Health Committee and Advisory Council held the following meetings at which IAQ was discussed (only key 2004 meetings are noted):

- (a) Council Meeting, May 12, 2004, Guest Speaker: Jed Waldman, Chief, Indoor Air Quality Section, California Dept. of Health Services.
- (b) Public Health Committee Meeting, August 9, 2004 – deliberation of draft recommendations.
- (c) Council Meeting, September 8, 2004 – adoption of Committee recommendations on IAQ.
- (d) Council Meeting, January 12, 2005 – placement of continued review of IAQ on the Council's work plan for 2005
- (e) Public Health Committee Meeting, February 15, 2005, Guest Speaker: Barbara Spark, Indoor Air Program Coordinator, U.S. Environmental Protection Agency Region IX, on IAQ from the federal perspective.
- (f) Public Health Committee Meeting, April 18, 2005, Guest Speaker: Peggy Jenkins, Manager, Indoor Exposure Assessment Section Research Division, California Air Resources Board, on IAQ from the state perspective.
- (g) Public Health Committee Meeting, June 13, 2005 – deliberations on draft recommendations
- (h) Public Health Committee Meeting, August 15, 2005 – adoption of recommendations.

Recommendations from 2004:

- (1) Regional IAQ Workshop. The District convene or initiate a workshop or series of workshops, or summit, within the next year in which government agencies, researchers, and organizations concerned with IAQ can discuss the current and potential roles of the District and others in improving IAQ. Included among the issues to be addressed should be building materials and their appropriate installation and maintenance. These workshops might be convened as state-wide, involving other air districts, or as Bay Area workshops with state agency representation. Such workshop(s) would provide a forum for the generation and exchange of ideas and information to develop District proposals and programs for a cohesive approach to IAQ.
- (2) Graduate Student Investigator. The District should consider establishing a graduate student investigator initiative to research impacts of regional air pollution on indoor environments. The Bay Area has an impressive number of universities that conduct research on IAQ: this initiative would allow the District to tap into those resources at relatively little cost, with the added benefit of providing recognition to the District. CARB, CDHS and other agency experts could also be mentors. The District could administer the program or arrange with another entity to do so (e.g., a non-profit such as the Public Health Institute; a university President's Office; a Bay Area foundation). Students would apply annually for the funds, and a review committee would select among the proposals. The California Interagency Working Group on IAQ, in which the District participates, could assist by suggesting potential IAQ-related research topics. In addition to having an entirely District controlled program, the District could also seek out grants that others might be applying for, to seek out a Bay Area-specific component for them to leverage existing District money.

Recommendations from 2005: The Council affirms its 2004 recommendations, and adds:

The District should disseminate information on IAQ, with an initial focus on residences, followed by schools.

(1) The District should distribute information:

(a) Development of General Information.

(1) The American Lung Association (ALA), Environmental Protection Agency (EPA), and the California Department of Health Services (CDHS) have developed considerable information on IAQ, which could be distributed by the District. (For example, EPA's *Tools for Schools* and the ALA's *Open Airways for Schools*.)

(2) The District should develop educational materials based on market research on the target audiences.

(3) We encourage the District to triage questions to other agencies as appropriate.

(b) Future Collaboration with Crafts and Professions: As a subsequent step, the District should collaborate with the craft, professional and other organizations whose work impinges on IAQ to seek further ways to disseminate information and develop programs to reduce and prevent indoor air pollution.

(2) Research: In addition to initiating the graduate student program recommended last year, the District should consider leveraging others' IAQ research by offering District support to augment current and proposed state and national IAQ studies with Bay-Area-specific components.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-Office Memorandum

To: Chairperson Townsend and Members
of the Executive Committee

From: Jean Roggenkamp,
Deputy Air Pollution Control Officer

Date: October 4, 2005

Re: Joint Policy Committee Update

RECOMMENDED ACTION:

Receive and file.

DISCUSSION

At the October 12, 2005, meeting of the Executive Committee, Ted Droettboom will provide an update on the activities of the Joint Policy Committee.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jean Roggenkamp
Deputy Air Pollution Control Officer

FORWARDED: _____

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Marland Townsend and
Members of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 12, 2005

Re: Update to Affirmative Action Plan

RECOMMENDATION

Receive and file.

BACKGROUND

Pursuant to Division III, Section 2 of the District's Administrative Code, the Board of Directors affirms its policy to provide equal employment opportunities and commits itself and the District to implementing an Affirmative Action Plan (AAP). The Human Resources Officer (HRO) reviewed the AAP upon his appointment in July of 2003 and determined that it had not been updated since 1995. This lapse was probably due to passage of Proposition 209 in November of 1996 and subsequent threats of legal action by the Pacific Legal Foundation directed at local government agencies that continued to promulgate affirmative action plans.

Since the passage of Proposition 209 the legality of affirmative action plans has been affirmed so long as the actions prescribed by the plans are narrowly and carefully tailored to remedy past discrimination while not creating quotas or an unfair advantage for minorities and females. The HRO contracted with an expert on affirmative action plan development, Biddle Consulting Group, to assist in preparing an updated, legally viable plan that fulfills the Board's commitment to equal employment opportunities and affirmative action. The HRO and the consultant updated the AAP in 2004 and advised the Executive Committee at the meeting of November 29, 2004.

DISCUSSION

The updated Affirmative Action Plan is comprised of two parts: 1) a narrative that explains the basis for the plan, its goals, and the roles and responsibilities for staff in administering the plan; and, 2) exhibits with data showing the racial and ethnic breakdown of the District's workforce along with analysis of the availability of minorities and women based on 2000 census data to determine where women and minorities may be underrepresented in particular job groups. Implementation of the Plan was to include the reestablishment of an Affirmative Action Council comprised of District employees who would periodically review the plan and hiring statistics in order to develop recommendations on how to achieve the goals of the Plan. However, the Employees' Association has expressed legal concerns about participation of represented employees on an Affirmative Action Council and, in the interest of having any such body be balanced between management and

represented employees, Executive management has decided to not go forward with that aspect of plan.

The Plan will be updated each year to reflect new hiring data and workforce analysis to determine whether the District is moving toward its goals. The update for 2005 indicates that the District has improved the diversity of administrative management staff, which now reflects the gender and ethnic make-up of the region among available candidates. A comparison of incumbency to availability indicates that the District has fewer female incumbents relative to the available pool of candidates in 4 out of 8 job groups, and fewer minority incumbents relative to the available pool of candidates in 3 out of 8 job groups (Hispanics in 3 job groups, Asians in 1 job group). A compensation analysis indicates that females are paid less than males in 3 out of 8 job groups where the difference in pay cannot be attributed to seniority. A complete copy of the Affirmative Action Plan, including detailed reports, is available from staff upon request.

BUDGET CONSIDERATION/FINANCIAL IMPACT

There is no fiscal impact beyond what has already been contemplated and approved in the current budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Michael K. Rich

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Office Memorandum

To: Chairperson Townsend and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer / APCO

Date: October 12, 2005

Re: Informational Report on Organizational Changes

RECOMMENDED ACTION

Receive and file.

BACKGROUND

Recent and pending personnel changes have provided an opportunity to review and analyze the organization of the Public Information & Outreach Division, the Administrative Services Division, the Information Services Division, and the Planning & Research Division. Staff has concluded that organizational realignments of these Divisions will foster better integration of their various functions and activities. In addition, staff has reviewed the existing functions in PI&O to determine whether they are correctly staffed.

DISCUSSION

Administrative and Information Services

Some of the organizational changes have already occurred on a temporary basis and will now be formalized and made permanent. Specifically, in March of this year the Administrative Services Division was temporarily re-organized concurrent with an audit of systems and review of financial controls. At that time the Director of Information Services was assigned to act as the Director of Administrative Services while continuing to also serve as the Director of Information Services. This arrangement of functions has worked very well and staff has concluded that it should be made permanent. As part of this change the Information Services Division will become a section within a newly titled Finance Administration and Information Services Division and the current Director of Information Services, Jeff McKay, who has been acting as the Director of Administrative Services, will become the permanent head of that Division. The position of Director of Information Services will not be backfilled at that level.

Human Resources Office

Part of the temporary re-organization of the Administrative Services Division in March of 2005 involved moving the Human Resources function to the Executive Office, with the Human Resources Officer reporting directly to the Executive Officer/APCO. This arrangement has also served the District well by including a human resource perspective in the development of strategic and long-term planning. The reporting relationship and increased role of the Human Resources Officer will be made permanent. The Executive Committee will receive a supplemental briefing on this aspect of the organizational changes later this year, to include a review of the compensation of the Human Resources Officer position.

Public Information & Outreach and Planning & Research

Currently, the Public Information and Outreach Division have the following functions:

- Spokesperson for the agency
- Community Outreach and Relations
- Voluntary curtailment programs (e.g., Spare the Air, Woodsmoke)
- Education and Public Outreach

The Division is currently staffed as follows (total of 12 staff):

- Division Director
- Air Quality Program Manager, Community Relations
- Supervising Public Information Officer
- Senior Public Information Officer
- 5 Public Information Officers
- Air Quality Technician
- Administrative Secretary
- Office Assistant

Staff has concluded that the District's administration of grants could be enhanced through additional outreach and increased public awareness of available grant funding. As the District's outreach efforts are currently centralized in the Public Information & Outreach (PI&O) Division, staff believes that moving the grant section from the Planning & Research Division to the PI&O Division would provide better integration of the grant funding with public outreach and awareness. Better integration will in turn result in more public awareness of the various grants offered by the District. This change will also increase the functional and numeric (from 12 FTE to 24 FTE) span of control in the Division to provide more balance and consistency relative to other Divisions. In consideration of realignment of functions the working title for the Division will be Outreach and Incentives Division.

In addition, staff has concluded that the spokesperson role that has been performed at the Director level should instead be performed by a separate, manager-level position. This is in part due to the fact that the Division Director must be able to focus primarily on managing and administrative tasks that would be compromised by the new demands of being the primary spokesperson. In addition, it is very difficult if not impossible to find candidates who could fill both roles effectively.

BUDGET CONSIDERATION/FINANCIAL IMPACTS

Due to the reassignment of the Director of Information Services to also fill the role of the Director of Administrative Services, there is an opportunity to downgrade the Director of Information Services position and transfer it to the Outreach and Incentives Division for use as the new, manager-level spokesperson position. This will result in a net savings of approximately \$24,000 per year.

Respectfully submitted,

Jack P. Broadbent
Executive Officer /APCO