

**Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 749-5000**

APPROVED MINUTES

Summary of Board of Directors
Meeting of the Ad Hoc Committee on Port Emissions
9:30 a.m., Thursday, December 6, 2007

1. **Call to Order – Roll Call:** Chairperson Nate Miley called the meeting to order at 9:40 a.m.

Present: Nate Miley, Chairperson, Scott Haggerty, Tim Smith, Pamela Torliatt (9:42 a.m.)
Gayle B. Uilkema

Absent: Tom Bates, John Gioia, Liz Kniss and Mark Ross.
2. **Public Comment Period:** There were none.
3. **Approval of Minutes of May 17, 2007 and July 26, 2007:** Director Haggerty moved approval of the minutes, seconded by Director Torliatt; carried unanimously without objection.
4. **Update on Activities at the Port of Oakland:** *Staff provided an update on the West Oakland health risk assessment being prepared by the Air Resources Board and on the Port of Oakland Maritime Air Quality Improvement Plan.*

Director Torliatt arrived at 9:42 a.m.

Jack P. Broadbent, Executive Officer/APCO provided the Committee with this presentation. Mr. Broadbent noted that staff wanted to provide the Committee with an overview of the activities that are going on, in particular with the Port of Oakland. The Port of Oakland is very much engaged in the development of an air quality improvement plan and the Air District is moving forward to develop our own regulatory effort and how it relates to the Air District.

Mr. Broadbent stated that there is a joint California Air Resources Board (CARB), Air District and Port of Oakland effort to better understand health risks associated with diesel PM in West Oakland. The health risk assessment being conducted by the three agencies is nearing completion. Mr. Broadbent noted that there is a plan that is under development by the Port of Oakland and it is also in its final stages; and these two complimentary efforts will help the Air District, CARB and the Port of Oakland and its local residents to help prioritize and expedite some of the efforts to reduce diesel PM.

The health risk assessments have been underway for some time, they focus on diesel PM, which under the CARE program we have found to represent as much as 80% of the risks in particular communities in and around the Bay Area. These health risk assessments are based on a base line of 2005 and it is important to understand that there are actually three separate health risk assessments underway. The three parts include:

- Part 1 – Seaport – Port of Oakland;
- Part 2 – Union Pacific Rail Yard, as part of the adoption of the MOU as the State level by CARB; and
- Part 3 – One that is looking at the entire West Oakland area that is adjacent to the Port

Mr. Broadbent indicated that some of the health risk assessments being conducted will also show that there is an elevated risk, probably not anywhere close to the order or magnitude of the Roseville yard, just the nature of the source in and around the seaport and around the rail yard.

In the emissions inventory overview that the health risk assessments are based on, the numbers reflect Diesel PM, tons per year which include:

- Port of Oakland 261 tpy
- UP Rail Yard 7 to 11 tpy
- Other West Oakland 627 tpy – driven largely by both ship and truck traffic

Mr. Hilken noted that the previous speaker only listed the sources on land, but also included in the inventory for both Part 1 and Part 3 are emissions from ships and boats, as they are traveling in the Bay and even outside the Golden Gate. That contributes to both of the inventories, especially in Part 3.

Mr. Broadbent noted that the next steps and schedule include the following:

- Finalize inventory report – December 2007
- Complete modeling – December 2007
- Cancer and non-cancer risk assessment – January 2008
- Future risk – January 2008
- Draft HRA released for public review – February 2008
- Complete final HRA report – Early Spring 2008

Mr. Broadbent stated that what is anticipated to happen is that the California Air Resources Board (CARB) will release the information and seek public comment on HRA, which may define when the HRA is actually finalized.

In addition the Maritime Air Quality Improvement Plan (MAQIP) is being prepared by the Port of Oakland. The goals of MAQIP are to reduce the public health impacts of the ports seaport related activities, both at the seaport and the neighboring communities. It is designed to be able to reduce the adverse health effects of the port.

Jean Roggenkamp, Deputy Air Pollution Control Officer, indicated that there is a taskforce that the port has initiated that has members from the community, other agencies and industry that is interested in operating at the port to help with development of this air quality improvement

plan. The port had designated co-chairs, and the Air District is one of those co-chairs. The co-chairs meet to talk about how to make this process move forward and organize the taskforce meetings.

- The effort began in late 2006;
- The task force with as many as 31 members with diverse interests;
- Four co-chairs: Omar Benjamin, Executive Director, Port of Oakland; Jack P. Broadbent, Executive Officer, Air District; Brian Beveridge, Co-Chair, West Oakland Environmental Indicators Project; Andy Garcia, Executive Vice President, GSC Logistics, Inc.;
- Four meetings to date, with a fifth meeting that was held on December 14, 2007; and
- Adoption of MAQIP by Port of Oakland currently scheduled for February 2008

Mr. Broadbent commented that the Air District's program is designed to ensure that the measures are being implemented at the ports. It is the answer to the communities that the Air District is indeed serious about making sure that the health risks associated with these activities are going to take place.

Director Torliatt asked if there will be a cost assessment for the mitigation so that we have a quantifiable number of how much the investment would have to be and where the Air District might help. Mr. Broadbent noted that the Air District has grant dollars, but there is also I-Bond discussions with the Port of Oakland in terms of expanding the rail service, being able to remove trucks off the road including more trucks on the rail itself. Also, be able to double the tunnels that over in the Donner Pass area, as these are things that are part of the entire discussion. Mr. Broadbent also indicated that the Committee will present this information at a future meeting.

Speaker: The following individual spoke on this agenda item:

Danny Wan
Port of Oakland

Committee Action: Director Smith requested that staff provide a more definitive breakdown of the Emissions Inventory, tons per year (tpy); at its next meeting.

5. **Discussion of Preliminary Draft Rule Regarding Port Emission Inventories and Plans:** *The Committee was presented with a preliminary draft rule that requires emissions inventories and plans to reduce emissions from Bay Area ports. The preliminary draft rule was the subject of a workshop that was held on December 11, 2007.*

William Guy, Assistant Counsel presented the Committee with the plan of general concepts as this would be the Air District's first indirect source regulation, and briefly provided the Committee with some of the features that are included in the preliminary draft and the initial issues. Mr. Guy noted that the Air District staff is in the process of developing an agreement with the Bay Planning Coalition and the other ports to develop an inventory that would cover the other four bay area ports.

At this time, the Air District is close to getting that agreement in place. Consultants are ready to go with the use of the same methodology that was used at the Port of Oakland.

Mr. Guy also noted there will be many changes that occur at the ports over the coming years as a consequence of CARB regulations. CARB has primary regulatory authority over all the mobile sources that we see at the port. In addition, the port is into a very large regulatory project. The port has adopted quite a few regulations.

Mr. Guy further stated the Air District has direct authority to require inventories from any kind of source which would include and indirect source such as the port. The Air District also has provisions that state that they have the authority to reduce emissions from indirect sources. At this time the Air District does not have the authority to adopt emission standards on these mobile sources, as that authority lies with ARB.

Requirements for the draft rule include:

- Inventories for ports;
- Allows for collaborative effort with smaller ports;
- Pollutants: PM, NO_x, SO₂, ROG, TOG; and
- Inventory based on Port of Oakland inventory.

Mr. Guy noted that the rules are structured so that those activities would count towards compliance with the rule, as it is not the Air District's intent to impose any new or additional requirements that have not already been met by the Oakland inventory.

Speaker: The following individual spoke on this agenda item:

Ellen Johnck	Darcy Wheelles
Bay Planning Coalition	AAR
10 Lombard St., #408	423 Wast
San Francisco, CA 94111	San Francisco, CA 94111
John Berge	Dave Souten
Pacific Merchant Shipping Assoc.	Environ

Committee Action: Director Torliatt requested that staff provide the Committee with a timeline on the draft rule.

6. **Committee Member Comments/Other Business:** There were none.
7. **Time and Place of Next Meeting:** At the Call of the Chair.
8. **Adjournment:** The meeting adjourned at 10:50 a.m.

/s/ Vanessa Johnson
Acting Clerk of the Board