



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## BOARD OF DIRECTORS' REGULAR MEETING

September 5, 2007

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:45 a.m. in the 7<sup>th</sup> 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  
SEPTEMBER 5, 2007  
9:45 A.M.

BOARD ROOM  
7TH FLOOR

## CALL TO ORDER

Opening Comments  
Roll Call  
Pledge of Allegiance  
Commendation/Proclamation

Chairperson, Mark Ross  
Clerk of the Boards

## PUBLIC COMMENT PERIOD

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

## CONSENT CALENDAR (ITEMS 1 – 5)

Staff/Phone (415) 749-

1. Minutes of July 25, 2007  
M. Romaidis/4965  
[mromaidis@baaqmd.gov](mailto:mromaidis@baaqmd.gov)
2. Communications  
J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)  
*Information only.*
3. Quarterly Report of Air District Activities  
J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)
4. Approval of Resolution Authorizing Use of an Optional Benefit with the California Public Employees' Retirement System Pursuant to Government Code Section 20903  
J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider approval of a Resolution authorizing use of an optional benefit with the California Public Employees' Retirement System pursuant to Government Code Section 20903.*

5. Approval of Resolution Establishing a Budgetary Revenue Line Item to Accept Green House Gas Mitigation Funds and Establishing a Program Within the Grants Section to Expend Such Funds  
J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider approval of a Resolution establishing the addition of a budgetary revenue line item to accept green house gas mitigation funds and establish Grants Program 309: Climate Impact Mitigation to expend such funds.*

## **PRESENTATION**

6. Presentation from the San Francisco Bay Conservation and Development Commission (BCDC) on the agency's role in dealing with climate change  
J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*Will Travis, Executive Director of BCDC, will give a presentation regarding BCDC's role in dealing with climate change.*

## **CLOSED SESSION**

7. Conference with Legal Counsel – ***Existing Litigation***  
*Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following case:*  
  
***Hornblower Cruises and Events v. California Air Resources Board, Bay Area Air Quality Management District, David Burch, et al.***, Superior Court of the County of San Francisco, Case No. CGC-07-464286

## **OPEN SESSION**

### **OTHER BUSINESS**

8. Report of the Executive Officer/APCO
9. Chairperson's Report
10. 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)*
11. Time and Place of Next Meeting - 9:45 a.m., Wednesday, September 19, 2007- 939 Ellis Street, San Francisco, CA 94109
12. Adjournment

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

**(415) 749-4965**

**FAX: (415) 928-8560**

**BAAQMD homepage:**

**[www.baaqmd.gov](http://www.baaqmd.gov)**

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities. Notification to the Executive 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 Ross and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: August 13, 2007

Re: Board of Directors' Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Board of Directors meeting of July 25, 2007.

DISCUSSION

Attached for your review and approval are the draft minutes of the July 25, 2007 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 – July 25, 2007

**Call To Order**

Opening Comments: Chair Mark Ross called the meeting to order at 9:52 a.m.

Roll Call: Present: Mark Ross, Chair, Tom Bates, Chris Daly, Dan Dunnigan, John Gioia, Scott Haggerty (10:03 a.m.), Jerry Hill, Carol Klatt, Patrick Kwok, Janet Lockhart (10:11 a.m.), Jake McGoldrick (10:06 a.m.), Nate Miley (10:03 a.m.), Michael Shimansky, John Silva, Pamela Torliatt, Gayle B. Uilkema.

Absent: Harold Brown, Erin Garner, Yoriko Kishimoto, Liz Kniss, Tim Smith, Brad Wagenknecht.

Pledge of Allegiance: The Board of Directors recited the Pledge of Allegiance.

**Public Comment Period:** There were none.

**Commendations/Proclamation:**

*The Board of Directors recognized Peter F. Hess, PE, DEE, QEP, for his 33 years of dedicated service to the Air District.*

Directors Scott Haggerty and Nate Miley arrived at 10:03 a.m. Director Jake McGoldrick arrived at 10:06 a.m.

**Consent Calendar (Items 1 – 8)**

1. Minutes of June 20, 2007 Regular Meeting
2. Communications. Correspondence addressed to the Board of Directors. For information only.
3. District Personnel on Out of State Business Travel

*In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board was notified by memoranda the list of District personnel who traveled on out-of-state business.*

4. Quarterly Report of Air Resources Board Representative Honorable Jerry Hill
5. Quarterly Report of the Executive Office - *A summary of Board of Director and Advisory Council*

*meeting activities for the second quarter was provided for information only.*

6. Consider Establishing a New Classification of Organizational Development and Training Specialist with Salary Set at Pay Range 134

*The Board of Directors considered approval of the establishment of a new classification of Organizational Development and Training Specialist with salary set at pay range 134.*

7. Approval of Acceptance of Disclosure of Costs for Optional Retirement Benefit as Required by Government Code Section 7507

*The Board of Directors considered acceptance of the disclosure of costs resulting from implementation of an optional retirement benefit as required by Government Code Section 7507.*

8. Update to the Affirmative Action Plan

*Pursuant to Division III, Section 2 of the District's Administrative Code, the Board of Directors affirmed its policy to provide equal employment opportunities and commits itself and the Air District to implementing an Affirmative Action Plan (AAP). An update to the AAP was attached to the Board packet.*

**Board Actions:** Director Kwok moved approval of the Consent Calendar items 1 through 7; seconded by Director Torliatt; carried unanimously without objection. (Due to a typographical error on the agenda, Consent Calendar item 8 was not included in the original motion.)

Director Haggerty moved approval of Consent Calendar item 8; seconded by Director Torliatt; carried unanimously without objection.

### **Committee Reports and Recommendations**

9. Report of the Budget and Finance Committee Meeting of July 18, 2007

*Action(s): The Committee recommended Board of Directors' approval of the following:*

- A) Addition of 5 positions to staff the Grants Program;*
- B) Authorize the Executive Officer/APCO to solicit bids and execute agreements with consultants to assist staff with audit related activities and transfer \$900,000 from the General Reserve for this purpose. An adjustment to the Air District's budget will be made accordingly; and*
- C) Establish a Designated Reserve for a Cleaner Burning Technology Incentive Program and fund the new Reserve with a transfer of \$500,000 from Undesignated Reserves.*

Director Daly presented the report and stated that the Committee met on Wednesday, July 18, 2007.

The Committee received a review of the reserve targets. The District will maintain a general fund undesignated reserve of not less than 15% of annual revenues.

Director Janet Lockhart arrived at 10:11 a.m.

The Committee received a report on and is recommending Board of Directors' approval of the addition of five new positions to staff the Grant Programs. The positions would consist of one Air Quality Program Manager and four Administrative Analyst positions. Director Daly clarified that the recommendation authorizes hiring three of the positions now, with the ability for staff to hire the remaining two with a report back to the Committee.

Staff presented a status report on the Carl Moyer Program audit reports and a request for funding for consultants to assist staff with audit related activities. The Committee recommends Board of Directors' approval to authorize the Executive Officer/APCO to solicit bids and execute agreements to assist staff to carry out the functions of the Carl Moyer Program and transfer \$900,000 from the General Reserve for this purpose and adjust the Air District's fiscal year 2007/2008 budget accordingly.

A report was presented to the Committee regarding the establishment of a designated reserve for a Cleaner Burning Technology Incentives Program. The Committee recommends that the Board of Directors designate a Reserve for a Cleaner Burning Technology Incentives Program and fund the new Reserve with a transfer of \$500,000 from Undesignated Reserves.

The next meeting of the Committee is scheduled for 9:30 a.m., Wednesday, September 26, 2007.

**Board Action:** Director Daly moved that the Board of Directors approve the recommendations and report of the Budget and Finance Committee; seconded by Director Shimansky.

After a brief discussion, the three recommendations of the Committee were bifurcated with action items 9B and 9C on the agenda being voted on separately from action item 9A.

**Board Action:** Director Torliatt moved that the Board of Directors approve the Budget and Finance Committee recommendations regarding agenda items 9B and 9C; seconded by Director Hill; carried unanimously without objection.

**Board Action:** Director Torliatt moved that the Board of Directors approve the Budget and Finance Committee recommendation regarding agenda item 9A; seconded by Director Kwok.

Director Haggerty recommended that item 9A go back to the Committee for more discussion. Director Daly summarized some of the discussion at the Committee meeting and noted that the original staff recommendation to the Committee was for three positions. Staff noted that compared to other grant programs in other air districts, a more appropriate staffing level would be five additional positions, for a total of ten. The Committee, on a split vote, modified the recommendation to allow the immediate hiring of the three positions with the ability to look for two additional hires, with a report back to the Committee.



Director Haggerty moved that agenda item 9A be referred back to the Committee; seconded by Director Kwok.

Director Gioia offered a substitute motion for Board of Directors approval of the three original positions and refer the issue regarding the additional two positions back to the Committee. After a brief discussion, Director Haggerty withdrew his motion.

Director Gioia moved that the Board of Directors approve three positions and send the issue of any further positions back to the Committee; seconded by Director Daly.

There was further discussion on the importance of hiring individuals for the five positions and it was noted that the CARB audit shows that other air districts have more staff than this air district. After further discussion, Director Gioia withdrew his motion.

Director Bates offered a substitute motion on agenda item 9A for Board of Directors' approval to hire up to five persons for the Grants Program without reporting back to the Committee; seconded by Director Torliatt. The substitute motion was accepted on the following roll call:

AYES: Bates, Dunnigan, Gioia, Hill, Klatt, Kwok, Lockhart, Miley, Silva, Torliatt, Ross.

NOES: Daly, Haggerty, McGoldrick, Shimansky, Uilkema.

ABSENT: Brown, Garner, Kishimoto, Kniss, Smith, Wagenknecht.

**Final Board Action on the Substitute Motion:** Chair Ross clarified that the substitute motion gives staff direction to hire up to five people for the Grants Program. The motion then carried on the following roll call:

AYES: Bates, Dunnigan, Gioia, Hill, Klatt, Kwok, Lockhart, Miley, Silva, Torliatt, Ross.

NOES: Daly, Haggerty, McGoldrick, Shimansky, Uilkema.

ABSENT: Brown, Garner, Kishimoto, Kniss, Smith, Wagenknecht.

10. Report of the Mobile Source Committee Meeting of July 18, 2007

*Action(s): The Committee recommended Board of Directors' approval of the following:*

- A) Transportation Fund for Clean Air County Program Manager expenditure plans for FY 2007/2008;*
- B) Exchange of \$853,354 and \$1,070,778 of the FY 2007/2008 TFCA County Program Manager funds of the Alameda and Santa Clara County Program Managers, with Congestion Mitigation and Air Quality (CMAQ) funds; and*
- C) Amend TFCA County Program Manager Expenditure Plans for FY 2005/2006 and FY 2006/2007 for the Contra Costa Transportation Authority.*
- D) Award contract to perform audit of TFCA Regional Fund projects in the amount of \$168,600 to the firm of Caporicci and Larson; and*

- E) Authorize the Executive Officer/APCO to enter into a contract with Caporicci and Larson to conduct audits.*

Chair Mark Ross presented the report and stated that the Committee met on Wednesday, July 18, 2007.

Staff presented a report on the Transportation Fund for Clean Air (TFCA) County Program Manager Expenditure Plan for fiscal year 2007/2008 and certain prior fiscal years. The Committee recommends Board of Directors' approval of the following:

- A) Fiscal year 2007/2008 TFCA County Program Manager projects listed on Table 1 of the staff report, as amended to replace the County of San Francisco as the Project Sponsor of Project No. 07SF15 with the Yellow Cab Cooperative;
- B) Exchange of \$853,354 and \$1,070,778 of the fiscal year 2007/2008 TFCA County Program Manager funds of the Alameda and Santa Clara County Program Managers, respectively, with Congestion Mitigation and Air Quality funds; and
- C) Amend TFCA County Program Manager Expenditure Plans for fiscal year 2005/2006 and fiscal year 2006/2007 for the Contra Costa Transportation Authority to transfer unexpended funds from existing projects to an existing countywide public transit incentive project for fiscal year 2006/2007.

Staff provided an overview of the TFCA Regional Fund projects auditor selection process. The Committee recommends Board of Directors' approval of the following:

- D) Select the firm of Caporicci and Larson to perform audit of TFCA Regional fund projects currently underway or completed since the last audit in 2005; and
- E) Authorize the Executive Officer/APCO to execute with Caporicci and Larson a contract in an amount not to exceed \$168,600 to conduct the fiscal audit.

The Committee received a status report of the Carl Moyer Program audit reports.

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

**Board Action:** Chair Ross moved that the Board of Directors approve the recommendations and report of the Mobile Source Committee; seconded by Director Kwok; carried unanimously without objection.

11. Report of the Climate Protection Committee Meeting of July 19, 2007

Director Torliatt presented the report and stated that the Committee met on Thursday, July 19, 2007.

Staff presented a status report on the Air District's climate protection activities. The activities include the green house gas emission inventory, climate protection initiatives, assisting local governments, regional activities, and the Air District being carbon neutral as of June 1, 2007. The Committee provided direction to staff on several items that were discussed.

The Committee received a report on recent and future climate protection public outreach activities.

Staff provided a brief overview of the objectives and guidelines for the Climate Protection Grant Program. Discussion of projects for the Incentive Program, funded by the \$3,000,000 approved by the Board of Directors, included \$1,000,000 for a sustainable energy loan fund, \$1,000,000 as seed money for the Foundation, and \$1,000,000 to the Climate Protection Grant Program. The timeline for the Grant Program includes Board approval of guidelines by September, an application deadline in October, with recommendations to the Board in December or January. The Committee requested staff report back to the Committee on several items at a future meeting.

The next meeting of the Committee is scheduled for 9:30 a.m., Thursday, September 20, 2007.

**Board Action:** Director Torliatt moved that the Board of Directors approve the report of the Climate Protection Committee; seconded by Director Bates; carried unanimously without objection.

12. Report of the Legislative Committee Meeting of July 23, 2007

*Action(s): The Committee recommended that the Board of Directors approve positions on several newly-introduced air quality bills.*

Director Haggerty presented the report and stated that the Committee, lacking a quorum, met on Monday, July 23, 2007. The planned discussion on solar empowerment and green power requirements was deferred to a future meeting.

Staff provided an overview of bills likely to be introduced in the aftermath of recent leadership changes made by the Governor at the California Air Resources Board (CARB). One bill will likely change the nature of ARB appointments from pleasure appointments to term appointments, and may add appointees by Legislative leadership. Another bill will likely require disclosure of communications between the CARB Board and the Governor and legislature. The consensus of the Committee is for Chair Ross to send a letter to key legislators indicating the need to maintain the five air district positions on the CARB Board.

Staff then discussed the following recently-introduced bills:

- AB 1610 (Nunez) – Establishes a new California Petroleum Refineries Facilities Standards Board.
- AB 118 (Nunez) – Creates the Air Quality Improvement Program and Fund, and the Alternative and Renewable Fuel, Vehicle Technology, Carbon Reduction, and Clean Air Program and Fund.
- AB 1470 (Huffman) – The Solar Water Heating and Efficiency Act of 2007.

The consensus of the Committee is for the Board of Directors to consider taking a “support” position on AB 1470 and to watch AB 1610 and AB 118.

Staff provided a brief update on the bills on which the District has previously adopted positions.

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

**Board Action:** Director Haggerty moved that the Board of Directors approve the report of the Legislative Committee; seconded by Director Lockhart; carried unanimously without objection.

**Public Hearing**

13. Public Hearing to Consider Proposed Amendments to Regulation 9, Rule 8: Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines, and Adoption of CEQA Negative Declaration

*The proposed amendments to Regulation 9, Rule 8 will fulfill the District's commitment to reduce emissions from stationary IC engines under the Senate Bill 656 Particulate Matter Implementation Schedule and implement potential controls proposed for evaluation in further study measure FS-15 from the Bay Area 2005 Ozone Strategy.*

Henry Hilken, Director of Planning, Rules & Research, introduced the item and stated that staff has been investigating proposed amendments to Regulation 9, Rule 8 and that it fulfills a commitment in the SB 656 Particulate Matter Implementation schedule to make further progress towards attainment of the state and federal PM health-based standards.

Victor Douglas, Senior Air Quality Engineer, presented the report and provided information on the following:

- Background on the SB 656 and the 2005 Ozone Strategy Further Study Measure,
- Different size stationary IC engines and types of fuel used,
- An overview of the current rule and regulatory activities since its 1993 adoption,
- The regulatory proposal including NOx limits and compliance options,
- Emission reductions that will be achieved and the cost effectiveness, and
- An overview of the rule development process.

Mr. Douglas stated that staff recommends that the Board of Directors adopt the proposed amendments to Regulation 9, Rule 8: Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines, and approve a California Environmental Quality Act (CEQA) Negative Declaration.

Chair Ross opened the Public Hearing at 10: 54 a.m. and the following members of the public spoke:

Bill Martini  
Tecogen  
Portland, OR 97229

Brian Hubinger  
California Council for Environmental  
& Economic Balance

Craig Mizutani  
Central Contra Costa Sanitary District  
Martinez, CA 94553

Dan Hammons  
City of Sunnyvale WPCP  
Sunnyvale, CA 94088

Director Haggerty moved to close the public hearing at 11:01 a.m.; seconded by Director Hill; carried.

**Board Action:** Director Hill moved that the Board approve the staff recommendation; seconded by Director Kwok.

There was a brief discussion on items raised by the City of Sunnyvale. The motion then carried with the following Board members voting:

AYES: Bates, Daly, Dunnigan, Gioia, Haggerty, Hill, Klatt, Kwok, Lockhart, McGoldrick, Miley, Shimansky, Silva, Torliatt, Uilkema, Ross.

NOES: None.

ABSENT: Brown, Garner, Kishimoto, Kniss, Smith, Wagenkecht.

**Adopted Resolution No. 2007-09: A Resolution of the Board of Directors of the Bay Area Air Quality Management District Amending District Regulation 9, Rule 8: Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines and Adopting a CEQA Negative Declaration for the Project**

### **Closed Session**

14. Conference with Legal Counsel – *Existing Litigation*

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

**Hornblower Cruises and Events v. California Air Resources Board, Bay Area Air Quality Management District, David Burch, et al., Superior Court of the County of San Francisco, Case No. CGC-07-464286**

The Board convened to closed session at 11:03 a.m. The Board reconvened to open session at 11:18 a.m.

Brian Bunger, Counsel, reported that the Board of Directors met in closed session on agenda item 14. The Board received a report on the item and provided direction to staff.

### **Other Business**

15. Report of the Executive Officer/APCO – Mr. Broadbent reported on the following:
- A) The 2007 ozone exceedances noting there have not been any Spare the Air alerts called to-date.
  - B) The current events calendar is at each Board member's place.
  - C) All of the Flare Minimization Plans have been approved.
16. Chairperson's Report – Chair Ross reported that he attended the Air & Waste Management Annual Conference and Exhibition in Pittsburgh, PA from June 26 through June 29<sup>th</sup>.

Draft Minutes of July 25, 2007 Regular Board Meeting

17. Board Members' Comments – Directors Michael Shimansky and Patrick Kwok reported individually regarding their attendance at the Air & Waste Management Annual Conference and Exhibition in Pittsburgh, PA from June 26 through June 29<sup>th</sup>.
18. Time and Place of Next Meeting –9:45 a.m., Wednesday, September 5, 2007 – 939 Ellis Street, San Francisco, CA 94109
19. Adjournment – The meeting adjourned at 11:24 a.m.

Mary Romaidis  
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Ross and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: August 13, 2007

Re: Board Communications Received from July 25, 2007 through September 4, 2007

RECOMMENDED ACTION:

Receive and file.

DISCUSSION

A list of Communications received by the Air District from July 25, 2007 through September 4, 2007, if any, will be at each Board member's place at the September 5, 2007 Regular Board meeting.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

To: Chairperson, Mark Ross and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: September 5, 2007

Re: Report of Division Activities for the Months of April 2007 - June 2007

**FINANCE, ADMINISTRATION AND  
INFORMATION SERVICES DIVISION – J. McKAY, DIRECTOR**

During the statewide audit of the Carl Moyer Program the District hosted auditors from three separate agencies – the Bureau of State Audits, the Department of Finance and the California Air Resources Board. The Bureau of State Audits released its final report on June 14, including comments supplied by the District. The District has supplied comments and plans based on the draft Air Resources Board and Department of Finance audits. However, neither of these entities has released its final report, and no target date has been announced. It is likely that these two reports will be released as one combined package. A review by the Governor's office may precede release of these reports. In responding to the draft reports, the District provided plans for improved controls within the Moyer program, and also for remediation of prior projects.

Beginning in fiscal year 08-09 the Air District will be required to include un-funded obligations for medical coverage in its financial reporting. The District is in the process of comparing options for funding these obligations.

In the last quarter the Air District executed 68 contracts.



**COMPLIANCE AND ENFORCEMENT – K. WEE, DIRECTOR****Enforcement Program**

Pacific Steel Casting has received one additional Notice of Violation (NOV) for causing a public nuisance on June 20, 2007. Odors from Plants #1 and #2 impacted members of the public and were confirmed to PSC. Plant #3 odors were not prevalent during this incident. Staff met with Napa Sanitary District on June 21, 2007 to discuss compliance options from their co-generation power plant that failed to meet Carbon Monoxide limits. On April 7, 2007 staff responded to a fire at Sims Hugo Neu, a scrap metal processing facility in Redwood City. Staff issued a Notice of Violation for a public nuisance that resulted from this fire. Staff attended the Contra Costa County Environmental Crimes team meeting in Hercules on April 12, 2007. Staff conducted a presentation about the District air pollution complaint procedures at the Sausalito City Council Meeting held on May 1, 2007. At this meeting neighbors expressed their concerns about odors from the Sausalito/Marin City Sanitary facility. Staff issued a Public Nuisance Violation to Ora Loma Sanitary District in San Lorenzo on May 7, 2007 as a result of numerous odor complaints from a nearby school.

**Compliance Assurance Program**

The petroleum refinery Flare Minimization Plans (FMPs) were released for public comment and staff conducted five (5) public informational meetings in April and May to provide information and take public comment. Staff obtained additional commitments from several refineries to add compressor capacity and improve refinery operations to reduce flaring. Staff prepared responses to the public comments and met with each refinery to modify the FMPs and on July 16, 2007 approved all 5 FMPs.

On April 25-27, 2007 staff attended the CAPCOA Vapor Recovery Committee Meeting in Sacramento. On June 13, 2007 staff participated in an information exchange forum at NASA Ames Research Center in Mountain View, entitled “Environmental Sustainability at Ames in a climate of innovation and entrepreneurship.” Staff participated in monthly Trucker Work Group meetings this quarter at the Port of Oakland that seek to reduce diesel particulate matter impacts.

**Compliance Assistance**

Staff produced five (5) Compliance Advisories on new requirements for the following industries: source tests at gas stations, reporting and demonstration projects for Pressure Relief Devices at Refineries and Chemical Plants, operations and reporting for organic liquid storage tanks, content of flare causal analysis reports at Refineries, and fee increases for asbestos notifications. Staff attended the Napa County Firewise Community Workshop that promoted a free chipping service, partially funded by a District grant, for residents living in high fire risk communities in order to reduce PM emissions from open burning piles. On June 19, 2007, staff held a compliance assistance workshop with Gas Station Industry representatives to discuss ways for their members to meet the April 2009 CARB Enhanced Vapor Recovery (EVR) Phase Two deadline. On May 22, 2007, staff met with Santa Rosa Planning Department staff to discuss the CARB EVR deadline. Translations from the Vietnamese and Korean languages were provided for District activities during the reporting period.

**Operations**

Staff completed the installation the new radio communication system in the District Office and mobile radio units in inspector cars. Additional performance testing will continue before the new system is formally accepted. Training activities included 8 weeks of new inspector training, 2<sup>nd</sup> quarter In-Service Training (IST) and planning for the 3<sup>rd</sup> quarter IST.

(See Attachment for Activities by County)

**ENGINEERING DIVISION – B. BATEMAN, DIRECTOR****Permit Systems**

In the second quarter of 2007, 409 new permit applications were received (317 standard NSR applications, 72 GDF applications, 15 Title V applications, and 4 Banking applications). During this period, the Division issued 159 Authorities to Construct (43 to GDFs) and issued 435 Permits to Operate (44 to GDFs).

**Toxics Program**

Staff completed a total of 114 Health Risk Screening Analyses (HRSAs) during the second quarter of 2007; the majority of these HRSAs were for diesel engine emergency generators, soil remediation projects, and gasoline stations. Staff also completed HRSAs for a modification to the cement manufacturing operation at Hanson Permanente Cement in Cupertino, and a proposed new steel pipe factory at the USS-POSCO facility in Pittsburg. Staff is continuing work on an HRSA for a modernization project at the Chevron Refinery in Richmond.

Staff continued work with consultants to Pacific Steel Casting Company (Berkeley) in the preparation of a facility-wide Health Risk Assessment (HRA) to meet requirements of the Air Toxics Hot Spots Program. The completed HRA is expected to be submitted for District review in July.

Staff participated in several meetings of the CAPCOA Toxics and Risk Management Committee (TARMAC). TARMAC has been active reviewing Airborne Toxic Control Measures (ATCMs) (e.g., for diesel engines), in discussing and resolving AERMOD and HARP modeling issues, and in the development of new HRA guidelines for CEQA and the Air Toxics Hot Spots Program.

**Title V Program**

Staff continued progress in reducing a backlog of Title V permit applications. Work continued to revise Title V permits and Statements of Basis for the five Bay Area refineries. Final actions completed include: (1) Reopening Revisions 2 and 3 for the Chevron, ConocoPhillips, Tesoro, and Valero refineries, (2) reopening Revision 3.6 for Chevron refinery, and (3) reopening Revision 2 for Shell refinery.

**Permit Evaluation Program**

Engineering Division staff continued to actively participate in the District's Flare Working Group, including attending five informational public meetings in the affected communities to receive input on the Flare Minimization Plans (FMPs). The Division's engineers assisted in the preparation of written responses to comments made at the public meetings along with the comments received in writing. Staff also identified additional deficiencies in the FMPs, so that the FMPs could be revised for approval.

Staff continued to review and evaluate major refinery permits including the ConocoPhillips' Clean Fuels Expansion Project and Chevron's Energy and Renewal Project. The Authority to Construct for each of these projects cannot be issued until the project EIR is certified by the CEQA Lead Agency. The EIRs for the ConocoPhillips' and Chevron projects are not expected to be certified before mid-August 2007 and mid-September 2007, respectively.

Staff is also evaluating several major power plant permit applications. Preliminary review of the new Eastshore Energy project in Hayward (115 MW, 14 large natural gas fired engines) was completed, and a public comment period was held. To date, the District has received over 550 comments on the project. Staff continues to work on the Final Determination of Compliance (FDOC), and to develop responses to the public comments received. The Russell City Energy Center is a proposed 600 MW combined-cycle power plant in Hayward. The current permit application is for a permit modification that would move the project facilities approximately 1300 feet southwest from the original site. The amended FDOC for this project is expected to be issued in July 2007. Staff participated in California Energy Commission hearings for both the Eastshore Energy and Russell City projects.

Engineering Divisions staff continued work to implement the CARB stationary diesel engine ATCM and portable diesel engine ATCM. The District continues to receive many diesel engine permit applications, many of which are related to compliance with these ATCMs.

Engineering Division staff continued work with CARB to support their efforts to comply with the AB-32 requirements for greenhouse gas inventory and reporting for refineries and cement plants. Staff members also attended the annual AWMA Convention and the CAPCOA Engineering Managers Symposium.

**Engineering Special Projects Program**

Staff continued participation in the Business Process Improvement Project. The team has developed work plans for potential improvements in the Authority to Construct/Permit to Operate and Title V processes. Work continued in documentation of program descriptions of major permit processes for posting on the District website, and in updating policies and procedures for major permit issues. Completed policies and procedures include source test requirements for diesel engines subject to the State ATCM, and the exemption from permitting of certain ink jet printer operations. A number of Permit Handbook chapters were also revised and updated in the quarter.

**LEGAL DIVISION – B. BUNGER, DISTRICT COUNSEL**

The District Counsel's Office received 192 Violations reflected in Notices of Violation ("NOVs") for processing in 4th Quarter (April-June 2007).

Mutual Settlement Program staff initiated settlement discussions regarding civil penalties for 173 Violations reflected in NOVs. In addition, Mutual Settlement Program staff sent 12 Final 30 Day Letters regarding civil penalties for 13 Violations reflected in NOVs. Finally, settlement negotiations by Mutual Settlement Program staff resulted in collection of \$76,666 in civil penalties for 102 Violations reflected in NOVs.

Counsel in the District Counsel's Office initiated settlement discussions regarding civil penalties for 15 Violations reflected in NOVs. Settlement negotiations by counsel in the District Counsel's Office resulted in collection of \$3,343,325 in civil penalties for 63 Violations.

**(See Attachment for Penalties by County)**

**PLANNING DIVISION – H. HILKEN, DIRECTOR****Community Air Risk Evaluation (CARE) Program**

Staff continued to collaborate with CARB and the Port of Oakland on developing emissions estimates from diesel sources for the three-part West Oakland Health Risk Assessment (HRA). Staff worked with contractor Sonoma Technology Inc (STI) to complete emissions estimates for truck-related businesses and construction projects in West Oakland. Staff attended a public meeting at the Port of Oakland to assist with the presentation of the HRA progress and timing. Staff continued to develop in-house modeling capability to run the CALPUFF model, which is being used by CARB to conduct the West Oakland HRA. Staff prepared and submitted a grant proposal to EPA for \$1 million to conduct local-scale air toxics monitoring in West Oakland to supplement modeling activities in the area. Staff assisted the San Francisco Department of the Environment in reviewing and evaluating proposals for a project to assess diesel emissions in the Bayview/Hunter's Point community. Staff reviewed a draft HRA prepared by CARB for the Richmond BNSF Railyard and attended a community meeting in Richmond.

**Rule Development Program**

Staff hosted public workshops on proposed amendments to Regulation 9, Rule 6: Nitrogen Oxides from Natural Gas-Fired Water Heaters and Regulation 9, Rule 7: Nitrogen Oxides and Carbon Monoxide from Industrial, Institutional and Commercial Boilers, Steam Generators and Process Heaters. Public hearings are anticipated in 3<sup>rd</sup> quarter 2007. Staff presented a proposed new rule, Regulation 6, Rule 2: Commercial Cooking Equipment at a public hearing before the Board of Directors on May 16, 2007. The Board referred the rule back to the Stationary Source Committee. Staff has participated in conference calls hosted by the Air Resources Board staff on development of a Suggested Control Measure for Architectural Coatings (District Rule 8-3), and on development of climate protection programs at the State level. Staff is also developing proposed amendments for Regulation 1: General Provisions and Definitions; Regulation 8, Rules 33 and 39, concerning gasoline bulk delivery vehicles, bulk terminals and bulk plants; Regulation 8, Rule 20: Graphic Arts Printing and Coating Operations; Regulation 8, Rule 32: Wood Products Coating; and Regulation 8, Rule 45: Motor Vehicle and Mobile Equipment Coating Operations.

**Air Quality Planning Program**

Staff provided testimony at US EPA hearings on ARB's request for a waiver needed to implement California's Motor Vehicle Greenhouse Gas Regulations (proposed by ARB in 2005 pursuant to the Pavley bill), a critical element strategy to reduce California's GHG emissions. Staff continued to work with a wide range of organizations such as ICLEI, PG&E, Stop Waste.org, ABAG/Energy Watch and MTC to provide technical assistance to local jurisdictions developing greenhouse gas emission inventories and climate action plans. Staff continued to monitor implementation of AB 32, the California Global Warming Solutions Act and to participate in numerous meetings of committees such as Greenhouse Gas Emission Inventory Technical Working Group; Market Advisory Committee; Economic and Technology Advancement Advisory Committee; and the Environmental Justice Advisory Committee. District staff is taking a leading role on the CAPCOA Planning Managers CEQA & Climate Change Subcommittee to develop recommendations for CAPCOA regarding guidelines for lead agencies related to greenhouse gas significance thresholds, analytical procedures, and mitigation measures for use in preparing CEQA documents. Staff received the final report from URS, "Opportunities for Further GHG Reductions for the BAAQMD Stationary Sources," and posted the study on the District website. The Board of Directors approved staff's recommendation to conduct a Phase II study on greenhouse gas emission reduction opportunities from solid waste disposal sites and cement manufacturing. Staff completed the 2006 District greenhouse gas emissions inventory related to District activities, a key step in implementing the District's "carbon neutral" policy, and purchased offsets through Native Energy to fund a wind turbine project. Staff continued to participate actively in the FOCUS (Focusing our Vision) regional smart growth initiative in collaboration with ABAG, MTC, and BCDC, including outreach meetings in each of the Bay Area counties and solicitation of applications from local agencies to nominate priority development areas in their communities. Staff submitted comments on a Draft General Conformity Determination for Proposed Operation of Southwest Airlines Company at San Francisco International Airport. Staff submitted comments on CEQA documents for the following projects: DEIR & FEIR for the Palo Alto Medical Facility-San Carlos Campus; administrative draft of the San Rafael Rock Quarry Amended Reclamation Plan EIR; administrative draft initial study prepared by DTSC for demolition of a building containing asbestos at the Lawrence Berkeley National

Laboratory; and the Graton Rancheria Casino and Hotel Project Draft EIS in Sonoma County.

### **Research and Modeling Program**

Staff participated in CCOS Technical and Policy Committee meetings to help ARB prepare new projects and discuss the status of ongoing projects. Staff conducted preliminary model simulations of air quality impacts of climate change in the Bay Area. Preliminary model simulations indicate a 2 degree Celsius increase would cause a 20 percent increase in biogenic VOC emissions resulting in a 9 ppb increase in 8-hour ozone concentrations in the Bay Area. Staff initiated two particulate matter related contracts: one to develop an ammonia inventory for particulate matter modeling and the other to characterize meteorology for the wintertime particulate matter season in the Bay Area from 1999 to 2007. To aid the CARE program's applications of the CALPUFF model over West Oakland, staff installed CALPUFF on the Section's computers, performed a test case simulation, evaluated meteorological inputs prepared by the California Air Resources Board, and attended CALPUFF training.

### **Special Projects**

Staff continued working on preparing the Base Year 2005 emission inventory and responding to requests on emissions data. Staff prepared the District's 2005 (District building and 16 offsite locations) Green House Gas emission inventory and submitted to California Climate Action Registry. Staff prepared suggested methodology for calculating CO2 emissions from motor vehicles for cities. Staff attended in person or by web cast numerous committee and workshops on implementation of AB 32, the California Global Warming Solutions Act. These included: Refineries, Cement and Utilities protocol development meetings.

## **OUTREACH AND INCENTIVES – J. COLBURN, DIRECTOR**

### **Spare the Air**

The 2007 Spare the Air summer season officially began on June 1 and runs through October 12. Staff responded to numerous press inquiries regarding the 2007 Spare the Air/Free Transit program, resulting in more than 40 print media stories. On May 30th, the District issued a press release and held a joint press conference with MTC at Justin Herman Plaza announcing the start of the campaign. District Chair Mark Ross, Executive Officer Jack Broadbent, and MTC Commissioner Amy Worth spoke at the event which received extensive local media coverage.

### **Public Information and Media**

Staff was interviewed by media on April 7-8, regarding air pollution and toxic smoke generated from a fire at Sims Metal Recycling in Redwood City. Stories appeared in the San Francisco Chronicle, San Jose Mercury News, KGO-TV as well as other television stations.

The District co-sponsored the KCBS Health Etc. 2007, an event held at the Bill Graham Civic Auditorium in San Francisco on April 14. Health Etc. is an all-day Health and Wellness Fair featuring a wide variety of health-related workshops and vendors. An estimated 4,000 people attended. The Executive Officer gave introductory remarks, and former President Bill Clinton delivered the keynote address. The District staffed a booth and hosted a breakout session entitled “The Weather, Changing Climate, Air Quality & Your Five-Year Forecast” on the themes of climate change, particulate matter and health. Staff distributed compact fluorescent light bulbs containing an energy reduction message.

The April/May issue of the League of Women Voters’ Bay Area Monitor newsletter contained an article entitled “Climate Change: A Hot Topic” written in consultation with Air District staff. The Monitor is distributed to 4,000 local subscribers.

As a result of the tanker truck accident that destroyed part of the Interstate 580 overpass in Oakland, MTC called upon the District to assist during the emergency situation and advise all regional transit operators that transit would be free on April 30. Because of past Spare the Air/Free Transit partnerships, the District was in a unique position to quickly communicate with all 32 transit operators. Several media outlets, including KTVU-TV and the Contra Costa Times, interviewed District staff about the blaze and related air quality issues

On May 2, KQED-TV broadcast a show entitled “Where We Have Been and Where We are Going” highlighting the Bay Area environmental movement. The series reviewed past successes, from cleaning up smog to protecting open space, and examined the Bay Area's most urgent environmental issues. Segments of the program were filmed at the District headquarters, including an interview with the Executive Officer who discussed the role of the District in protecting the environment.

The Hayward Daily Review interviewed staff about odors emanating from the Oro Loma Sanitary District in San Lorenzo. Staff was also interviewed by KRON-TV about the heat wave and its effect on air quality. On May 9, Comcast Cable interviewed District staff about emissions and commercial cooking equipment.

On May 16, the District issued a press release announcing the District’s certification as a Green Business. The Air District is the first governmental agency in San Francisco to achieve this certification. The Bay Area Green Business Program, which awarded the certification, is a partnership of environmental agencies that assists, recognizes and promotes local businesses that volunteer to operate in an environmentally responsible way. To be certified as a Green Business, a participant must be in compliance with all regulations and meet program standards for conserving resources, preventing pollution and minimizing waste.

The Executive Officer presented at a press briefing held at the Port of Oakland on Wednesday June 13. At this event, global shipping company APL announced its plan to test cold-ironing this summer. The event was covered by KPIX-TV, KRON-TV, KTVU-TV, KGO-TV, KCBS-Radio, the Oakland Tribune, Pacific Shipper, and World News Journal.

The 2006 Annual Report was released and highlights the Air District's activities and achievements. The Annual Report includes maps, charts, and graphs showing pertinent data, along with several full-color photographs of District employees.

### **Community Outreach**

During the week of April 4, staff met with the City of San Jose's Chief Deputy Director to discuss concerns brought by Communities against Airport Pollution (CAAP). The City of San Jose and the Mineta Airport Commission have requested the Air District's assistance with community outreach on local air quality issues. Staff continues to work with the City of San Jose.

For the week beginning April 23, staff presented at several school programs, including Environmental Awareness Day at Santa Clara High School and the Public Utility Commission's Annual Environmental Awareness Day in San Francisco. Staff also taught three middle school air quality classes and demonstrated the District's fuel cell vehicle for the students and teachers at Castlemont High School in Oakland.

The 2007 Clean Air Challenge teacher training program concluded with the fifth and final day-long workshop in Livermore. To date, over 140 middle and high school science teachers have been trained in an all-day air quality curriculum sponsored by the District and Agilent Technologies. Each teacher received a training manual, DVD, student laboratory supplies, and a model fuel cell car.

Staff conducted outreach at the following Bay Area events: Carnival, the Environmental Expo at the Cal/ EPA Enforcement Symposium, the 25th Annual Senior Health Faire, and the Contra Costa County Fair.

On June 13, District staff coordinated a community meeting to discuss the California Air Resources Board Health Risk Assessment report issued for the BNSF Rail Yard in Richmond. The Executive Officer introduced the meeting, and staff from the California Air Resources Board presented the report to community members and answered questions.

On June 26, staff attended a meeting of the Santa Clara County Air Quality Resource Team. The team discussed ways to expand its traffic reduction projects for schools and employers. Efforts by the team to reduce traffic at schools in Milpitas have led to approximately \$390,000 of funding to promote walking and biking to three schools along Escuela Parkway in Milpitas.

For the week of June 27, the U.S. Department of Transportation announced that cities in Sonoma County will receive approximately \$750,000 in Safe Routes to School funding. The District's Sonoma County resource team has been pushing for expansion of Safe Routes to School for the past three years, facilitating meetings and funding a grant writer that helped make receipt of these funds possible.



**Grant Programs**

Transportation for Clean Air (TFCA) Programs, including the TFCA Bicycle Facility Program (BFP): On April 2, the Board of Directors approved the proposed policies and project evaluation criteria for the TFCA 2007/2008 Regional Fund Program. On April 30<sup>th</sup>, staff issued a call grant applications for the 2007/2008 Regional Fund Program. On May 15, 2007, staff conducted a public workshop on the Regional Fund and the Bicycle Facility Programs. Approximately 50 people attended. By the deadline of June 29, the District received more than 60 applications for TFCA Regional Fund Program grants.

At the Board's May 2 meeting, the Board also approved staff recommendations to allocate Regional Funds to a zero-emission bus advanced technology demonstration project, to allocate funds from another source, Back Up Generator Mitigation funds, to two advanced technology demonstration projects (a plug-in hybrid-electric school bus project and a marine vessel shore-side power project).

On April 24, the District staff announced the TFCA Bicycle Facility Program (BFP). The May 15 public workshop also included information about the BFP. On June 15, the Bicycle Facility Program began accepting grant applications and received 23 that first day. Since then, the staff has been evaluating the applications.

On May 16, Susan Adams joined the Division as Acting Grants Program Manager.

**Carl Moyer Program and the Lower-Emission School Bus Program:**

In mid-May, staff spoke to the Bay Counties Dump Truck Association about Air District grant opportunities.

During the second quarter, the District awarded nearly \$1 million of Fiscal Year (FY) 2005/2006 Lower-Emission School Bus Program funds for three school bus retrofit projects. By the June 30<sup>th</sup> ARB deadline to allocate all of the FY 2005/06 funds, the District had allocated nearly \$1.9 million to public school districts and their transportation providers of the original ARB award of \$2.395 million. The District will return the remaining FY 2005/06 funds (and interest earned) to ARB by July 31.

By June 29, the staff completed all outstanding Carl Moyer Program Year 7 post-project inspections and completed payment of the 19 CMP-funded District projects, as required by ARB's guidelines. As of June 29, staff completed one Year 7 ARB "multi-district" project, assured that one project (APL Fuel Emulsification Project) remained active by completing payment of more than 50% of the grant awards and redirected funds from the third "multi-district" project, which the grantee cancelled after the Air District had received the funds from ARB, to another project and completed that project.

**TECHNICAL DIVISION – G. KENDALL, DIRECTOR****Air Quality**

In the second quarter of 2007 there were no exceedances of the 24-hour national PM<sub>2.5</sub> standard. This is typical, as the Bay Area has never exceeded the 35 µg/m<sup>3</sup> PM<sub>2.5</sub> level during the April through June period.

The summer Spare the Air program began on June 1, 2007 and will continue through October 12, 2007. During the second quarter of 2007, there were no exceedances of the national 8-hour ozone standard.

There were 4 days when the State 8-hour ozone standard was exceeded; on one of those days a State 1-hour standard was exceeded. On three of those days the State 8-hour standard was only exceeded at San Martin, while all exceedances on the other day occurred in the eastern Bay Area. Those four days all had offshore winds with inland temperatures in the 90s.

**Air Monitoring**

All 29 air monitoring stations were operating as of April 1<sup>st</sup>. On April 1<sup>st</sup>, 2007, PM<sub>2.5</sub> sampling was reduced to EPA-mandated summertime schedules. In addition, ozone monitoring resumed at six locations on April 1<sup>st</sup> that had been shut down during the low ozone winter season under a waiver granted by EPA. A re-locatable air monitoring station began operation in Benicia on April 1<sup>st</sup>, 2007 as specified in an agreement facilitated by the Air District between the Valero Refinery with the City of Benicia.

**Meteorology and Forecasting**

First quarter 2007 air quality data were quality assured and entered into the EPA Air Quality System (AQS) database. The 2006 Monitoring Network Plan was prepared and submitted to EPA. Staff continued to make daily air quality, Spare the Air Tonight, and burn forecasts. The spring audit of the Air District meteorological network was completed.

**Quality Assurance**

The Quality Assurance (QA) group conducted regular, mandated performance audits of 88 monitors at 28 Air District air monitoring stations. QA staff completed performance audits on the Ground Level Monitoring networks at the Shell and ConocoPhillips Refineries. All monitors passed the audits. QA staff also audited an ozone monitor, a filter-based PM<sub>2.5</sub> monitor, and a continuous PM<sub>2.5</sub> monitor operated by the Community Development Institute in East Palo Alto. Mobile sampling H<sub>2</sub>S was performed at the Sausalito Sewage Treatment Plant after odor were received complaints from nearby homes. Exceedances of the State 1-hour H<sub>2</sub>S standard and the Air District's 3-minute H<sub>2</sub>S standard were recorded.

### **Laboratory**

In addition to ongoing routine analyses, ten aqueous samples and four sludge samples from the Palo Alto Regional Water Quality Control Plant were analyzed for mercury, bulk density and moisture content.

Air samples taken upwind and downwind of the SIMS/HUG NEU, fire in Redwood City on 4/7/07, were analyzed for non-methane hydrocarbons and toxic compounds.

One gas sample from the main stack at Valero Refining Co., Benicia was analyzed for total hydrocarbons, hydrocarbon composition and oxygenated compounds.

Two ambient air samples taken by Air District Inspectors in the vicinity of ConocoPhillips, Rodeo were analyzed for toxics, sulfur dioxide and hydrogen sulfide.

The laboratory was audited by the National Institute of Standards and Technology (NIST) to determine compliance with the NIST/National Voluntary Laboratory Accreditation Program (NVLAP) requirements for accreditation in bulk asbestos analysis. No deficiencies were identified by the NVLAP assessor.

Eight samples of gas from the headspaces of condensate tanks at Venoco of Meridian, Sunset Exploration of Brentwood and ABA Energy Corp. of Bethel Island were analyzed for hydrocarbon composition. One liquid condensates sample from each facility was also analyzed for hydrocarbon composition.

### **Source Test**

Ongoing Source Test activities during April, May, and June of 2007 included Continuous Emissions Monitoring (CEM) Field Accuracy Tests, source tests, gasoline cargo tank testing, and evaluations of tests conducted by outside contractors. The ConocoPhillips Rodeo Refinery's open path monitor monthly reports for March, April, and May were reviewed. The Source Test Section participated in the District's Rule Development efforts for Refinery Cooling Towers, Stationary Gas Turbines, Gasoline Bulk Terminals, and Char-broilers. The Source Test Section continued its participation in the District's Business System Analysis for the new production system.

<b>STATISTICS</b>
-------------------

**Administrative Services:****Accounting/Purchasing/Comm.**

General Checks Issued	1,860
Purchase Orders Issued	589
Checks/Credit Cards Processed	4,076
Contracts Completed	64
Pieces of Mail Sent	19,767
Public Information Requests Rec'd	526

**Executive Office:**

Meetings Attended	65
Board Meetings Held	5
Committee Meetings Held	13
Advisory Council Meetings Held	2
Advisory Council Committee Mtgs. Held	6
Hearing Board Hearings Held	4
Variances Received	5
Appeals Received	2
Accusations Received	1

**Information Systems**

New Installation Completed	7
PC Upgrades Completed	11
Service Calls Completed	780

**Human Resources**

Manager/Employee Consultation (Hrs.)	700
Management Projects (Hrs.)	240
Employee/Benefit Transaction	280
Training Sessions Conducted	13
Applications Processed	153
Exams Conducted	9
New Hires	13
Payroll Administration (Hrs.)	520
Safety Administration	100
Inquiries (voice/telephone/in-person)	1,154

**Vehicle/Building Maintenance**

Vehicle Services Completed	360
Requests for Building Services	450

**Compliance and Operations Program**

Asbestos Plans Rec'd	1,669
Coating and other petitions Evaluated	12
Open Burn Notifications Rec'd	445
Prescribed Burn Plans Evaluated	21
Smoking Vehicle Complaints Rec'd	6,797
Tank/Soil Removal Notifications Rec'd	43
Compliance Assistance Inquiries Rec'd	291
Green Business Reviews	22
Flare Notifications	32

**Compliance Assurance Program**

Industrial Inspections Conducted	1,824
GDF Inspections Conducted	316
Asbestos Inspections Conducted	383
Open Burning Inspections Conducted	49
Auto Body/Dry Cleaning Inspections Conducted	228

**Engineering Division:**

Annual Update Packages Started	1,309
Annual Update Packages Completed	1,234
Total Update Pages Entered	1,880
New Applications Rec'd	409
Authorities to Construct Issued	159
Permits to Operate Issued	435
Exemptions	23
Authorities to Construct Denied	0
Companies added to Databank Since 7/1/01	210

**Outreach & Incentives Division:**

Presentations Made	12
Responses to Media Inquiries	101
Press Releases	10
General Requests for Information	720
Visitors	10

<b>STATISTICS (continued)</b>
-------------------------------

**Compliance and Enforcement Division:****Enforcement Program**

Breakdown/monitor Excesses Investigated	124
Citizen Complaints Investigated	796
GDF Tags Issued	150
Violations Resulting in Notices of Violation	151
Violations Resulting in Notice to Comply	182
New Hearing Board Cases Reviewed	7

**Technical Services:****2<sup>nd</sup> Quarter 2007 Ambient Air Monitoring**

Days Exceeding Nat'l 24-hour PM <sub>2.5</sub> Std	0
Days Exceeding Nat'l 24-hour PM <sub>10</sub> Std	0
Days Exceeding Nat'l 24-hour PM <sub>10</sub> Std	0
Days Exceeding the Nat'l 8-hour Ozone Std	0
Days Exceeding the State 1-hour Ozone Std.	1
Days Exceeding the State 8-hour Ozone Std.	4

**Ozone Totals, Jan.-Dec. 2007**

Days Exceeding Nat'l 8-hour Ozone Std.	0
Days Exceeding State 1-hour Ozone Std.	1
Days Exceeding State 8-hour Ozone Std.	4

**Particulate Totals, Jan.-Dec. 2007**

Days Exceeding Nat'l 24-hour PM <sub>2.5</sub> Std.	10
Days Exceeding the Nat'l 24-hour PM <sub>10</sub> Std.	0
Days Exceeding State 24-hour PM <sub>10</sub> Std.	2

**PM<sub>2.5</sub> Winter Season Totals for 2006-2007**

Days Exceeding Nat'l 24-hour PM <sub>2.5</sub> Std.	20
---	----

**2<sup>nd</sup> Quarter 2007 Agricultural Burn Days**

Apr.-June Permissive Burn Days - North	87
Apr.-June No-Burn Days – North	4
Apr.-June Permissive Burn Days – South	87
Apr.-June No-Burn Days – South	4
Apr.-June Permissive Burn Days – Coastal	88
Apr.-June No Burn Days – Coastal	3

**Laboratory**

Analysis Completed	1,065
Inter-Laboratory Analyses	4

**Technical Library**

Titles Indexed/Catalogued	101
Periodicals Received/Routed	362

**Source Test**

Total Source Tests	237
Pending Source Tests	3
Violation Notices Recommended	14
Contractor Source Tests Reviewed	2,403

**Continuous Emissions Monitoring (CEM)**

Indicated Excess Emission Report Eval.	61
Monthly CEM Reports Reviewed	138
Indicated Excesses from CEM	31

**Ground Level Monitoring (GLM)**

Apr.-June Ground Level Monitoring SO <sub>2</sub> Excess Reports	0
Apr.-June Ground Level Monitoring H <sub>2</sub> S Excess Reports	3

**These facilities have received one or more Notices of Violations**  
**Report period: April 1, 2007 – June 30, 2007**

**Alameda County**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
03/08/07	A0819	Berkeley Forge & Tool Inc	Berkeley	Failure to Meet Permit Conditions
03/29/07	A0703	Pacific Steel Casting Co-Plant #2	Berkeley	Public Nuisance
04/03/07	C9474	Berkeley Petroleum/Econo Gas	Berkeley	Permit to Operate
04/03/07	C0121	University Arco	Berkeley	Permit to Operate; Gasoline Dispensing Facilities
04/10/07	D0524	University Vallero	Berkeley	Gasoline Dispensing Facilities
04/17/07	S1053	CBS Outdoor	Berkeley	Asbestos Demolition, Renovation & Mfg.
04/12/07	L6230	P. W. Stephens, Inc.	Fremont	Asbestos Demolition, Renovation & Mfg.
04/26/07	D0470	Hub Valero	Fremont	Failure to Meet Permit Conditions
05/30/07	C0783	Automall Parkway Shell	Fremont	Gasoline Dispensing Facilities
01/23/07	C5444	Castro Valley Union 76	Hayward	Gasoline Dispensing Facilities
05/03/07	L3268	Synergy Enterprises	Hayward	Asbestos Demolition, Renovation & Mfg.
06/01/07	S2687	Ron Hawkins	Livermore	Open Burning
02/22/07	B8373	Ps Print LLC	Oakland	Authority to Construct; Permit to Operate
03/05/07	C9120	SHORE ACRE GAS	Oakland	Permit to Operate
03/14/07	A0030	Owens-Brockway Glass Container Inc	Oakland	Particulate Matter & Visible Emissions
03/21/07	C8674	Sunshine Shell #135685	Oakland	Gasoline Dispensing Facilities
03/21/07	D0353	Wong's Valero	Oakland	Permit to Operate
04/26/07	A1371	Dublin San Ramon Services Dist. - Wastewater TP	Pleasanton	Failure to Meet Permit Conditions
03/27/07	A3445	Associated Aerospace Activities	San Leandro	Failure to Meet Permit Conditions
05/16/07	B8485	Hill & Sons Inc	San Leandro	Permit to Operate
05/23/07	S2725	SFD	San Leandro	Asbestos Demolition, Renovation & Mfg.
05/16/07	R2288	Restoration Management Company	Union City	Asbestos Demolition, Renovation & Mfg.

**These facilities have received one or more Notices of Violations**  
**Report period: April 1, 2007 – June 30, 2007**

**Contra Costa County**

<b>Status</b>	<b>Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
	01/30/07	A1295	West Cleaners	Antioch	Petroleum Dry Cleaning Operations
	03/14/07	D1121	Safeway Fuel Center #1259	Antioch	Gasoline Dispensing Facilities
	03/15/07	A1361	CEMEX Construction Materials L P	Antioch	Failure to Meet Permit Conditions
	05/02/07	B2967	TRC	Antioch	Failure to Meet Permit Conditions
	05/03/07	S2809	ABA Energy Corporation	Bethel Island	Permit to Operate
	04/24/07	S1745	Equus Group	Brentwood	Particulate Matter & Visible Emissions
	05/08/07	S2803	Sunset Exploration	Brentwood	Permit to Operate
	05/23/07	A0750	Bay Area/Diablo Petroleum	Brentwood	Gasoline Bulk Plants & Gasoline Delivery Vehicles
	04/17/07	A8930	State of California	Byron	Failure to Meet Permit Conditions
	03/06/07	A4022	SFPP, L P	Concord	Major Facility Review (Title V); Storage of Organic Liquids; Gasoline Bulk Terminals & Gasoline Delivery Vehicles
	03/19/07	C7512	Chevron #3192	Concord	Gasoline Dispensing Facilities
	02/28/07	A0581	ST Shore Terminals LLC	Crockett	Authority to Construct; Permit to Operate
	03/14/07	A0581	ST Shore Terminals LLC	Crockett	Storage of Organic Liquids
	11/30/06	B0408	County Asphalt	Martinez	Authority to Construct
	03/27/07	A0011	Shell Martinez Refinery	Martinez	Major Facility Review (Title V); Equipment ; Wastewater (Oil - Water) Separators Leaks; Permit to Operate
	04/18/07	A0907	Central Contra Costa Sanitary District	Martinez	Parametric Monitoring & Recordkeeping Procedures
	05/09/07	B2758	Tesoro Refining and Marketing Company	Martinez	Area Monitoring; Major Facility Review (Title V); Equipment Leaks; Storage of Organic Liquids; Hydrogen Sulfide
	04/24/07	B1865	Vintage Petroleum, LLC	Oakley	Permit to Operate
	03/07/07	S0670	Reich & Berg General Contractors	Orinda	Asbestos Demolition, Renovation & Mfg.
	07/11/06	C8299	The Pump House	Pinole	Permit to Operate

**These facilities have received one or more Notices of Violations**  
**Report period: April 1, 2007 – June 30, 2007**

**Contra Costa County Continued**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
03/15/07	B1866	Los Medanos Energy Center	Pittsburg	Major Facility Review (Title V) Continuous Emission Monitoring & Recordkeeping Procedures; Major Facility Review (Title V)
04/04/07	A2371	USS-POSCO Industries	Pittsburg	Particulate Matter & Visible Emissions
04/26/07	S1744	Contra Costa Waste Services	Pittsburg	Asbestos Demolition, Renovation & Mfg.
01/25/07	S0007	Jian Yu	Richmond	Permit to Operate Failure to Meet Permit Conditions; Major Facility Review (Title V); Storage of Organic Liquids
04/05/07	C5719	Blue Star Gasoline	Richmond	Sulfur Dioxide Continuous Emission Monitoring & Recordkeeping Procedures; Failure to Meet Permit Conditions; Major Facility Review (Title V); Storage of Organic Liquids; Wastewater (Oil - Water) Separators; Flare Monitoring at Petroleum Refineries
05/10/07	A0745	Pacific Atlantic Terminals LLC	Richmond	Gasoline Dispensing Facilities
06/04/07	A0023	General Chemical West LLC	Richmond	
05/07/07	A0016	ConocoPhillips - San Francisco Refinery	Rodeo	
02/07/07	C1749	Walnut Creek Shell #136245	Walnut Creek	

**Marin County**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
01/31/07	S3129	Fairfax Valero	Fairfax	Permit to Operate
03/14/07	A1360	Rich Readimix Concrete, Inc	Greenbrae	Particulate Matter & Visible Emissions
05/07/07	A4293	Prosperity Deluxe Cleaners	Novato	Perc & Synthetic Solvent Dry Cleaning Operations
02/22/07	C1952	Marinwood Chevron	San Rafael	Authority to Construct; Permit to Operate
03/20/07	S0914	Tim Bennett	San Rafael	Asbestos Demolition, Renovation & Mfg.
03/28/07	B8404	Minuteman Press of Marin	San Rafael	Authority to Construct; Permit to Operate
03/09/07	A2053	Sausalito-Marín City Sanitary District	Sausalito	Authority to Construct



**These facilities have received one or more Notices of Violations**  
**Report period: April 1, 2007 – June 30, 2007**

**Napa County**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
07/15/05	A6254	Brown Valley Cleaners	Napa	Perc & Synthetic Solvent Dry Cleaning Operations

**San Francisco County**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
10/17/06	R9717	J. T. Builders	San Francisco	Asbestos Demolition, Renovation & Mfg.
04/25/07	B6300	Campero's Corporation	San Francisco	Wood Products Coatings Particulate Matter & Visible Emissions
04/26/07	S2024	Norton Lilly International	San Francisco	Emissions
06/13/07	C2699	Chevron Station #9-0034	San Francisco	Gasoline Dispensing Facilities

**San Mateo County**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
11/07/06	R9390	Sand Channel Green, Inc.	Menlo Park	Particulate Matter & Visible Emissions
03/01/07	A6061	Space Systems/Loral	Palo Alto	Failure to Meet Permit Conditions
02/28/07	S0024	Alpine Hills Tennis & Swimming Club	Portola Valley	Asbestos Demolition, Renovation & Mfg.
05/01/07	A5152	Sims Hugo Neu	Redwood City	Public Nuisance
06/05/07	C3165	Holly Petroleum, Inc	San Carlos	Failure to Meet Permit Conditions
04/03/07	R7346	Proline Auto Body Service	San Mateo	Authority to Construct; Permit to Operate
01/17/07	A0051	United Airlines, SF Maintenance Center	South San Francisco	Continuous Emission Monitoring & Recordkeeping Procedures

**Santa Clara County**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
03/21/07	C6681	Cupertino Beacon	Cupertino	Gasoline Dispensing Facilities
04/06/07	S2114	Mistral Vineyard	Gilroy	Open Burning
06/06/07	Q2991	GN Renn Inc.	Gilroy	Gasoline Bulk Terminals & Gasoline Delivery Vehicles
05/16/07	A4203	Dryclean City	Los Gatos	Perc & Synthetic Solvent Dry Cleaning Operations
03/07/07	C5410	USA Petroleum	Milpitas	Failure to Meet Permit Conditions
03/13/07	C9991	Palo Alto Chevron	Palo Alto	Failure to Meet Permit Conditions; No Permits Posted; Gasoline Dispensing Facilities
02/28/07	B4693	Target Corporation - Target San Jose T-1426	San Jose	Authority to Construct
03/15/07	C5635	Valley Automated Fuels	San Jose	Gasoline Dispensing Facilities

**These facilities have received one or more Notices of Violations  
Report period: April 1, 2007 – June 30, 2007**

**Santa Clara County Continued**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
04/04/07	A0064	Equilon Enterprises LLC-San Jose Terminal	San Jose	Storage of Organic Liquids
04/09/07	D0478	ARCO Facility #09531 - CASSAS GAS & MART	San Jose	Gasoline Dispensing Facilities
05/02/07	B5013	California Kitchen	San Jose	Permit to Operate
05/21/07	F4406	Williams Tank Lines/Mike Stewart	San Jose	Gasoline Bulk Terminals & Gasoline Delivery Vehicles
12/28/06	S1211	Thao Van Tran	San Martin	Open Burning
11/03/06	A3464	City of Santa Clara	Santa Clara	Major Facility Review (Title V)
05/16/07	A1412	Hunter Technology Corp	Santa Clara	Authority to Construct; Permit to Operate
07/31/06	C4501	Sunnyvale Shell Car Wash	Sunnyvale	Gasoline Dispensing Facilities
08/09/06	D0284	Sunnyvale Car Wash/US Gas	Sunnyvale	Gasoline Dispensing Facilities
01/17/07	A5905	City of Sunnyvale/Public Works Dept	Sunnyvale	Solid Waste Disposal Sites
03/23/07	S0340	Shawn Isarimi	Sunnyvale	Asbestos Demolition, Renovation & Mfg.
04/19/07	B1728	Royal Dry Cleaning	Sunnyvale	Perc & Synthetic Solvent Dry Cleaning Operations

**Solano County**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
06/06/07	S2614	Fuel Delivery Services	Benicia	Gasoline Bulk Terminals & Gasoline Delivery Vehicles
05/09/06	C9647	Benicia Shell (cardlock site)	Benicia	Gasoline Dispensing Facilities
10/26/06	C9662	Fast & Easy Mart	Benicia	Authority to Construct; Permit to Operate
03/27/07	A0901	Valero Benicia Asphalt Plant	Benicia	Major Facility Review (Title V); Storage of Organic Liquids
05/02/07	B2626	Valero Refining Company - California	Benicia	Continuous Emission Monitoring & Recordkeeping Procedures; Parametric Monitoring & Recordkeeping Procedures; Major Facility Review (Title V); Equipment Leaks; Storage of Organic Liquids

**These facilities have received one or more Notices of Violations**  
**Report period: April 1, 2007 – June 30, 2007**

**Solano County Continued**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
06/06/07	S2615	All Points Petroleum	Benicia	Gasoline Bulk Terminals & Gasoline Delivery Vehicles
03/23/07	S1372	Thomas Armstrong	Fairfield	Open Burning
04/11/07	B0663	Royale Operating Co	Suisun City	Permit to Operate Motor Vehicle & Mobile Equip
08/16/06	B7907	Sousa Solano Auto Body & Paint	Vallejo	Coating Operations
02/14/07	C0909	Safeway Store #0968	Vallejo	Failure to Meet Permit Conditions
03/09/07	S1893	Advance Construction	Vallejo	Asbestos Demolition, Renovation & Mfg.

**Sonoma County**

<b>Status Date</b>	<b>Site #</b>	<b>Site Name</b>	<b>City</b>	<b>Regulation Title</b>
03/01/07	S1483	Secor Int'l Inc	Cotati	Failure to Meet Permit Conditions
04/04/07	A8316	USCG Training Center	Petaluma	Failure to Meet Permit Conditions
04/10/07	S1328	Aris Pologeorgis	Petaluma	Open Burning
03/14/07	C9845	Kacees World of Water	Rohnert Park	Gasoline Dispensing Facilities
03/27/07	S1266	David Sieker	Santa Rosa	Open Burning
03/27/07	S1046	Cathan Mehta	Santa Rosa	Open Burning
04/03/07	S1382	Mike Birleffi	Santa Rosa	Open Burning
03/20/07	Q4207	Charles Kozak	Sebastopol	Open Burning
04/20/07	S2312	Sandy Shelton	Sebastopol	Open Burning
03/12/07	R5338	Giovanni Sansome	Sonoma	Open Burning

**Closed NOV's with Penalties by County  
April 2007 – June 2007**

**Alameda**

<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>Penalty Amount</b>	<b># of Violations Closed</b>	<b>Month</b>
24-7 GAS & FOOD MART	C9342	Oakland	\$500	2	May
Alameda Newspaper Group	A4810	Pleasanton	\$1,350	2	June
ARCO Facility #04977	C8530	Castro Valley	\$500	1	April
Augustine Garcia	S0218	Livermore	\$350	1	April
Castro Valley Union 76	C5444	Hayward	\$550	2	May
CBS Outdoor	S1053	Berkeley	\$450	1	June
CEMEX	A8833	Berkeley	\$1,000	1	June
CENVEO	B4279	Oakland	\$300	1	April
City of Berkeley/Engr Div/Public Works	A3590	Berkeley	\$400	2	May
D W Nicholson Corporation	B2106	Hayward	\$850	1	June
Melrose Metal Products, Inc	A2710	Fremont	\$750	1	April
Pacific Steel Casting Co-Plant #2	A0703	Berkeley	\$3,000	1	June
Quik Stop #56	C0608	Oakland	\$500	1	June
Safeway Store #1953	C0927	Dublin	\$250	1	April
The Southland 7-Eleven SS#32181	C9727	Oakland	\$500	1	April
Tony's Express Auto Service	C8774	Oakland	\$1,000	3	May

**Closed NOV's with Penalties by County  
April 2007 – June 2007 (continued)**

**Alameda**

<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>Penalty Amount</b>	<b># of Violations Closed</b>	<b>Month</b>
United States Pipe & Foundry Company, LLC	A0083	Union City	\$9,500	1	May
Unocal #5781	C5460	Oakland	\$750	1	April
Washington Hospital	A0792	Fremont	\$500	1	April
Waste Management of Alameda County	A2066	Livermore	\$500	1	April
Wong's Valero	D0353	Oakland	\$500	1	June
			\$24,000	27	

**Contra Costa**

<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>Penalty Amount</b>	<b># of Violations Closed</b>	<b>Month</b>
Bio-Rad Laboratories	A5462	Richmond	\$1,500	1	June
Bishop Ranch Veterinary Center	B2591	San Ramon	\$500	1	April
Central Contra Costa Sanitary District	A0907	Martinez	\$250	1	May
Chevron Products Co.	A0091	Martinez	\$8,500	5	April
Corey Seevers	R7772	Hercules	\$350	1	June
Dow Chemical Company	A0031	Pittsburg	\$4,300	2	May
Dryclean USA	A5987	Clayton	\$300	1	April
East Bay Laser Cutting	B1220	Richmond	\$500	1	April
Equus Group	S1745	Brentwood	\$1,000	1	June
General Chemical West LLC	A0023	Richmond	\$10,000	1	June
Golf Course Plaza Gas	D1203	Antioch	\$850	1	June

**Closed NOV's with Penalties by County  
April 2007 – June 2007 (continued)**

**Contra Costa**

Site Name	Site #	City	Penalty Amount	# of Violations Closed	Month
L-3 Communications SSG-Tinsley	A7234	Richmond	\$2,000	3	June
Pac Atlantic Terminals	A0745	Richmond	\$39,000	1	June
Pacific Atlantic Terminals LLC	A7034	Martinez	\$6,000	1	May
Shell Martinez Refinery	A0011	Martinez	\$2,850,000	2	May
Swan Cleaners	B0334	Concord	\$300	1	April
The Pump House	C8299	Pinole	\$250	1	May
TJS Leasing & Holding	R8082	Richmond	\$1,000	1	June
USA Properties Fund	P2292	Concord	\$300,000	7	June
USS-POSCO Industries	A2371	Pittsburg	\$5,000	1	June
Valero Refining Co SS#7974	D0400	San Ramon	\$550	1	June
Varella Cleaners	A2528	Walnut Creek	\$350	1	May
West Contra Costa County Landfill	A1840	Richmond	\$59,000	16	April
			\$3,291,500	52	

**Marin**

Site Name	Site #	City	Penalty Amount	# of Violations Closed	Month
Daniel Buntin Murray	R9837	Belvedere	\$4,000	1	April
Leon Blum	Q9068	San Rafael	\$500	1	May
Rich Readimix Concrete, Inc.	A1360	Greenbrae	\$2,000	1	May
			\$6,500	3	

**Closed NOV's with Penalties by County  
April 2007 – June 2007 (continued)**

**Napa**

<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>Penalty Amount</b>	<b># of Violations Closed</b>	<b>Month</b>
Arco Facility #2106	C9108	Napa	\$500	1	May
Napa Sanitation District - Soscol	A7101	Napa	\$1,800	1	June
			\$2,300	2	

**San Francisco**

<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>Penalty Amount</b>	<b># of Violations Closed</b>	<b>Month</b>
500-734 RDDE, LLC (Michael Dayan)	R8858	San Francisco	\$6,000	2	April
ARGO Construction, Inc.	S1018	San Francisco	\$1,800	1	April
Chevron Station, Inc 93535	C2445	San Francisco	\$500	1	June
Fabricare Cleaners	A7219	San Francisco	\$850	2	May
Hang Construction	Q5578	San Francisco	\$1,500	2	May
J. T. Builders	R8345	San Francisco	\$3,500	2	May
			\$14,150	10	

**Closed NOV's with Penalties by County  
April 2007 – June 2007 (continued)**

**San Mateo**

Site Name	Site #	City	Penalty Amount	# of Violations Closed	Month
A. Silvestri Corp.	A8362	South San Francisco	\$1,500	2	April
City Hardwood Floors	R5875	Daly City	\$2,500	2	April
Dante Serzo	R7956	Daly City	\$750	1	June
Fifth Avenue Enterprises dba Silver Gas	C9772	Redwood City	\$1,000	1	April
Memry Corporation	B1104	Menlo Park	\$2,500	1	June
Sand Channel Green, Inc.	R9391	Menlo Park	\$1,500	1	April
			\$9,750	8	

**Santa Clara**

Site Name	Site #	City	Penalty Amount	# of Violations Closed	Month
Alpha Geo Services	G3777	San Jose	\$500	1	June
ARCO Facility #09531 - CASSAS GAS & MART	D0478	San Jose	\$300	1	June
Bob LaBeau Hardwood Floors	R6933	San Jose	\$1,500	1	April
Camaro Cleaners	A3285	Sunnyvale	\$875	1	April
Chevron #5954	C3420	Cupertino	\$400	1	May
Chevron Products Company	A0049	San Jose	\$2,500	1	April
Coherent Inc.	A8373	Santa Clara	\$250	1	April
Conditioned Air Associates	R6809	San Jose	\$1,500	1	April



**Closed NOV's with Penalties by County  
April 2007 – June 2007 (continued)**

**Santa Clara**

Site Name	Site #	City	Penalty Amount	# of Violations Closed	Month
Cupertino Beacon	C6681	Cupertino	\$1,350	2	May
Equilon Enterprises LLC-San Jose Terminal	A0064	San Jose	\$1,250	1	April
J.W.H. Asbestos Removal Services	L0010	Los Gatos	\$4,000	2	April
Los Gatos Chevron	C3535	Los Gatos	\$575	2	April
Los Gatos-Almaden Chevron	C7035	Los Gatos	\$575	2	April
Mistral Vineyard	S2114	Gilroy	\$750	1	June
SFPP, LP	A4020	San Jose	\$33,000	13	May
Unocal #5995	C8003	San Jose	\$500	1	April
USA Petroleum	C3359	Campbell	\$500	1	May
			\$50,325	33	

**Solano**

Site Name	Site #	City	Penalty Amount	# of Violations Closed	Month
West Coast Fueling Systems Inc.	C0236	Benicia	\$500	1	April
Klimisch's Inc.	B7828	Vallejo	\$291	1	June
Marin Market and Liquor	C7492	Vallejo	\$1,000	2	May
Roy Lawrence	R8764	American Canyon	\$600	2	June
Solano Community College	C6943	Suisun City	\$250	1	May
			\$2,641	7	

**Closed NOV's with Penalties by County  
April 2007 – June 2007 (continued)**

**Sonoma**

<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>Penalty Amount</b>	<b># of Violations Closed</b>	<b>Month</b>
Gil Labrucherie	F0523	Windsor	\$750	1	April
K & N Gas Inc.	C0356	Santa Rosa	\$1,800	3	April
Kendall-Jackson	S0256	Santa Rosa	\$900	2	April
Raintree Car Wash	C4859	Petaluma	\$1,250	2	April
Ralph Curran Co.	F7078	Santa Rosa	\$2,000	1	April
Seres Laboratories, Inc.	B7714	Santa Rosa	\$1,500	2	April
Steven Gillum	R3315	Sebastopol	\$325	1	April
Cathan Mehta	S1046	Santa Rosa	\$1,500	1	June
Econoline Signs	R8929	Santa Rosa	\$1,500	2	May
Gas Club	C6998	Petaluma	\$1,000	1	June
Giovanni Sansome	R5338	Sonoma	\$1,000	1	June
Sandy Shelton	S2312	Sebastopol	\$350	1	June
Sonoma County Department of Public Works	A2254	Petaluma	\$2,200	1	May
Stony Point Rock Quarry, Inc.	A1541	Cotati	\$1,250	2	May
T. Holleman & Co. Cabinetmakers & Designers	B7259	Boyes Hot Springs	\$1,500	2	May
			\$18,825	23	
		<b>Total NOV's Closed:</b>	165		
		<b>Total \$'s Collected:</b>	\$3,419,991		

**ACRONYMS AND TERMINOLOGY**

ABAG	Association of Bay Area Governments
AC	Authority to Construct issued to build a facility (permit)
AMBIENT	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 <sub>x</sub>	Nitrogen oxides, or oxides of nitrogen
NPOC	Non-Precursor Organic Compounds
NSR	New Source Review
O <sub>3</sub>	Ozone
PM <sub>2.5</sub>	Particulate matter less than 2.5 microns
PM <sub>10</sub>	Particulate matter (dust) less than 10 microns
PM <sub>&gt;10</sub>	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 <sub>2</sub>	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 <sup>3</sup>	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**  
Memorandum

To: Chairperson Ross and  
Members of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: September 5, 2007

Re: Consider Approval of Resolution Authorizing Use of an Optional Benefit  
with the California Public Employees' Retirement System Pursuant to  
Government Code Section 20903

**RECOMMENDATION**

Approve resolution authorizing use of an optional benefit with the California Public Employees' Retirement System pursuant to Government Code Section 20903.

**BACKGROUND**

The District's contract with the California Public Employees' Retirement System provides for an optional retirement benefit pursuant to Government Code Section 20903. The optional benefit is only utilized in the event of curtailment of or changes in the manner of providing services that are in the best interests of the agency. A resolution by the Board of Directors is required in order to authorize designation of a period in which eligible employees must retire in order to receive the optional benefit pursuant to Section 20903.

**DISCUSSION**

The particulars and justifications for utilizing the optional benefit have been discussed at the closed session of the Board meeting on May 16, 2007. The authorizing resolution is included as part of this agenda item.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

The cost of utilizing the optional benefit was disclosed on the regular meeting agenda on July 25, 2007

Respectfully Submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Michael Rich

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**Resolution No. 2007-\_\_\_**

**A Resolution of the Board of Directors of the Bay Area Air Quality Management District  
Granting Another Designated Period for Two Years of Additional Service Credit.**

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District is a contracting Public Agency of the Public Employees' Retirement System; and

WHEREAS, said Public Agency desires to provide another designated period for Two Years Additional Service Credit, Section 20903, based on the contract amendment included in said contract which provided for Section 20903, Two Years Additional Service Credit, for eligible members;

NOW, THEREFORE, BE IT RESOLVED, that said Board of Directors does seek to add another designated period, and does hereby authorize this Resolution, indicating a desire to add a designated period from August 1, 2007 through October 31, 2007 for eligible members in the classification of Principal Air Quality Specialist.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 2007 by the following vote of the Board:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Mark Ross  
Chairperson of the Board of Directors

ATTEST:

\_\_\_\_\_  
Pamela Torliatt  
Secretary of the Board of Directors

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Mark Ross and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: August 29, 2007

Re: Consider Approval of a Resolution Establishing a Budgetary Revenue Line Item to  
Accept Green House Gas Mitigation Funds and Establishing a Program Within the  
Grants Section to Expend Such Funds

---

RECOMMENDED ACTION:

Approve attached resolution authorizing the addition of a budgetary revenue line item to accept green house gas mitigation funds and establish Grants Program 309: Climate Impact Mitigation to expend such funds.

BACKGROUND:

District rules and programs designed to reduce criteria pollutants and toxic air contaminant emissions also affect emissions contributing to climate change. In addition, the District has substantial experience with grant administration. As a result, the District is a natural conduit for funds targeting mitigation of climate change impacts. The District can best serve this function at present through the creation of a budgetary revenue line item to accept such funds, and a Program within the Grants Section to administer those funds.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

No impact.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Jeff McKay  
Reviewed by: Brian C. Bunger

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**RESOLUTION No. 2007 –**

**A Resolution of the Board of Directors of the Bay Area Air Quality Management District Establishing a Budgetary Revenue Line Item to Accept Green House Gas Mitigation Funds and Establishing a Program Within the Grants Office to Expend such Funds**

WHEREAS, the District desires to accept funds to mitigate impacts from green house gas emissions; and

WHEREAS, the District wishes to establish a Grants Program to expend such funds.

NOW, THEREFORE BE IT RESOLVED, the Board of Directors hereby approves the addition of a budgetary revenue line item for green house gas mitigation funds.

BE IT FURTHER RESOLVED, the Board of Directors hereby approves the creation of Grants Program 309: Climate Impact Mitigation to expend such funds.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on the 5<sup>th</sup> day of September, 2007 by the following vote of the Board:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Mark Ross  
Chairperson of the Board of Directors

ATTEST:

\_\_\_\_\_  
Pamela Torliatt  
Secretary of the Board of Directors



BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Mark Ross and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: August 14, 2007

Re: Presentation from the Bay Conservation and Development Commission

RECOMMENDED ACTION:

Receive and file.

DISCUSSION

At the September 5, 2007, Regular meeting of the Board of Directors, Will Travis, Executive Director of the Bay Conservation and Development Commission (BCDC), will give a presentation on BCDC's role in dealing with climate change.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO