



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS  
STATIONARY SOURCE COMMITTEE MEETING

COMMITTEE MEMBERS

JOHN GIOIA – CHAIRPERSON  
SUSAN GARNER  
NATE MILEY  
MICHAEL SHIMANSKY

CAROL KLATT - VICE CHAIRPERSON  
SCOTT HAGGERTY  
MARK ROSS  
GAYLE B. UILKEMA  
BRAD WAGENKNECHT

MONDAY  
JULY 13, 2009  
9:30 A.M.

7<sup>th</sup> FLOOR BOARD ROOM  
DISTRICT OFFICES

**AGENDA**

1. **CALL TO ORDER - ROLL CALL**
2. **PUBLIC COMMENT PERIOD** (*Public Comment on Non-Agenda Items Pursuant to Government Code § 54954.3*)  
*Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Board's authority. Speakers will be limited to three (3) minutes each.*
3. **APPROVAL OF MINUTES OF APRIL 20, 2009**
4. **UPDATE ON SELECTED BAY AREA FACILITIES/PROJECTS**

**B. Bateman/4653**

[bbateman@baaqmd.gov](mailto:bbateman@baaqmd.gov)

*The Committee will receive a status report on various Bay Area projects and facilities including but not limited to:*

- A. Lennar Bay View Hunters Point Shipyard Parcel A' Redevelopment Project (San Francisco)
  - B. Pacific Steel Casting Company (Berkeley)
  - C. Custom Alloy Scrap Sales, Incorporated (Oakland)
  - D. Lehigh Southwest Cement Plant (Cupertino)
  - E. Russell City Energy Center (Proposed Project in Hayward)
  - F. Marsh Landing and Willow Pass Generating Stations (Proposed Projects in Antioch and Pittsburg)
5. **UPDATE ON CARE PROGRAM AND ASSOCIATED REGULATORY INITIATIVES**

**B. Bateman/4653**

[bbateman@baaqmd.gov](mailto:bbateman@baaqmd.gov)

*The Committee will receive an update on the CARE program and associated regulatory initiatives.*

6. **COMMITTEE MEMBER COMMENTS/OTHER BUSINESS**  
*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).*

7. **TIME AND PLACE OF NEXT MEETING – 9:30 A.M., MONDAY, OCTOBER 19, 2009 – 939 ELLIS STREET, SAN FRANCISCO, CA 94109**

8. **ADJOURNMENT**

**CONTACT THE EXECUTIVE OFFICE - 939 ELLIS STREET SF, CA 94109**

**(415) 749-5130**  
**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.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the Air District's headquarters at 939 Ellis Street, San Francisco, CA 94109, at the time such writing is made available to all, or a majority of all, members of that body. Such writing(s) may also be posted on the Air District's website ([www.baaqmd.gov](http://www.baaqmd.gov)) at that time.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
**939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109**  
**(415) 771-6000**

**EXECUTIVE OFFICE:**  
**MONTHLY CALENDAR OF DISTRICT MEETINGS**

**JULY 2009**

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Regular Meeting	Wednesday	8	9:00 a.m.	Board Room
Board of Directors Climate Protection Committee (Meets 2nd Thursday each Month) - CANCELLED / TO BE RESCHEDULED	Thursday	9	9:30 a.m.	4th Floor Conf. Room
Board of Directors Stationary Source Committee (Meets 3 <sup>rd</sup> Monday Quarterly)	Monday	13	9:30 a.m.	Board Room
Board of Directors Regular Meeting (Meets 1 <sup>st</sup> & 3 <sup>rd</sup> Wednesday of each Month) - CANCELLED	Wednesday	15	9:45 a.m.	Board Room
Board of Directors Ad Hoc Cme. on Port Emissions (At the Call of the Chair)	Thursday	16	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
Joint Policy Committee	Friday	17	10:00 a.m.	MTC Auditorium 101 8 <sup>th</sup> Street Oakland, CA 94607
Board of Directors Mobile Source Committee – (Meets 4 <sup>th</sup> Thursday of each Month) - CANCELLED	Thursday	23	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
Board of Directors Executive Committee - (At the Call of the Chair)	Wednesday	29	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

**AUGUST 2009**

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting (Meets 1 <sup>st</sup> & 3 <sup>rd</sup> Wednesday of each Month)	Wednesday	5	9:45 a.m.	Board Room
Board of Directors Climate Protection Committee (Meets 2nd Thursday each Month) - CANCELLED	Thursday	13	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
Board of Directors Regular Meeting (Meets 1 <sup>st</sup> & 3 <sup>rd</sup> Wednesday of each Month) - CANCELLED	Wednesday	19	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee – (Meets 4 <sup>th</sup> Thursday of each Month) - CANCELLED	Thursday	27	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

## SEPTEMBER 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	2	9:45 a.m.	Board Room
<b>Advisory Council Regular Meeting</b>	Wednesday	9	9:00 a.m.	Board Room
<b>Board of Directors Climate Protection Committee</b> <i>(Meets 2nd Thursday each Month)</i>	Thursday	10	9:30 a.m.	4th Floor Conf. Room
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	16	9:45 a.m.	Board Room
<b>Joint Policy Committee</b>	Friday	18	10:00 a.m.	MTC Auditorium 101 8 <sup>th</sup> Street Oakland, CA 94607
<b>Board of Directors Mobile Source Committee</b> – <i>(Meets 4<sup>th</sup> Thursday of each Month)</i>	Thursday	24	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

HL – 7/6/09 (9:00 a.m.)

P/Library/Forms/Calendar/Calendar/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Gioia and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: July 2, 2009

Re: Stationary Source Committee Draft Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Stationary Source Committee meeting of April 20, 2009.

DISCUSSION

Attached for your review and approval are the draft minutes of the April 20, 2009 Stationary Source Committee meeting.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

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

**DRAFT MINUTES**

Summary of Board of Directors  
Stationary Source Committee Meeting  
9:30 a.m., Monday, April 20, 2009

**Call to Order:** Chairperson John Gioia called the meeting to order at 9:34 a.m.

**Present:** Chairperson John Gioia; Vice Chairperson Carol Klatt; Committee Members Susan Garner, Scott Haggerty, Nate Miley, Mark Ross, Michael Shimansky and Gayle B. Uilkema

**Absent:** Brad Wagenknecht

**Public Comment:** None

**Approval of Minutes of January 12, 2009:** Director Shimansky moved approval of the minutes of January 12, 2009; seconded by Director Klatt; carried unanimously without objection.

**Overview of 2008/2009 Woodsmoke Reduction Program – Jack Broadbent, Executive Officer/APCO and Kelly Wee, Director of Compliance and Enforcement**

Overview of Wood Smoke Strategy:

Mr. Broadbent discussed the Woodsmoke Reduction Program's success, stating that Bay Area residents heeded warnings and reduced wood burning. Air quality analyses will continue as the Air District fine-tunes the program through modeling/data analysis, forecasting, outreach and enforcement strategies.

Mr. Broadbent presented a chart showing percentages of peak winter PM 2.5, stating that woodsmoke contributes to about one-third of all winter PM 2.5. In response to a question from Chairperson Gioia, Mr. Wee explained that the time period of information gathered is based on monitoring of 24-hour data from different locations throughout the Bay Area; from mid-November through the beginning of March.

Woodsmoke Rule (adopted July 9, 2008):

- Prohibits burning on nights with high PM forecast;
- Limits visible emissions from wood burning devices;
- Requires cleaner burning technology for sale of new and used devices;
- Requires cleaner burning technology in new construction and remodels;
- Prohibits burning garbage in wood burning devices;
- Requires seasoned wood and solid fuel labeling.

Mr. Wee discussed extensive outreach efforts conducted by the Air District, which was discussed at the April 2<sup>nd</sup> Public Outreach Committee meeting and included television broadcasts, cable television, print, online, Clover Milk and radio advertisements. He noted that the Air District held 17 public meetings between November 2007 and April 2008 in all 9 Bay Area counties. Outreach resulted in:

- Doubling of email *AirAlert* sign-ups from 50,000 to 100,000;
- 12,000 residents signed up for phone alerts;
- 877-4-NO BURN received 500,000 calls;
- Four TV news feature segments at + 5 minutes each;
- 80 print articles, 6 opinion/editorial articles;
- Rebate program for gas-stoves and gas-inserts.

Survey results showed:

- 77% supported the no-burn policy/regulation;
- 74% are aware of "Check Before You Burn";
- 69% of Bay area adults understand that there are negative health effects of wood smoke;
- 50% reduction in number of people burning on the previous night from last season.

Regarding enforcement for 2008/09, staff received 1,500 complaints, sent out nearly 1,550 direct mail woodsmoke information packets, inspectors conducted patrols in high priority areas for curtailment enforcement, 254 first-time warning letters were issued, and one case is under investigation for possible citation.

For 2009/10:

- Warning letters from 2008/2009 to remain active;
- First notice of violation is a \$400 penalty;
- Notice of violation fines will be progressive;
- Focus inspection patrols in high priority areas based on complaints/non-compliance;
- Enforcement case development for repeat violators.

Mr. Wee presented exceedances of PM 2.5, noting that trends are downward. Staff believes woodsmoke strategies are working and benefits are being seen. He then presented 2008/09 winter readings at various air monitoring stations and contributors to PM 2.5 excesses. Staff conducts ongoing analysis of PM sources through analysis of filters from monitoring stations, computer modeling of PM formation and transport, statistical analysis of meteorology promoting high PM levels, compares burn versus non-burn days and compares multiple years.

He discussed forecasting and said for 2008/2009, *AirAlerts* were issued when forecasting predicted exceeding 35 ug/m<sup>3</sup>. The alerts were declared at 10 AM for the same day and curtailment ran noon to noon, or until lifted. For 2009/2010, declared *AirAlerts* will use prior day afternoon forecast and curtailment will run midnight to midnight/entire day, or until lifted.

In going forward, Mr. Wee said staff plans to expand advertising and outreach campaign, continue analysis of monitoring data and refine models on PM 2.5, fine-tune enforcement response with penalties for repeat violators, and provide prior day forecasting for WSTA Alerts for more advance notice to the public. He displayed contact and sign up information for Check Before You Burn messages and email/telephone signups.

Committee Discussion/Comments:

Committee members voiced the need for better refinement to address problem areas, given staff resources, and Mr. Broadbent agreed that certain areas do and will require more attention. He discussed future neighborhood meetings and outreach to emphasize the public health value of the wood smoke program and suggested Board of Directors' assistance in providing information to their respective agencies. He confirmed that complaints can be made to 1-877-4NO-BURN and staff will be developing future capabilities for complainants to email complaints and comments.

Committee members asked District staff to not only stress the importance of the public health message but also the reality that transportation dollars could be jeopardized if the Air District does not fulfill its responsibilities of the Clean Air Plan. It was suggested that cities and counties could provide assistance by including information on their respective local government agendas and possibly at County Mayors' Conferences, CSAC and Special Districts, and that additional outreach and information be included in telephone books, on overpasses and on radio.

Committee members further discussed PM 2.5 filter-based monitor results, clarified that information for some station locations was posted on the District's website and reiterated the need for a balanced approach to enforcement while at the same time garnering acceptance of the Rule.

In response to a question regarding documented enforcement and overtime costs, Deputy APCO Jeff McKay reported that the overall enforcement budget was estimated at \$200,000, which has been reduced for the current budget. Overtime costs totaled \$25,000 and field staff time costs were \$100,000.

Mr. Broadbent concluded by briefly discussing forecasting of weather using prior day afternoon information. Staff is refining their analyses and an update should be ready to present in October.

Public Comments: None

Committee Action: None; The Committee received and filed the report.

**Status Report on the Flare Minimization Plan First Annual Updates under Regulation 12, Rule 12: Flares at Petroleum Refineries – Senior Advanced Projects Advisory Alex Ezersky**

Overview/Background:

Mr. Ezersky presented a status report on the Flare Minimization Plan First Annual Update. He reported that Regulation 12, Rule 12 was adopted on July 16, 2007 which regulates flares at refineries and requires a Flare Minimization Plan (FMP) which includes:

- Information regarding design and operation of the facility as it relates to flaring;
- Description of the prevention measures previously taken that permanently capture current emission reductions and planned measures to further reduce flare emissions at the refinery; and
- Commitments to implement all additional feasible prevention measures expeditiously.

The Rule is prescriptive regarding the annual update process; it includes extensive engagement with District and refinery staff. Each refinery was required to develop such a plan to make permanent reduction achievements. The plan includes commitments to implement prevention



measures expeditiously and an extensive public process and engagement with refineries. Over 50 new prevention measures were identified between June 2006 to May 2008 and additional summary emission and trend data has been included in the FMP's.

Mr. Ezersky said that during the 30-day public comment period, one comment was received from PEHAB which requested the District improve presentation of the information so that it is user-friendly and more easily understood. The District evaluated the Annual FMP and thereafter approved it on April 17, 2009.

Additional Prevention Measures:

- Additional compressor upgrades to increase capacity;
- New process unit designed with flare minimization;
- Utilization of low-Btu gas for refinery fuel;
- Planned installation of scrubber for sour gases;
- Enhanced monitoring for early detection.

Mr. Ezersky then presented frequency of flaring events and trends of methane and non-methane hydrocarbons which show dramatic reductions since 2005. He commented that the increase in 2008 for SO<sub>2</sub> emissions was attributed to two events. However, there is still an overall 37% reduction.

Next Steps:

Futures efforts will focus on maintenance activities such as compressor capacity, source reduction efforts, adequate gas scrubbing capacity and unit startup/shutdown. The second annual update is due October 1, 2009.

Director Comments/Discussion:

Committee members discussed flaring events and their relationship with maintenance activities, the comprehensiveness of the annual update process, the plan's focus on continuous improvements in flare reduction and maintenance, the use of low Btu gas, and suggested the next annual update include scheduled versus non-scheduled maintenance activities due to the correlation in maintenance driving flaring events. Mr. Broadbent agreed to again update the Committee when the wood smoke program is reviewed in October.

Public Comments: None

Committee Action: None; the Committee received and filed the report.

**Status Report on the California Air Resources Board Enhanced Vapor Recovery April 1, 2009 Deadline – Kelly Wee, Director of Compliance and Enforcement**

John Marvin, AQ Program Manager and Chair of the Statewide EVR Technical Committee, provided an update on the EVR Phase II requirement and said the Board of Directors was also given a presentation at their March 18, 2009 Board meeting.

***EVR Phase II – April 1, 2009 Deadline:***

- Requires all gas stations with underground tanks to upgrade to new hanging hardware and new tank pressure management systems;
- Phase I Controls – April 1, 2005 (Completed);
- ORVR Controls – March 2006 (Completed);
- Phase II Controls – April 1, 2009: New tank pressure management systems (VST Membrane; Healy Pressure Tanks, VST Carbon Canister);

- In-Station Diagnostics (ISD) Monitoring/Instrumentation:
  - September 1, 2009 (large stations)
  - September 1, 2010 (mid-size stations)

**Enforcement Strategy:**

- Reasonable and Measured:
  - District will enforce April 1 deadline
  - Will work with non-complying gas stations
  - Compliance and Settlement Agreements
  - Compliance Schedule to attain compliance
  - Penalties – tiered for station size and circumstances; fair to complying stations
- Station Tag-out reserved for most egregious violators

**Vapor Recovery History:**

- 1973: District adopts vapor recovery regulation at gas stations
- 1975: State (CARB) adopts vapor recovery certification program
- 1999: State Implementation Plan (SIP) Settlement Agreement
- 2000: CARB adopts EVR requirements

**Enforcement Status:**

- 2,059 Gas Stations:
  - 124 exempt from requirements
  - 90% Filed for necessary air permits
  - 55% installed and in compliance or exempt
  - 9% failed to file for necessary air permits
  - 370 facilities have contacted the District for compliance schedules

Public Comments: None

Committee Comments/Discussion:

Director Shimansky confirmed that large stations were those with a throughput of 1.8 million gallons/year; mid-size stations were those with throughput greater than 600,000 gallons/year and less than 1.8 million gallons/year; and small stations or those under 600,000 gallons/year are exempt.

Committee Action: None; the Committee received and filed the report.

8. **Committee Member Comments/Other Business:** There were none.
9. **Time and Place of Next Meeting:** Monday, 9:30 a.m., July 20, 2009.
10. **Adjournment:** The meeting adjourned at 10:58 a.m.

Lisa Harper  
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Gioia and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: July 6, 2009

Re: Update on Selected Bay Area Facilities/Projects

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

In recent months, public interest has focused on six Bay Area facilities or projects that are under the Air District's regulatory authority. These facilities/projects are as follows:

1. Lennar Bay View Hunters Point Shipyard Parcel A' Redevelopment Project (San Francisco)
2. Pacific Steel Casting Company (Berkeley)
3. Custom Alloy Scrap Sales, Incorporated (Oakland)
4. Lehigh Southwest Cement Plant (Cupertino)
5. Russell City Energy Center (Proposed Project in Hayward)
6. Marsh Landing and Willow Pass Generating Stations (Proposed Projects in Antioch and Pittsburg)

DISCUSSION

Staff has prepared Fact Sheets for each of these facilities/projects that provide background information, a summary of public comments/issues, and an update on current project status. These Fact Sheets are attached. Staff will also provide the committee with a brief summary of these materials at the meeting on July 13, 2009.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Brian Bateman  
Reviewed by: Jeffrey McKay



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

LENNAR BAY VIEW HUNTERS POINT  
Parcel A' Redevelopment Project  
San Francisco, CA 94124

## FACT SHEET

June 24, 2009

### Background

- In 2005, the Board of Supervisors of the City and County of San Francisco and the San Francisco Redevelopment Agency approved the transfer of Parcel A' of the Bay View Hunters Point Shipyard to Lennar BVHP, LLC ("Lennar") for a redevelopment project in which Lennar plans to construct approximately 1,600 attached single family homes.
- Parcel A' is located in an area that contains naturally occurring asbestos (NOA), which is a term used for several types of fibrous minerals found in ultramafic and serpentine rock. Grading and construction activities at the site are subject to requirements of CARB's Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations ("the ATCM"), which is intended to limit the public's exposure to NOA.
- The ATCM requires that construction and grading operations be conducted in accordance with an Asbestos Dust Mitigation Plan (ADMP) that has been approved by the local air district. ADMPs must contain dust mitigation measures addressing topics such as the control of dust tracked out from the construction site, and the limitation of dust emissions from the offsite transportation of excavated soil. The ATCM also allows air districts to require that an ADMP provide for ambient air monitoring for asbestos.
- On October 7, 2005, the Air District approved the ADMP, which Lennar submitted pursuant to the ATCM. The ADMP includes all the dust mitigation measures the ATCM mandates, and further requires Lennar to conduct air monitoring for asbestos and establishes specific action levels based on air monitoring results. The ADMP includes, among other mitigation measures, measures to suppress dust during earth moving activities; prevent track-out of dust onto public roads; limit the emission of dust from soil storage piles and during offsite soil transport; and stabilize the ground after construction.
- In order to protect public health, the District incorporated into the ADMP requirements that Lennar take action to reduce the concentration of asbestos in the air around Parcel A' when the ADMP-required air monitors indicate asbestos concentrations

## Lennar Bay View Hunters Point Fact Sheet

June 24, 2009

have reached either of two action levels. The District based the action levels on health risk assessment protocols established by the State Office of Environmental Health Hazard Assessment (OEHHA). The first action level in the ADMP is set at 1,600 asbestos structures per cubic meter and requires that Lennar notify the District and implement more stringent dust control measures. The second action level in the ADMP is set at 16,000 asbestos structures per cubic meter and requires Lennar to stop work until asbestos levels decline.

- Two events of ambient monitoring levels above the second action level were recorded recently in late December and late April/early May. To address possible activities contributing to these elevated readings, the District required Lennar to implement additional dust mitigation measures in an eight (8) point action plan and six (6) point action plan, respectively.
- The District considers the action levels established in the approved ADMP to be conservative and health protective because they are based on annual average concentrations and assume continuous exposure over a 70-year lifetime. Exceeding the action levels on an occasional basis will not cause any significant increase in health risk.
- Based on ambient asbestos monitoring data, and using risk assessment protocols established by OEHHA, in June 2009 the District estimated the cancer health risk associated with NOA released by construction and grading activity at Parcel A' by monitoring station as follows: Station HV1 – 1.4 in a million, Station HV2 – 1.2 in a million, Station HV4 – 3.5 in a million, Station HV5 – 0.8 in a million, Station HV6 – 0.6 in a million. These risk estimates are well below established significance levels for projects.
- The District issued the following two Notices of Violation (NOVs) to Lennar alleging violations of the ADMP: NOV#A46068, issued 9/9/06, alleges a failure to properly conduct air monitoring for a period of time, and a failure to provide a gravel truck wheel wash bed at an exit road. NOV#A46075, issued 10/26/07, alleges the overfilling of trucks with material and a failure to maintain wheel wash beds free of accumulated material. Both NOVs were settled on August 12, 2008, without litigation, in accordance with California Health and Safety Code section 42403(b), for a civil penalty of \$515,000. The District received full payment of the civil penalty in early September 2008.
- The District is proceeding with a public process to solicit ideas and suggestions for these funds to be spent on BVHP community projects.
- The District issued a Notice to Comply to Lennar in January 2009 for inadequate track-out prevention and control.

## Lennar Bay View Hunters Point Fact Sheet

June 24, 2009

### Public Comments/Issues

- Bay View Hunters Point (BVHP) community members have expressed concerns over health effects resulting from construction activities at the Parcel A' site. District staff met with Minister Christopher Mohammad and other representatives of BVHP to discuss issues and concerns surrounding the Parcel A' project on at least eleven (11) occasions between November 2007 and June 2009. Additionally, the District held a community meeting on November 15, 2008 to discuss the Bay Area 2009 Clean Air Plan, the Community Air risk Evaluation Program, and NOA issues in BVHP.

### Project Status

- Lennar has completed most of the major grading and earth movement entailed with the redevelopment project. Current construction activity is associated with installation of utilities infrastructure and other related work subject to the ATCM.
- At the District's request, Lennar submitted a revised ADMP on June 2, 2009 that is currently under review for approval. The revised ADMP incorporates additional dust mitigation measures implemented by Lennar that were requested by the District and reorganizes and clarifies language in the ADMP.
- In May 2009, the District invited U.S. EPA Region IX to review the District approved ADMP and associated air monitoring plan to ensure it is appropriately conservative and protective of public health.
- The District continues to conduct daily inspections to verify compliance with the ADMP and the Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations.



## FACT SHEET

June 24, 2009

### Background

- Pacific Steel Casting Company (PSC) is located at Gilman and Second Streets near Highway 80, in Berkeley. PSC produces steel castings for a variety of uses including bridges, truck parts, agricultural equipment, valves for sanitary sewers, public water systems, and the oil and gas industry. The company was founded in 1934 and has grown steadily throughout the years, producing custom castings ranging in various sizes at its three plants as follows:
  - Site #A0187, Plant 1 began operations in the 1930's making medium sized castings using primarily the Green Sand molding process. The binder for green sand molds is a combination of clay, water, and cornstarch compacted to form the molds.
  - Site #A0703, Plant 2 began operations in 1975. This plant uses a Shell process for the molding system. This sand molding process uses a binder mixed with the sand and is baked to form the molds and cores for the castings.
  - Site #A1603, Plant 3 began operations in 1981. This plant primarily uses a phenolic urethane binder mixed with the sand.
- Recycled scrap steel and other metals are turned into parts by: (1) creating a mold, which consists of sand bound together in a specific shape (the sand is mixed with binder material for this purpose), (2) melting the metal in an electric arc furnace, (3) pouring the molten metal into the cavity of the mold, and waiting for the metal to cool and harden, (4) removing the cast component by shakeout of the sand mold, and (5) various finishing steps which can include grinding and heat treating of steel parts.
- The District has a long history of regulating PSC's three steel foundry plants. From 1981 to 1991, the District took numerous enforcement actions to resolve odor problems, including obtaining an Order of Abatement in December 1984 from the Hearing Board. PSC installed odor abatement equipment (carbon adsorption units) in Plant 1 in 1985, and in Plant 2 in 1991, and odor complaints dropped off significantly. From 1991 until November 2000, when the District Hearing Board removed the Order of Abatement, the District issued no public nuisance Notice of Violations (NOVs).

## Pacific Steel Casting Company Fact Sheet

June 24, 2009

- Starting in 2005, odor complaints began to increase, apparently as a result of increased foundry production in Plant 3, and PSC was issued six NOVs for causing public nuisances for “burnt pot handle” odors, the first on March 23, 2005. Three more NOVs were issued (two for permit condition violations and one for an opacity violation) for a total of nine NOVs that year.
- In December of 2005, the District entered into a settlement agreement to resolve the nine NOVs. The District obtained a commitment from PSC to install odor abatement equipment at Plant 3, and prepare an Odor Management Plan to address odorous emissions from the facility. The Plant 3 odor abatement equipment included the installation of a fugitive emissions enclosure in the pouring and cooling area, a carbon adsorption unit, and continuous monitoring to determine the need for carbon change-out. On October 15, 2006, PSC completed the installation of the Plant 3 carbon adsorption unit. Through this process the District was able to obtain a binding commitment to install abatement equipment on Plant 3 within 10 months, whereas installation of other controls took over 10 years for Plant 1 and Plant 2.
- The increase in Plant 3 production levels also resulted in the requirement for PSC to prepare a facility-wide Health Risk assessment (HRA) under the requirement of the State Air Toxic Hot Spots Program. The District notified PSC of this requirement in April 2005. The HRA was preceded by a comprehensive supplemental emissions testing program for the purpose of refining and improving the facility’s air toxic emissions inventory. In order to provide the community with a public input process, the District provided a public comment period for the HRA, and three preceding documents that establish the technical basis for the HRA (i.e., the HRA protocol, the supplemental emissions testing protocol, and the updated emissions inventory report).

### Public Comments/Issues

- Community members have expressed a variety of concerns over odors and health effects from PSC’s emissions. The District held or participated in six community meetings in West Berkeley to discuss these issues over the last four years. The most recent meeting was held on January 9, 2008.
- Community members requested that ambient air monitoring be conducted in the vicinity of PSC. In response, the District installed a comprehensive air monitoring station located near the intersection 6<sup>th</sup> Street and Camelia Street in Berkeley, which became operational on December 12, 2007. On January 8, 2008, District staff conducted an informational meeting and tour for interested community members. The District also provided funding for the non-profit organization Global Community Monitor to collect air samples for various metals near PSC, but this monitoring provided very limited data and was not conducted in a manner necessary to evaluate health risks associated with PSC.



## Pacific Steel Casting Company Fact Sheet

June 24, 2009

- Community members have expressed concern over a USA Today Special Report: "The Smokestack Effect: Toxic Air and America's Schools" which listed three schools in Berkeley as being in the 1<sup>st</sup> percentile for outdoor air toxics risk. PSC and four of the Bay Area refineries are listed as the polluters most responsible for air toxic risks at these schools. Manganese (85% of total) and nickel (11% of total) are listed as the toxics responsible for the greatest contributions to health risks at these schools. District staff has determined that the USA Today risk figures for the Berkeley schools are in error based on incorrect emissions of manganese and nickel reported by PSC to the Toxics Release Inventory (TRI). PSC has indicated that the correct emissions will be reported to the TRI for their next update due on July 1, 2009. EPA has decided that Berkeley schools will not be included in their plans to monitor the air outside 62 schools in 22 states.
- Some community members, and an environmental advocacy group, have requested that the District lower risk reduction thresholds used for the Air Toxics Hot Spots Program by a factor of ten, to a cancer risk of 10 in a million and a non-cancer hazard index of one. This would require PSC to complete a risk reduction audit, and implement a plan to reduce risks below these thresholds. The commenters indicate that the District should incorporate these more stringent standards into District regulations.

### Facility Status

- District inspection staff continues to conduct frequent compliance inspections of PSC. Air pollution complaints from the public have decreased since the installation of the carbon adsorption unit at Plant. 3. The District continues to respond and investigate the public's air pollution complaints.
- District inspection staff issued two public nuisance Notices of Violation, and two permit condition Notices of Violation in 2008. One of the permit violations was discovered during an odor complaint investigation at Plant 1.
- On October 3, 2008, the District approved PSC's Odor Management Plan (OMP), the last requirement of PSC's 2005 Settlement Agreement with the District. District staff continues to track and monitor PSC's OMP to improve the control of odorous emissions from PSC.
- The District approved PSC's final HRA on November 24, 2008. The maximum health risks are below levels that require mandatory risk reduction measures under District policies and procedures. However, public notification of health risks is required, and PSC has begun the required quarterly mailing of notices of health risk results. The notification area includes nearby businesses and one live\work complex which the HRA indicates have risks above notification thresholds.
- Within the last two years, PSC has implemented three significant emission reduction projects, which PSC identifies in their HRA as "Future Controlled Conditions." These

projects are: (1) in Plant 1, the upgrade of capture and control of fugitive emissions from the electric arc furnace tap-out area (the final phase of this project is underway with estimated completion by the end of 2009), (2) in Plant 3, an upgrade project to abate fugitive emissions at the electric arc furnace, and (3) in Plant 3, a switch to a binder containing less volatile organic compounds. As evaluated in the HRA, these projects have collectively reduced maximum cancer risks by 32%. The chronic non-cancer risks at the maximum residential and worker receptor locations have been reduced by 41% and 17%, respectively. The maximum health risks with these control projects in place are as follows: cancer risk = 21 in a million, chronic non-cancer hazard index = 1.5, acute non-cancer hazard index = 0.83. These maximum risks are for adjacent worker receptor sites for the 12 a.m. to 8 a.m. work shift (except for the acute hazard index, which is at an adjacent point of maximum impact). These risks are based on production levels during 2005 – 2006, which are higher than what has occurred since the current economic downturn.

- The District intends on developing a rule delineating risk reduction requirements under the Air Toxics Hot Spots Program, and will consider adopting more stringent thresholds than those that currently exist. This rule would be developed concurrently with upcoming OEHHA revisions to cancer risk assessment procedures that are intended to provide a greater margin of safety for protecting children. Based on discussions with OEHHA staff, it is possible that these revisions could increase calculated residential cancer risks by a factor of three or more from existing risk assessment procedures. OEHHA does not expect that these risk assessment guideline revisions will be finalized for some time, perhaps late in 2010. District staff believes that it may be appropriate to seek reductions in risks from PSC in a more timely manner than could be achieved through adoption of a new risk reduction rule, and is considering the development of a source-category-specific rule to ensure that Bay Area steel foundries use best practices to minimize emissions and reduce health risks. District staff believes that such a rule could be developed and brought to the Board of Directors for consideration of adoption in one year or less.
- On April 14, 2009, District staff completed a summary and analysis of the 2008 West Berkeley Air Monitoring Station data. The summary report included: 1) analysis of criteria pollutants measured at the West Berkeley monitoring site compared to the State and National Ambient Air Quality Standards, 2) toxic air contaminant monitoring results for West Berkeley in comparison to several other sites in the Bay Area and the South Coast AQMD, 3) estimated cancer risk associated with lifetime exposure to the measured levels of toxic air contaminants, 4) estimated chronic non-cancer risk, 5) estimated 8-hour chronic non-cancer risk, and 6) estimated acute non-cancer risk.
- For the year 2008, the Summary and Analysis indicates that West Berkeley air quality met all of the applicable State and National Ambient Air Quality Standards, with the exception of the 24-hour national PM<sub>2.5</sub> standard and the very stringent annual State PM standards, similar to most other Bay Area locations.

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- West Berkeley air quality was also below all of the acute and chronic Reference Exposure Levels (RELs) established by OEHHA. RELs are concentrations at or below which no adverse non-cancer health effects are anticipated in the general human population. RELs are designed to protect the most sensitive individuals in the population by the inclusion of margins of safety.
- Average concentrations of manganese at the West Berkeley monitoring site were higher than other monitoring sites, most likely due to the proximity of the PSC facility. The observed manganese concentrations were, however, well below the revised RELs adopted by OEHHA on December 19, 2008. These revised RELs explicitly include consideration of possible differential effects on the health of infants, children and other sensitive subpopulations, in accordance with the mandate of the Children's Environmental Health Protection Act.
- District staff calculated cancer risks associated with lifetime exposure to the monitored levels of toxic air contaminants using cancer potency factors established by OEHHA. Although no standards have been set for overall cancer risk associated with exposure to toxic air contaminants, the risk at the West Berkeley site is not elevated above typical levels observed in the Bay Area. The toxic air contaminants that contribute most to cancer risk at the West Berkeley site are diesel PM, benzene, 1,3-butadiene. This is consistent with other monitoring sites. These pollutants are emitted primarily from mobile sources.
- The District will continue operation of the West Berkeley monitoring site for a second year during Calendar Year 2009.
- District staff is preparing revisions to PSC's Synthetic Minor Operating Permit (SMOP) that will provide additional limits and monitoring to assure that the emissions of regulated air pollutants from all three plants do not exceed Major Facility thresholds.



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

CUSTOM ALLOY SCRAP SALES, INC.  
(#A0146)  
2730 Peralta St.  
Oakland, CA 94607

## FACT SHEET

June 24, 2009

### Background

- Custom Alloy Scrap Sales (CASS) was established in 1970 in Oakland. CASS is a secondary aluminum production and metal recycling facility. The facility recycles a variety of metals, such as brass, copper, stainless steel, and aluminum. The facility is located in an industrial/commercial area, but is adjacent to a residential neighborhood.
- Recycled materials are received and sorted at CASS. Once the sorting process has been completed, the material is prepared for shipment by baling or shredding, or by the smelting operation, where furnaces operate to produce secondary aluminum ingot.
- The facility operates three District-permitted sources of air pollution which are all natural gas-fired furnaces used in the recovery of scrap aluminum. A sweat furnace handles the scrap that may contain impurities (e.g., wheels, engine blocks). A reverberatory furnace handles scrap that is relatively clean (e.g., metals turnings). A holding furnace handles aluminum that has been processed in the sweat furnace prior to being poured into ingot.
- Emissions from the holding and sweat furnaces are abated by two direct afterburners in series, a cyclone, and a lime-injected baghouse, while emissions from the reverberatory furnace are abated by the baghouse. Afterburner temperatures and baghouse leaks are monitored continuously.
- CASS is subject to several different air quality rules and regulations. These include the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Secondary Aluminum Production, and a State Airborne Toxic Control Measure (ATCM) for Non-Ferrous Metal Melting.
- A NESHAP compliance source test was conducted at CASS in March 2007 with all three furnaces operating. This testing determined emissions of chlorinated dioxins and furans, and a variety of trace metals. Using the source test results, a Health Risk Screening Analysis (HRSA) was conducted by District staff. The results of the HRSA indicate that the maximum cancer risk is 0.3 in a million, the maximum chronic non-

cancer hazard index is 0.002, and the maximum acute hazard index is 0.0002. These health risks are not considered to be significant under District requirements.

- The District received no air pollution complaints related to CASS from 2000 to 2005. Since January 1, 2006, the District has received 72 air pollution complaints alleging CASS. Nearly all of these complaints are for odors. Each complaint was investigated and did not result in the issuance of any violations of applicable requirements.

### Public Comments/Issues

- On July 10, 2008, District staff met with community members at a meeting organized by Oakland City Councilmember Nancy Nadel. Concerns were expressed over preliminary ambient air sampling for metals conducted near CASS by the non-profit organization Global Community Monitor. Requests were made for funding additional air monitoring near CASS. Concerns were also expressed about odors and visible emissions from fires and/or other events at the facility. District staff responded in detail to sixteen questions regarding CASS that were submitted as a follow-up to this meeting.
- On August 28, 2008, staff met with representatives of Global Community Monitor, the Rose Foundation, Golden Gate University Environmental Law and Justice Clinic, and a resident who lives adjacent to CASS. At this meeting, the responses to community questions were discussed, and requested permit documents and other public records were provided.
- Concerns have also been expressed over the District's "automatic" renewal of CASS' annual Permit to Operate (PTO) in September 2008. Requests have been made for the District to hold a public comment period prior to the next PTO renewal. A comment has also been made that a more recent source test should be required prior to PTO renewal.

### Facility Status

- The District has increased the frequency of inspections at CASS since the July 10 2008, meeting with community members, and continues to monitor CASS activities outside of normal District working hours. The most recent facility inspection on June 3, 2009, indicated that the facility was in compliance with applicable air quality requirements. In addition, District inspectors have continued to respond to air pollution complaints made by individuals in the vicinity of CASS, primarily for odors. In each case, a District inspector contacted the complainant and conducted follow-up investigations at CASS. These inspections did not result in the issuance of any Notices of Violation.

- In a December 4, 2008, letter to Councilperson Nadel, the District explained that the renewal of a facility's PTO is required under State law upon payment of permit fees, except in very limited circumstances. The District may refuse to renew a PTO for a facility only if: (1) the facility has violated applicable air quality rules or regulations in the preceding three year period resulting in excessive emissions, (2) a Notice of Violation was issued for these violations, and (3) the violations demonstrate a recurring pattern of noncompliance or have posed a significant risk to public health or safety, or to the environment. In the case of CASS, the facility was inspected prior to the most recent permit renewal and found to be in compliance with applicable air quality requirements, and the District has not issued the facility any Notices of Violation in the preceding three-year period. In addition, no changes in applicable rules and regulations have been made that would require updating of the existing permit conditions. Due to the limited scope of review for PTO renewals under State law, District regulations do not include provisions for a public comment period prior to permit renewal. Nonetheless, the District has made CASS' permit available to those members of the public that have requested it, and staff would consider any relevant comments submitted prior to PTO renewal.
- Source test requirements for CASS' furnaces are established in the NESHAP, which specify that an initial compliance stack test be completed followed by continuous parametric monitoring of the control devices. More frequent source testing of toxic air contaminant emissions were not triggered under District policy based on the results of the HRSA. There was therefore no requirement for additional source testing to be completed prior to renewing CASS' annual PTO.
- During the summer months of 2008, District staff provided trucking firms at CASS with diesel truck grants information to retrofit older, high emitting diesel trucks with air pollution control equipment.
- District staff has provided a commitment to conduct ambient air quality monitoring in the vicinity of CASS as a part of the larger-scale West Oakland Measurement Study (WOMS), which is being completed under the District's CARE Program. In 2009, the District held three community meetings (on January 22, March 16, and May 11) to present an overview and background on the CARE Program, and to discuss and receive input on the supplemental air monitoring near CASS. The air monitoring study will address the issue of the contribution of CASS to local metals and particulate matter air concentrations (other facilities, such as a nearby concrete batch plant and an art studio that operates ceramic kilns, could also be a source of metals, along with mobile source activity).
- The air sampling is scheduled to begin this summer, and three sites will be established and operated for one year (including an initial assessment of sites and methods during the first three months) to evaluate conditions near the CASS facility. One site will be located west (predominantly upwind) of the facility, likely at Cypress Auto Salvage on Peralta Street. A second site will be east (predominantly downwind)

of the CASS facility, likely at the ASA Academy School on Adeline Street. A third site will be located further east, likely at Excel High School on Myrtle Street. District staff has reviewed each of these locations and are currently negotiating terms of access with site owners. CASS may fund a fourth site upwind of the CASS facility but downwind of the nearby concrete batch plant. District staff is working with CASS to ensure that methods and analysis for this monitoring site are consistent with those of the other three sites.

- MiniVol samplers will be deployed and used to collect particles on filters, which will then be analyzed for more than 50 metals using X-Ray Fluorescence. PM<sub>2.5</sub> will also be derived from the MiniVol filters. Wind and temperature measurements will be collected at the nearby EBMUD Sewage Treatment Plant. All metals analysis will be conducted by the District's contractor, Desert Research Institute (DRI). The estimated project cost is approximately \$40,000, which includes the cost of samplers and metals analysis by DRI, but does not include costs of District staff time for project management, community meetings, data collection, and data analysis.
- District staff will review the analyzed data and perform quality assurance/quality control. The District will make data summaries and raw data available to the public at least on a quarterly basis. The data analysis phase of this project will use the data collected near CASS to compare with other data in West Oakland (and other Bay Area locations), compare with the results of a prior modeling study, estimate potential contributions from CASS, and assess health risks.
- The WOMS will be carried out during a four-week period in 2009 that will overlap with the CASS measurement project. To the extent possible, the metals and PM sampling efforts near CASS will be coordinated with WOMS to maximize co-benefits of the two sampling programs.



BAY AREA  
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LEHIGH SOUTHWEST CEMENT PLANT  
(Formerly: Hanson Permanente Cement)  
(#A0017)

24001 Stevens Creek Boulevard  
Cupertino, CA 94014

## FACT SHEET

June 24, 2009

### Background

- The Lehigh Southwest Cement Plant (formerly Hanson) is located in unincorporated Cupertino. Mining on the site dates back to the 1880's, and the cement plant was established in 1939.
- The facility excavates limestone from an on-site quarry for use as a raw material in cement manufacturing. The limestone, and other raw materials, are crushed into a fine powder and blended in the correct proportions. This blended raw material is heated in a pre-heater and rotary kiln where it reaches a temperature of about 2,800 degrees Fahrenheit. The material formed in the kiln, known as "clinker", is subsequently grinded and blended with gypsum to form cement.
- Nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), and particulate matter (PM), are the primary criteria air pollutants emitted from cement manufacturing. Small quantities of volatile organic compounds (VOC), including the toxic air contaminant (TAC) benzene, are also emitted from the kiln. TAC emissions also include trace metals such as mercury, cadmium, chromium, arsenic, nickel, and manganese. The kiln exhaust is equipped with NO<sub>x</sub> and SO<sub>2</sub> continuous emissions monitors to determine compliance with applicable emission limitations. PM and metallic TAC emissions are controlled at the facility by fabric filtration, which is used at various material crushing, grinding, and loading operations, and at the kiln, which is the largest source of emissions.
- Lehigh is subject to a variety of District, State, and federal air quality rules and regulations that are delineated in the facility's Title V Permit. A Health Risk Assessment (HRA) completed under the Air Toxics Hot Spots Program indicates that the maximum public health risks associated with the facility's TAC emissions are under thresholds requiring public notification.

### Public Comments/Issues

- In November 2007, District staff met with representatives of the West Valley Citizen Air Watch (WVCAW) to discuss the Quarry Reclamation Project, and other air quality issues associated with the facility. The Reclamation Project entails modification of



## Lehigh Southwest Cement Plant Fact Sheet

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the existing Reclamation Plan for mining and reclamation activities at the facility's quarry, which expires in March 2010. The proposed Reclamation Plan Amendment, issued by Santa Clara County, would expand the existing Reclamation Plan area, include a new quarry pit that could potentially be located closer to the nearby residential area, and extend the quarry's termination date by 25 years.

- WVCAW submitted a lengthy set of questions to the District regarding the Reclamation Project and other aspects of the facility's existing operation. The District finalized a response to this information request in March 2008. District staff has subsequently processed a number of public records requests, and answered many additional questions from the public, associated with the Lehigh facility.
- On October 22, 2008, District staff participated in a community meeting organized by the Santa Clara County Office of Planning to answer questions about the facility and the Reclamation Project. A variety of concerns were expressed at this meeting including the use of petroleum coke as a fuel, general dust emissions, mercury emissions, hexavalent chromium emissions, and emissions from truck traffic. District staff also participated in a follow-up community meeting organized by the County and held on June 11, 2009.

### Facility Status

- The facility started using 100% petroleum coke as a fuel on May 30, 2007, after receiving a permit from the District for this fuel change. Prior to this project, the typical fuel mix had consisted of 90% coal and 10% coke. Emissions data show that this fuel change has reduced SO<sub>2</sub> and CO emissions, and has had no significant effect on the emissions of other regulated air pollutants. On October 31, 2008, at the request of EPA Region IX, Lehigh submitted a demonstration that the fuel change project did not trigger federal PSD permit requirements. EPA has not yet finalized their review of this submittal.
- Lehigh has withdrawn a permit application that had been submitted to further increase the permitted coke usage at their facility. A separate application for the use of bio-fuels in the kiln has been placed on an inactive status at the request of the applicant. In April 2009, Lehigh was granted a permit to install enhanced vapor recovery equipment on their existing non-retail gasoline dispensing operation due to a regulatory requirement change. The District is currently reviewing Lehigh's application to permit two storage pile areas, and an application to modify an existing permit conditions regarding emissions of toxic air contaminants.
- Lehigh submitted an application to renew their Title V Permit on April 28, 2008. A Title V Permit is a compilation of all existing applicable air quality requirements including emissions limits and standards, monitoring, record keeping, and reporting requirements. Title V Permits cannot be used to establish new emission limits and

## Lehigh Southwest Cement Plant Fact Sheet

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standards. Title V Permit renewals are required every five years, and the District has 18 months to act on an application (in the case of Lehigh, by October 28, 2009), or until EPA and public review processes have been completed. The existing Title V Permit will continue in force until the District takes final action on the renewal application. The EPA and public review process is expected to commence in August 2009 for the Lehigh Title V Permit renewal, and a public hearing will also be scheduled in the community to accept comments.

- In May 2009, Lehigh installed six continuous volumetric flow meters (four at the kiln exhausts, and two at the fuel mill exhausts). These meters will enhance the monitoring of criteria pollutant emissions from the calcining process.
- Following an article appearing in the San Francisco Chronicle, District staff provided community members with information regarding the health effects associated with mercury emissions from the Lehigh cement kiln. Based on HRA results, the mercury health risks are well below Reference Exposure Levels (RELs) established by Cal/EPA's Office of Environmental Health Hazard Assessment (OEHHA). RELs are concentrations at or below which no adverse non-cancer health effects are anticipated in the general human population, and are designed to protect the most sensitive individuals in the population by the inclusion of margins of safety. The mercury RELs were revised by OEHHA on December 19, 2008, to explicitly include consideration of possible differential effects on the health of infants, children and other sensitive subpopulations, in accordance with the mandate of the Children's Environmental Health Protection Act.
- District staff has conferred with staff of MBUAPCD and SCAQMD regarding the reason for elevated levels of hexavalent chromium reported downwind of cement plants located in Davenport and Oro Grande, California. It is believed that these elevated hexavalent chromium levels are the result of the use of steel slag as a raw material and/or the use of uncovered clinker storage piles. The Lehigh facility in the Bay Area uses a naturally occurring iron ore that has much lower chromium levels than steel slag, and also utilizes enclosed silos rather than storage piles for clinker storage.
- The District required that Lehigh collect additional data regarding chromium (as well as mercury, other metallic TACs, and crystalline silica) in fugitive dust, and other sources at the facility in addition to the kiln. This comprehensive TAC emissions inventory update was submitted to the District on March 30, 2009, and is currently under review. The District has performed preliminary air dispersion modeling analyses based on the recently reported emissions. These preliminary analyses indicate that the risk levels are slightly higher than the results of the previous HRA, but the Air Toxics Hot Spots Program action levels are still not exceeded.

## Lehigh Southwest Cement Plant Fact Sheet

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- Because of recent concerns about elevated hexavalent chromium found near some cement plants, the U.S. EPA is working with the District to install ambient air monitoring equipment at Stevens Creek Elementary School, located approximately two miles from Lehigh, to measure hexavalent chromium as part of its School Air Toxics Monitoring Initiative. The EPA will provide the instruments and laboratory analysis, while the District will install and operate the equipment. The monitoring is anticipated to commence later this summer and last a year.
- On October 28, 2008, the District began operating an ambient air monitor in the vicinity of the Lehigh facility adjacent to Stevens Creek Boulevard to determine if truck traffic and road dust associated with the facility were having an adverse impact on particulate matter levels in the nearby community. The air monitor continuously records particulate matter of 10 microns or less (PM10) in the air, and the monitor will remain in place for at least one year. While preliminary monitoring results at this site appear to be similar to other communities, the District needs to collect a full year's data before drawing conclusions. Real-time data collected are available for review on the District website.
- Since October 2008, there have been four visible emissions violations at the Lehigh facility that resulted in Notices of Violation, all documented in March 2009. The plant corrected the violations immediately. Plant operations that month included a plant restart after a two and a half month shutdown, and a plant upset condition due to a utility outage. The violations occurred following each of these events.
- On April 28, 2009, District staff conducted outreach to South Bay trucking companies, including those that service Lehigh, to educate them about Air District grants available for truck retrofits to reduce diesel emissions from on-road trucks. Several interested firms have contacted the District to take advantage of the program.
- Santa Clara County has indicated that the Lehigh Quarry Reclamation Plan Amendment is on hold pending additional geologic studies.
- Proposed EPA rule amendments to the existing 40 CFR 63, Subpart LLL, National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry, were published on May 6, 2009. If finalized, these rule amendments would require Lehigh and other cement plants in the United States to significantly reduce emissions of mercury and other toxic air contaminants. The EPA proposal is based on a review of Maximum Achievable Control Technology (MACT).
- Staff is evaluating a potential control measure for inclusion in the 2009 Clean Air Plan that would establish more stringent standards for NO<sub>x</sub> and/or SO<sub>2</sub> emissions at the Lehigh cement kiln.



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

RUSSELL CITY ENERGY CENTER (PROPOSED)  
(#B8136)  
3862 Depot Road  
Hayward, CA 94545

## FACT SHEET

June 24, 2009

### Background

- The Russell City Energy Center (RCEC) is a proposed 600-MW natural gas fired combined cycle power plant to be located in Hayward. The initial project, proposed by an affiliate of Calpine Corporation, was licensed by the California Energy Commission (CEC) in 2002. The project description was amended in 2006 to move the site about ¼ mile from the original proposed site, and an application for an amended Certification was submitted to the CEC, and a new permit application was submitted to the District.
- The RCEC includes two gas turbines and two heat recovery boilers. In accordance with District rules, this combustion equipment must use the Best Available Technology (BACT) to minimize emissions. BACT requirements for the project are met with the use of selective catalytic reduction (SCR) systems, oxidation catalysts, the exclusive use of natural gas fuel, and modern combustion controls. The project is also subject to emission offset requirements, Prevention of Significant Deterioration (PSD) analysis requirements, and health risk screening analysis (HRSA) requirements.
- On June 19, 2007, the District issued a Final Determination of Compliance (FDOC) for the amended RCEC, concluding that the project, with appropriate permit conditions, could comply with all applicable air quality requirements.
- On September 26, 2007, the CEC approved the RCEC and granted a power plant license. The District subsequently issued an Authority to Construct (ATC) for the RCEC on November 1, 2007. This ATC also served as the federal PSD permit under a District/EPA PSD delegation agreement.

### Public Comments/Issues

- The District held a public comment period at the time of issuance of the Preliminary Determination of Compliance for the amended project. Members of the public made no comments on the project during the District's public comment period.

## Russell City Energy Center Fact Sheet

June 24, 2009

- Requests were made to the CEC by several parties to intervene and reopen the administrative proceedings and evidentiary record for the RCEC project after the amended power plant license was issued. The CEC issued an order to deny petitions for intervention and reconsideration on November 11, 2007. The CEC order was appealed to the California Supreme Court, and the Court subsequently declined to hear the case.
- A resident of Hayward filed an appeal of the Authority to Construct for the RCEC with the District's Hearing Board, and a hearing was held on March 6, 2008. The Hearing Board dismissed the appeal.
- The resident also filed an appeal with the EPA's Environmental Appeals Board (EAB) regarding the PSD permit issued by the District. On July 29, 2008, the EAB issued a remand order for the District to re-notice the PSD permit for public review using the federal notice requirements in 40 CFR Section 124.10. The EAB remand was based entirely on public noticing procedures, and not on substantive air quality issues. Up to this point, based on input from EPA Region IX staff, the District had been following the noticing requirements in District regulations for PSD permits.

### Project Status

- Following the EAB remand, District staff prepared the PSD permit re-notice. This task was time consuming, as the federal noticing requirements are considerably more detailed than the District requirements and involve both general noticing for the purpose of maintaining a PSD mailing list as well as project-specific noticing.
- The general noticing was completed in November 2008, and included: (1) publication in 18 periodicals/newspapers with coverage in each of the nine Bay Area counties, (2) issuance of a press release to numerous newspapers and other news outlets and posted on the District website, (3) creation of a comprehensive agency mailing list including local city, regional, state, and federal agencies, the Native American Heritage Commission, and the departments within these agencies that may have permit interest, and (4) creation of a comprehensive interested parties list including California Energy Commission mailing lists used for several Bay Area power plant projects including the RCEC, and all parties in District records that have previously commented on, or attended public meetings held for, Title V, Major NSR and/or PSD permits.
- The District began the project-specific re-noticing on December 8, 2008. Approximately 1900 notices were mailed-out. The public notice was also published in The Hayward Daily Review, The Oakland Tribune, and El Mensajero (in Spanish). A Public Hearing on the project was held on January 21, 2009, at Hayward City Hall. The District accepted written public comments on the project through February 6, 2009.

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- Since the end of the public comment period, District staff has reviewed and evaluated the numerous comments received on the project, has conducted additional analyses, and has made a number of changes to the draft permit. The additional analyses included a revision to the project's air quality impact analysis related to particulate matter impacts. This revision was required due to an April 24, 2009 EPA action that stayed a provision allowing PM2.5 impacts to be addressed under a PM10 Surrogate Policy. The revised analysis demonstrates that PM2.5 emissions from the proposed project would not interfere with attainment or maintenance of PM2.5 National Ambient Air Quality Standards.
- The District is planning to provide an additional formal public comment period on the revised PSD Permit and will publish an additional Statement of Basis to support the revised draft at that time, most likely in late July 2009. Another public hearing will also be scheduled during the comment period (tentatively set for September 2) to provide additional opportunities for input. In order to enhance the opportunities for public review, a draft of the additional Statement of Basis that is planned to be published in late July was posted on the District website on June 23, and previous commenters and other interested individuals were notified of this action.



BAY AREA  
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MANAGEMENT  
DISTRICT

MARSH LANDING GENERATING STATION (PROPOSED)  
(#B9169)

Adjacent to 3201 Wilbur Ave.  
Antioch, CA 94509

WILLOW PASS GENERATING STATION  
(PROPOSED)

(#B9203)  
696 West 10<sup>th</sup> St.  
Pittsburg, CA 94565

## FACT SHEET

June 24, 2009

### Background

- Affiliates of Mirant Corporation have submitted permit applications to the District for two new power plants in Contra Costa County that would be located at existing power plant sites.
- The Marsh Landing Generating Station (MLGS) is a proposed natural gas fired power plant. It includes two gas turbines with heat recovery boilers and steam turbines (combined cycle), and two simple cycle gas turbines. The MLGS would have a net output of approximately 930-MW. The plant would be sited adjacent to the existing Contra Costa Power Plant in unincorporated Contra Costa County near the City of Antioch.
- The Willow Pass Generating Station (WPGS) is a proposed natural gas fired power plant. It includes two gas turbines with heat recovery boilers and steam turbines (combined cycle). The WPGS would have a net output of approximately 550-MW. The plant would be sited adjacent to the existing Pittsburg Power Plant in the City of Pittsburg.
- In accordance with District rules, the proposed combustion equipment for these projects must use the Best Available Technology (BACT) to minimize emissions. BACT requirements for the project are met with the use of selective catalytic reduction (SCR) systems, oxidation catalysts, the exclusive use of natural gas fuel, and modern combustion controls. The projects are also subject to emission offset requirements, Prevention of Significant Deterioration (PSD) analysis requirements, and health risk screening analysis (HRSA) requirements.

## Marsh Landing and Willow Pass Generating Stations Fact Sheet

June 24, 2009

### Public Comments/Issues

- No public comments have been received to date, but it is expected that many of the issues raised with other recent proposed power plants may also be raised for these plants when public comment periods are initiated.

### Project Status

- Both projects are subject to facility certification by the California Energy Commission (CEC). An Application for Certification (AFC) was filed with the CEC for the MLGS on May 30, 2008, and an AFC was filed for the WPGS on June 30, 2008. The first required District action associated with the CEC process is a Preliminary Determination of Compliance (PDOC).
- The District had initially expected that the PDOCs for the two projects could be completed in the second quarter of 2009, but this timeframe became infeasible due to an unexpected change in PSD requirements made by EPA. On April 24, 2009, EPA took action to stay a provision allowing PM2.5 impacts to be addressed under a PM10 Surrogate Policy. Since the applicant's PSD analyses had used the PM10 Surrogate Policy, their ambient air quality impact analyses no longer meets federal requirements and must be revised to directly address PM2.5. Revising the analyses is difficult because EPA has not yet finalized regulations establishing the details of how PSD analyses for PM2.5 must be completed, nor has EPA finalized PM2.5 non-attainment designations (PSD requirements do not apply in non-attainment areas). The applicant is considering a permitting option that involves providing PM2.5 emission reduction credits, but this option would require that EPA take final action to designate the District as being non-attainment for the 24-hour PM2.5 National Ambient Air Quality Standard, and EPA has not indicated when this may occur.



BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Gioia and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: July 6, 2009

Re: Update on CARE Program and Associated Regulatory Initiatives

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

The Community Air Risk Evaluation (CARE) Program was initiated in 2004 to evaluate and reduce health risks associated with exposures to outdoor toxic air contaminants (TACs) in the Bay Area. The program examines cumulative TAC emissions from point sources, area sources and on-road and off-road mobile sources with an emphasis on diesel exhaust, which is a major contributor to airborne health risk in California. The main objectives of the program are to:

- Characterize and evaluate potential cancer and non-cancer health risks associated with exposure to TACs from both stationary and mobile sources throughout the Bay Area.
- Assess potential exposures to sensitive receptors including children, senior citizens, and people with respiratory illnesses.
- Identify significant sources of TAC emissions and prioritize use of resources to reduce TACs in the most highly impacted areas (i.e., priority communities).
- Develop and implement mitigation measures - such as grants, guidelines, and regulations - to achieve cleaner air for the public, focusing initially on priority communities.

The technical analysis portion of the CARE program is being implemented in three phases that includes an assessment of the sources of TAC emissions, modeling and measurement programs to estimate concentrations of TACs, and an assessment of exposures and health risks. Throughout the program, information derived from the technical analyses will be used to focus emission reduction measures in areas with high TAC exposures and high densities of sensitive populations. Regional maps of these areas have been produced and are currently being used to focus grant and incentive programs to reduce TAC exposures.

DISCUSSION

Staff believes that the CARE Program technical analysis has advanced sufficiently so that the results can begin to be used in regulatory programs. Staff has developed a regulatory concept for

creating more stringent permitting requirements for new/modified sources of TACs located in priority communities determined under the CARE Program. This concept has been discussed with the CARE Task Force, the CARE Program Cumulative Impacts Working Group, and several industry groups, and it has been included as a component of the Bay Area Clean Air Communities Initiative. Staff also believes that it is appropriate to consider whether more stringent requirements for TAC emissions from existing facilities should be established under the Air Toxics Hot Spots Program. Additional background and discussion regarding these regulatory programs follows.

## AIR TOXICS NEW SOURCE REVIEW PROGRAM

### BACKGROUND

In California, air districts have the primary responsibility for the control of air pollution from non-vehicular stationary sources of air pollution. Existing District rules require that permit applications be submitted for a wide variety of new and modified stationary sources prior to construction so that District staff can complete a review of compliance with applicable air quality requirements. Applicable air quality requirements include rules and regulations adopted by the District, the California Air Resources Board, and the U.S. Environmental Protection Agency. Certain rules, known as New Source Review (NSR), require that new/modified sources utilize the Best Available Control Technology to minimize air pollution impacts. Additional NSR requirements include emission offsets, air quality impact analysis for criteria air pollutants and their precursors, and health risk screening analysis for TACs. The existing District NSR rules are Regulation 2, Rule 2: New Source Review, and Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants.

Since 1987, the District's preconstruction permit review has included an analysis of potential health risks resulting from emissions of TACs. The goal of this program is to ensure that the health risks associated with TAC emissions from proposed projects are acceptable. In addition, net health risk benefits are realized when older, more highly polluting, sources are replaced or modified and must meet more stringent control requirements. This program is implemented under District Regulation 2, Rule 5.

The requirements of Regulation 2, Rule 5, are based on the results of a site-specific Health Risk Screening Analysis (HRSA), which is an assessment that describes the possible adverse health effects which may result from public exposure to routine and predictable emissions of TACs. All permit applications for new and modified sources are screened for emissions of TACs. If any TAC is emitted in amounts that exceed specified de minimus levels, District staff completes an HRSA using computer-modeled estimates of atmospheric dispersion. An HRSA may be a conservative screening-level analysis, or a more refined analysis involving the use of various site-specific data. Procedures used for completing HRSAs are based on guidelines adopted by Cal/EPA's Office of Environmental Health Hazard Assessment (OEHHA) for use in the Air Toxics Hot Spots Program.

Where the predicted health risks from a proposed project exceed specified threshold levels, the new/modified source(s) must use the Best Available Control Technology to minimize TAC

emissions (TBACT). If the residual health risks, after TBACT is applied, result in risks that exceed project risk standards, then other risk reduction measures may be required, or the permit(s) for the proposed source(s) may be denied. In the vast majority of cases, the use of emissions control technology and other available risk reduction measures are successful in reducing the health risks associated with the proposed project's emissions to acceptable levels. The TBACT and Project Risk standards in Regulation 2, Rule 5, are uniformly applied throughout the District's jurisdiction.

## DISCUSSION

District staff has recently proposed to increase the stringency of the standards of Regulation 2, Rule 5, by a factor of two for new and modified sources located in priority communities established under the CARE Program. The new project risk limits would be a maximum cancer risk of 5 in a million, and a non-cancer hazard index of 0.5. This proposal addresses the higher cumulative impacts from TACs in these communities, and establishes a greater margin of safety for protecting public health.

The District's proposal also includes a health risk-tracking provision for each priority community. Under this provision, the District will track the maximum cumulative health risks associated with permitted stationary source projects over time. The results will be reported on the District website as follows: (1) list of projects including project location and emission rates, (2) location and magnitude of maximum incremental project health risks, and (3) location and magnitude of maximum cumulative health risks for all projects from the date the requirement is established.

The District is also considering whether more stringent permitting requirements for TACs should be established for sources that are located in proximity to sensitive receptors, even if these sources are not located in priority communities. Procedures for assessing health risks are intended to protect sensitive individuals such as children, and individuals with pre-existing health conditions. The Children's Environmental Health Protection Act (Senate Bill 25) established specific requirements for OEHHA to determine whether existing health risk assessment procedures are adequate to protect infants and children from the harmful effects of air pollution. OEHHA has already acted under SB 25 to revise certain procedures for assessing non-cancer health risks to provide a greater margin of safety for children, and revisions to cancer risk assessment procedures are expected to be proposed before the end of the year. District staff expects that these OEHHA changes to risk assessment procedures will be adequate to protect sensitive individuals without further changes to Regulation 2, Rule 5 standards. Nonetheless, staff is considering setting more stringent standards for school sites as an interim measure until the OEHHA guideline revision process is finalized.

When the District's non-attainment designation for the 24-hour PM<sub>2.5</sub> National Ambient Air Quality Standard is finalized by EPA, the District will have a period of time to amend Regulation 2, Rule 2, NSR requirements to address PM<sub>2.5</sub>. At that time, District staff will consider whether more stringent permitting requirements should be established for sources of PM<sub>2.5</sub> locating in priority communities.

## AIR TOXICS HOT SPOTS PROGRAM

### BACKGROUND

Assembly Bill 2588, the Air Toxics “Hot Spots” Information and Assessment Act, was enacted by the State legislature in 1987. AB 2588 requires companies throughout California to provide information to the public about emissions of TACs, and the impact that those emissions may have on public health. The Act was amended in 1992 by SB 1731, which provided the air districts with the authority to require facilities with significant risks to implement a site-specific risk reduction audit and plan. There are five steps to implementing the Air Toxics Hot Spots (ATHS) Program as follows.

- (1) In the first step, an air toxics emissions inventory is prepared for each facility. This inventory lists the emissions of TACs from each source based upon information supplied to the District by the affected facility and reviewed by District engineers. These inventories are updated through the District’s Annual Update procedures.
- (2) In the second step, the District prioritizes facilities for additional scrutiny. The prioritization procedure considers the quantity and toxicity of pollutants emitted, and the proximity of persons that may live or work nearby. Each facility is categorized as high, medium or low priority.
- (3) The third step requires high priority facilities to prepare a facility-wide Health Risk Assessment (HRA). The HRA must be completed in accordance with detailed guidelines adopted by OEHHA.
- (4) In the fourth step, exposed persons must be notified regarding the results of an HRA if, in the judgment of the District, the calculated risks warrant such notification.
- (5) In the final step, health risks determined by the District as being significant must be reduced below significance levels within a five year timeframe, with an additional five year period allowed based on considerations of technological feasibility and economic practicability. The facility may be required to complete and implement a risk reduction audit and plan for this purpose.

The State legislature provided each air district with the authority to establish health risk thresholds for public notification and risk reduction requirements. In the Bay Area, four levels of risk thresholds were established (Level 0, 1, 2, and 3), each with increasingly more stringent requirements. Level 1 or higher facilities (i.e., maximum cancer risk greater than or equal to 10 in a million, and/or maximum non-cancer hazard index greater than 1) require public notification. Level 2 or higher facilities (i.e., maximum cancer greater than or equal to 100 in a million, and/or maximum non-cancer hazard index greater than 10) require risk reduction.

Although public notification thresholds set for the ATHS Program are generally uniform throughout the State, risk reduction thresholds may vary from one air district to the next. The air districts that have established the most stringent risk reduction thresholds are generally smaller

districts with relatively few large industrial facilities. Unlike the Bay Area, most of these air districts also do not apply their risk reduction thresholds to facilities that have been designated in an “industry-wide” category. Industry-wide facilities are comprised predominately of small businesses, and are in a class that can be generically characterized. Facilities that may have Level 1 risks that are typically designated in an industry-wide category include gas stations and perchloroethylene dry cleaners, although several other source categories have also been designated in an industry-wide category by some air districts (e.g., metal platers, furniture stripping/refinishing).

Through a combination of both voluntary and mandatory risk reduction measures, District staff has worked with facilities to reduce risks that have been identified as Level 1 or higher under the ATHS Program. In 1991, 30 Bay Area facilities (excluding gas stations and dry cleaners) were identified as having Level 1 risks or greater. In 1992, the number of Level 1 or greater facilities was reduced to 16. All Level 2 and 3 facilities (100 in one million cancer risk or greater) were reduced to Level 1 or lower by 1993. Continued efforts to reduce emissions and to refine estimates of risk reduced the number of Level 1 facilities to nine in 1993, to five in 1994, to two in 1995, and to one in 1999. The last of the original Level 1 facilities became Level 0 in 2001.

In 1994, the District adopted Regulation 11, Rule 16, Perchloroethylene and Synthetic Solvent Dry Cleaning Operations, which incorporated the risk reduction requirements of SB 1731. All Level 2 dry cleaners were reduced to Level 1 or lower under this rule by October 1, 1998. CARB revised the State dry cleaning Airborne Toxic Control Measures (ATCM) in January 2007 to phase-out Perc as a dry cleaning solvent. Under the terms of the ATCM, about half of the remaining Perc dry cleaners in the Bay Area must remove their Perc machines by 2010, and the remaining machines will be removed over the subsequent 13 years. At the direction of the Board of Directors, District staff is preparing amendments to Regulation 11, Rule 16, that will accelerate the phase-out of Perc in Bay Area dry cleaners from what the ATCM requires.

Several State programs have significantly reduced risks from gas stations. Risks were reduced by about 50 percent in 1996 when more stringent standards limiting the benzene content of gasoline became effective. All Bay Area gas stations with Level 2 risks were reduced to Level 1 at that time. In 2000, CARB approved their Enhanced Vapor Recovery (EVR) Program, which included a series of required improvements in vapor recovery equipment at gas stations implemented over a 10 year timeframe. The District estimates that 5 to 10 percent of Bay Area gas stations will have Level 1 risks after full EVR implementation.

The District has recently completed a multi-year project in which emission inventory information was established for thousands of stationary diesel engines operating in the Bay Area (diesel PM is the most recently adopted TAC in California). District staff is currently assessing the emission reductions that have resulted from implementation of a State ATCM for stationary diesel engines to determine maximum health risks from these sources. It is expected that some facilities with diesel engines will have Level 1 risks following ATCM implementation.

In 2008, an HRA for an additional Bay Area industrial facility (Pacific Steel Casting [PSC] Company in Berkeley) was approved by the District. The results of this HRA indicate that PSC is a Level 1 facility requiring public notification. Over the last several years, PSC has

implemented several projects to reduce health risks and odors, but the risks remain above the Level 1 thresholds (based on the 2005 – 2006 production levels used in the HRA).

## DISCUSSION

District staff believes that it is appropriate to consider the adoption of more stringent risk reduction thresholds for existing stationary source facilities under the ATHS Program. This could potentially be done for facilities located in priority communities, but it may also be appropriate to consider adopting more stringent requirements throughout the Bay Area. The more stringent requirements would be implemented in a new District rule.

In order to develop this new rule, a number of issues will need to be considered including socioeconomic impacts. The socioeconomic impacts of the rule will be heavily dependent on the number and type of facilities that are expected to trigger risk reduction requirements, and the technological feasibility and economic practicability of required risk reduction measures. This analysis will depend not only on the selected risk reduction thresholds, but also on any significant changes in risk assessment methodologies that may be adopted by OEHHA. As was previously described, OEHHA is considering revising cancer risk assessment procedures to provide a greater margin of safety for protecting children. Based on discussions with OEHHA staff, it is possible that these revisions could increase calculated residential cancer risks by a factor of three or more relative to existing risk assessment procedures. Due to the potential significance of these revisions in risk assessment methodologies, the District believes that it is prudent to develop the District risk reduction rule concurrent with the OEHHA guideline revisions. OEHHA does not expect that these risk assessment guideline revisions will be finalized for some time, perhaps late in 2010.

The District believes that it may be appropriate to seek reductions in risks from foundries such as PSC in a timelier manner than could be achieved through adoption of the new risk reduction rule (PSC is located adjacent to the I-80 freeway and is located in a priority community established under the CARE Program). This could be done through the development of a source-category-specific rule to ensure that Bay Area foundries use best practices to minimize emissions and reduce health risks. District staff believes that such a rule could be developed and brought to the Board of Directors for consideration of adoption in one year or less.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Brian Bateman  
Reviewed by: Jeffrey McKay