

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 771-6000

APPROVED MINUTES

Summary of Board of Directors
Stationary Source Committee Meeting
9:30 a.m., Monday, November 28, 2006

1. **Call to Order – Roll Call:** Board Chair Gayle B. Uilkema called the meeting to order at 9:35 a.m.

Present: Gayle B. Uilkema, Board Chair, Tom Bates, Jerry Hill, Janet Lockhart (9:51 a.m.), Jake McGoldrick (9:49 a.m.), Mark Ross, Michael Shimansky, Tim Smith.

Absent: Erin Garner, John Silva.

Also Present: Pamela Torliatt (9:52 a.m.).
2. **Public Comment Period:** There were none.
3. **Approval of Minutes of September 25, 2006:** Director Shimansky requested his name be added to page two of the minutes indicating his arrival time at 9:48 a.m. Director Hill moved approval of the minutes, as amended; seconded by Director Bates; carried unanimously without objection.
4. **Proposed Amendments to Regulation 9, Rule 9: Nitrogen Oxides from Stationary Gas Turbines:** *Staff reported on proposed amendments to Regulation 9, Rule 9: Nitrogen Oxides from Stationary Gas Turbines. A public hearing on the amendments is scheduled for December 6, 2006.*

Guy Gimlen, Air Quality Engineer, presented the report and noted that there are 155 permitted gas turbines in the Air District and that they emit 6.5 tons/day of NOx. An overview of the rule development process was provided. The Air District received three written comments and staff will develop responses to them.

Amendments are proposed for the largest turbines, large turbines, mid-sized turbines, and small turbines. There are no proposed changes for small turbines that run at less than 55 MM Btu/hr. Staff is currently evaluating written comments and the Board of Directors' public hearing on the regulation is scheduled for Wednesday, December 6, 2006.

In response to a question from Director Smith, Mr. Gimlen stated that the implementation of the rule will reduce emissions from 6.5 tons/day to 5.8 tons/day.

Director Jake McGoldrick arrived at 9:49 a.m., Director Janet Lockhart arrived at 9:51 a.m., and Director Pamela Torliatt arrived at 9:52 a.m.

In response to a question from Director Hill regarding four turbines at San Francisco International Airport (SFO), Brian Bunger, Counsel, stated that the Air District has applications for three turbines, but there is no application for the fourth turbine as yet.

Director Bates requested information with regard to what other air districts are doing on regulations for turbines.

The following individual spoke on this agenda item:

Dennis Bolt
WSPA

Committee Action: The Committee received and filed the report.

5. **Proposed New Regulation 6, Rule 2: Commercial Cooking Equipment:** *Staff reported on proposed Regulation 6, Rule 2: Commercial Cooking Equipment. Public workshops on the new rule proposal were held on November 14 and 15, 2006.*

Henry Hilken, Director of Planning, Rules and Research, introduced the item and stated that staff has developed regulatory language for this new rule and two workshops have been held.

Virginia Lau, Senior Air Quality Specialist, presented the report and provided background information on the development of the new rule. Three California air district have rules to control emissions from chain-driven (conveyorized) charbroilers. Workshops on the regulation were held on November 14 and 15, 2006. Ms. Lau provided information on the type of equipment that would be regulated and information on Bay Area restaurant emissions.

Ms. Lau noted that the workshops on the proposed rule allow the restaurants adequate time to comply and minimizes the impact on the restaurant. Ms. Lau provided an overview of additional public outreach done regarding the proposed rule. Sample filter equipment was shown to the Committee. A review of the different requirements for chain-driven charbroilers and Type I hoods was provided.

A number of public comments have been received and staff will respond to all of the comments after the public comment period closes on December 1, 2006. The next steps in the rule development process were highlighted and the public hearing to consider the proposed new rule will be scheduled for early 2007.

Committee Action: The Committee accepted the report.

6. **Proposed Amendments to Regulation 9, Rule 8: Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines:** *Staff reported on the development of proposed amendments to Regulation 9, Rule 8: Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines.*

Mr. Hilken introduced the item and stated that staff has been working on amendments to Regulation 9, Rule 8 which would reduce emissions from internal combustion engines. Public workshops on the rule will be conducted early next year.

Victor Douglas, Senior Air Quality Engineer, presented the report and described the affected facilities and equipment. Mr. Douglas provided a breakdown of the types of engines in the Bay Area, including prime and emergency standby and noted that the majority of internal combustion engines are diesel engines. The emissions inventory shows that NOx emissions from diesel, natural gas, landfill gas, and digester gas total 20.9 tons per day. This includes emergency standby diesel engines.

The current regulation affects approximately 200 engines. The regulatory activities since the 1993 adoption of the rule were reviewed. Mr. Douglas reviewed the Environmental Protection Agency's (EPA's) off-road tiered NOx emission standards for new diesel engines.

Proposed regulatory concepts were discussed and include lower NOx limits that would expand the number of engines covered under the regulation from 200 to over 700. In addition, smaller engines that are currently exempt would be affected. NOx emissions reductions by engine type were presented, with total reduction from all engines at 13.4 tons per day. The cost per engine is approximately \$7500.

The next steps include a public workshop in January 2007, preparation of the final proposal, preparation of CEQA and economic analyses, and the public hearing to consider the proposed amendments to the regulation will be conducted in the second quarter of 2007.

Committee Action: The Committee received and filed the report.

7. Compliance Program FY 05-06 Year in Review: *Staff provided an overview of one of the District's core programs, the Compliance Program.*

Kelly Wee, Director of Compliance and Enforcement, presented the report and stated that there are multiple programs that span several Divisions. The figures provided in the report are for fiscal year 2005/2006. Mr. Wee provided a summary of the number of activities completed, such as total inspections, source tests, and laboratory analysis. Mr. Wee noted that a significant portion of air pollution complaints are from odors and that a new category, rail yards, has been added.

The number of inspections completed was reviewed, with asbestos inspections being the greatest number. A total of 359 laboratory analyses were conducted, again with asbestos being the greatest number. Mr. Wee provided a summary of violations, of which there were 801 Notices of Violation issued, 390 Notices to Comply, and 18 Hearing Board cases.

Brian Bunger, Counsel, reviewed small claims cases, penalty settlements and penalties. Mr. Wee then provided figures on violation categories, such as storage tanks and dry cleaners. A chart summarizing the compliance program was reviewed and Mr. Wee noted a new category on Title V deviations. Compliance rates were also reviewed.

The Committee requested that staff provide a comparison of past years to see if there is a trend on inspections and violations issued. Mr. Wee stated that inspections have dropped due to the

Flare Minimization Plans that the inspectors need to review. Also, Pacific Steel Casting is a significant case and there are from six to 12 inspectors assigned to the matter. Director Bates requested a summary of what actions have been taken regarding Pacific Steel Casting. Mr. Wee stated that he can provide a two-page summary of those actions. Director Uilkema requested that the summary be at each Board member's place at the next Regular Board meeting.

Committee Action: The Committee received and filed the report.

8. **Committee Member Comments/Other Business:** There were none.
9. **Time and Place of Next Meeting:** At the Call of the Chair
10. **Adjournment:** The meeting adjourned at 11:03 a.m.

/s/ Mary Romaidis
Mary Romaidis
Clerk of the Boards