



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
REGULAR MEETING
AUGUST 4, 2010

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:45 a.m. in the 7th Floor Board Room at the Air District Headquarters, 939 Ellis Street, San Francisco, California.

**Questions About
an Agenda Item**

The name, telephone number and e-mail of the appropriate staff person to contact for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:45 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

BOARD OF DIRECTORS REGULAR MEETING A G E N D A

WEDNESDAY
AUGUST 4, 2010
9:45 A.M.

BOARD ROOM
7TH FLOOR

CALL TO ORDER

Opening Comments
Roll Call
Pledge of Allegiance

Chairperson, Brad Wagenknecht
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.

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)

PROCLAMATION(S)/AWARDS

The U.S. Environmental Protection Agency (EPA) Criminal Investigation Division will present certificates of appreciation to six (6) Air District employees, for their assistance with Valero, case 0900-0380.

CONSENT CALENDAR (ITEMS 1 – 7)

Staff/Phone (415) 749-

1. Minutes of June 16, 2010

L. Harper/5073
lharp@baaqmd.gov

2. Communications

J. Broadbent/5052
jbroadbent@baaqmd.gov

Information only.

3. District Personnel on Out-of-State Business Travel

J. Broadbent/5052
jbroadbent@baaqmd.gov

In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memoranda lists District personnel who traveled on out-of-state business.

4. Quarterly Report of Air Resource Board Representative - Honorable Ken Yeager
J. Broadbent/5052
jbroadbent@baaqmd.gov

5. Quarterly Report of Executive Office and Division Activities
J. Broadbent/5052
jbroadbent@baaqmd.gov

A summary of Board of Directors, Hearing Board and Advisory Council meeting activities for the second quarter is provided for information only. Also included, is a summary of the Executive Office and Division Activities for the months of April –June 2010.

6. Consider Authorization of Contract to Complete Updated Cost Recovery Study
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing the Executive Officer/APCO to execute a contract in an amount not to exceed \$150,000 for the completion of an updated Cost Recovery Study.

7. Consider Authorization of Contract for Computer Workstations
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing the Executive Officer/APCO to enter into a contract for procurement of computer workstations for District staff not to exceed a sum of \$450,000.

COMMITTEE REPORTS AND RECOMMENDATIONS

8. Report of the **Mobile Source Committee** Meeting of June 30, 2010
CHAIR: S. HAGGERTY
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee recommends Board of Directors' approval of the following items:

- 1) *Approve Carl Moyer Program Year 12 and Transportation Fund for Clean Air (TFCA) FY 2009/2010 projects with proposed grant awards over \$100,000;*
- 2) *Authorize the Executive Officer/APCO to enter into agreements for the recommended Carl Moyer Program Year 12 and Transportation Fund for Clean Air (TFCA) FY 2009/2010 projects;*
- 3) *Approve an allocation of up to \$5 million in Transportation Fund for Clean Air (TFCA) funds, including \$2.5 million from FY 10/11 and \$2.5 million from FY 11/12, to support a regional electric vehicle (EV) charging infrastructure deployment program; and*
- 4) *Authorize the Executive Officer/APCO to enter into a contract with Armanino McKenna, LLP, for an amount not to exceed \$200,000 to provide a review and modernization of the TFCA Regional Fund Program.*

9. Report of the **Public Outreach Committee** Meeting of July 21, 2010

CHAIR: M. ROSS

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee recommends Board of Directors' approval of the following item:

- 1) *Approval of IQAir to conduct a School Air Filtration project for amount not to exceed \$300,000.*

10. Report of the **Stationary Source Committee** Meeting of July 23, 2010

CHAIR: G. UILKEMA

J. Broadbent/5052
jbroadbent@baaqmd.gov

PRESENTATION

11. Overview of the 2010 Clean Air Plan

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will receive an overview of the 2010 Clean Air Plan.

OTHER BUSINESS

12. Report of the Executive Officer/APCO

13. Chairperson's Report

14. Time and Place of Next Meeting – 9:45 A.M. Wednesday, August 18, 2010 – 939 Ellis Street, San Francisco, CA 94109

15. Adjournment

CONTACT EXECUTIVE OFFICE - 939 ELLIS STREET SF, CA 94109

(415) 749-5130
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

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

AUGUST 2010

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	4	9:45 a.m.	Board Room
Board of Directors Executive Committee <i>(At the Call of the Chair)</i>	Thursday	5	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	18	9:45 a.m.	Board Room
Board of Directors Personnel Committee <i>(At the Call of the Chair)</i>	Wednesday	25	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i> - CANCELLED	Thursday	26	9:30 a.m.	4 th Floor Conf. Room

SEPTEMBER 2010

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	1	9:45 a.m.	Board Room
Advisory Council Regular Meeting	Wednesday	8	9:00 a.m.	Board Room
Joint Policy Committee Special Meeting	Friday	10	10:00 a.m.	MTC Auditorium 101 – 8 th Street Oakland, CA 94607
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	15	9:45 a.m.	Board Room
Joint Policy Committee Special Meeting – RESCHEDULED TO SEPTEMBER 10, 2010	Friday	17	10:00 a.m.	MTC Auditorium 101 – 8 th Street Oakland, CA 94607
Board of Directors Strategic Facilities Ad Hoc Committee <i>(At the Call of the Chair)</i>	Tuesday	21	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	23	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Stationary Source Committee <i>(At the Call of the Chair)</i>	Monday	27	9:30 a.m.	Board Room
Board of Directors Maritime Sources & Ports Committee <i>(At the Call of the Chair)</i>	Wednesday	29	9:30 a.m.	4 th Floor Conf. Room

OCTOBER 2010

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	6	9:45 a.m.	Board Room
Advisory Council Regular Meeting	Wednesday	13	9:00 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	28	9:30 a.m.	4 th Floor Conf. Room

HL – 7/27/10 (2:40 p.m.)
P/Library/Forms/Calendar/Calendar/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 27, 2010

Re: Board of Directors Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Board of Directors Regular Meeting of June 16, 2010.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Regular Meeting of June 16, 2010.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

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

Board of Directors Regular Meeting
June 16, 2010

DRAFT MINUTES

CALL TO ORDER: Vice Chairperson Tom Bates called the meeting to order at 9:50 a.m. without an initial quorum.

Roll Call: Vice Chairperson Tom Bates and Directors Harold Brown, Chris Daly, Carole Groom, Scott Haggerty, David Hudson, Jennifer Hosterman, Liz Kniss, Ash Kalra, Carol Klatt, Eric Mar, Nate Miley, Mark Ross, Pamela Torliatt, and Gayle B. Uilkema

Absent: Chairperson Brad Wagenknecht; Secretary John Gioia, and Directors Dan Dunnigan, Susan Garner, James Sperring, Ken Yeager and Shirlee Zane

PLEDGE OF ALLEGIANCE: Director Haggerty led the Pledge of Allegiance.

Public Comments: The following individuals provided public comments regarding air monitoring:

Drew Christopher Joy, POWER
Daniel Landry, Bayview Hunters Point
Nyese Joshula, Bayview Hunters Point
Daniel Solberg, Stop Lennar Action Movement (SLAM)

Board Member Comments:

Vice Chairperson Bates recognized establishment of a quorum with the arrival of Directors Mar, Haggerty and Miley.

Directors requested response and clarification from staff regarding comments made by public speakers.

Mr. Broadbent explained that HV8 is part of a network of monitors installed by the City of San Francisco and only operates on a random basis. When the monitor is not operating the equipment is removed. There have been reports that some monitors were vandalized and stolen. He confirmed that there has been no unusual or elevated levels of dust recorded and said the District continues to conduct daily tests in Bayview Hunters Point.

Regarding authority to monitor dust, the District reviews Lennar's Monitoring Plan and determines whether additional steps are warranted. Mr. Broadbent suggested a briefing at the upcoming Stationary Source Committee meeting. In addition, as different activities are taking place at different

parcels, necessary changes are made and inspections conducted to ensure procedures are being followed.

Vice Chairperson Bates suggested the Board adhere to its standard protocol of receiving public comments and as appropriate, refer matters to staff and/or Committees for follow-up. Directors concurred.

PROCLAMATION(S)/AWARDS

The Board of Directors recognized employees who have completed milestones of twenty-five (25) and thirty (30) years of service with the Air District during the first half of the calendar year:

25 Years:

Liberty Mahinay; Bob Nishimura, Jean Roggenkamp, and Joseph Slamovich

30 Years:

Robert "Bob" Bartley, Dick Duker, and William "Bill" Hammel

Vice Chairperson Bates expressed appreciation to Bruce Kern, Executive Director, East Bay Economic Development Alliance, for his years of service to the Bay Area. Mr. Broadbent and Vice Chairperson Bates presented Mr. Kern with a Proclamation recognizing his service, and Mr. Kern expressed appreciation to the Board and District staff.

CONSENT CALENDAR (Items 1-3):

- 1. Minutes of June 2, 2010 Special Meeting and May 5, 2010 Budget Hearing;**
- 2. Communications;**
- 3. Consideration of Authorization of the Executive Officer/APCO to Enter into a Contract for Disaster Recovery Services and Internet Bandwidth**

Board Action: Director Brown made a motion to approve Consent Calendar Items 1 through 3; Director Kniss seconded the motion; unanimously approved without objection.

COMMITTEE REPORTS AND RECOMMENDATIONS

- 4. Report of the Public Outreach Committee Meeting of June 9, 2010**

Chair: M. Ross

The Public Outreach Committee met on Wednesday, June 9, 2010 and approved the minutes of March 29, 2010.

The Committee received an update on the Great Race for Clean Air, a program that encourages employees to use commute alternatives to reduce solo driving. Registration for this event began on May 1 and will end on July 15, 2010. Board Members are encouraged to participate by informing their local businesses to sign up for this event.

The Committee received an update on the 2010 Spare the Air Every Day Campaign. The campaign will target young adults between the ages of 17 – 35. In addition, a new database will be developed for Spare the Air alerts, via Text to Win sign-ups. In addition, posters will be displayed at various restaurants, television stations, as well as YouTube. Finally, the Committee requested staff monitor

the responses of the campaign and provide the Committee with an update on feedback they receive at its next meeting.

The Committee received an update on community outreach events. These events include County Fairs within the Air District jurisdiction, sponsorship and community events such as the Pittsburg Green Footprint Festival, the Truckers & Families Free Health Fair and Sunday Streets.

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

Board Action: Director Ross made a motion to approve the report of the Public Outreach Committee; Director Brown seconded the motion; unanimously approved without objection.

Director Brown asked that information on the Great Race be forwarded to the Board of Directors.

PRESENTATION

5. Advisory Council Report and Recommendations from the March 10, 2010 Advisory Council Meeting on California's 2050 Greenhouse Gas (GHG) Emission Reduction Target – Industrial Sector

Vice Chair Bates introduced Advisory Council Chairperson, Jeffrey Bramlett. Chairperson Bramlett provided introductory remarks and discussed the Advisory Council's efforts to develop the Final Report which includes recommendations to meet California's 2050 GHG emissions reduction target in the industrial sector.

Advisory Council Chairperson Bramlett introduced Advisory Council Member Kraig Kurucz, who served as lead author of the Final Report and briefly reviewed the success of the Council's meeting format and Advisory Council challenges.

Mr. Kurucz gave a PowerPoint presentation and reviewed the following guest speaker presentations:

- Dr. Eric Masanet, Principal Scientific Engineering Associate in the Energy Analysis Department at Lawrence Berkeley National Laboratory (LBNL), who spoke on GHG Emission Reduction Strategies for Industrial Use.
- Greg Knapp, Director of Environmental Safety and Health West Region, Lehigh Hanson, who spoke on GHG Emission Reduction Strategies for the Cement Industry.
- Joe Sparano, Executive Advisor to the Chairman of the Board of the Western States Petroleum Association (WSPA), who spoke on GHG Emission Reduction Strategies for oil/gas production and refining.

Mr. Kurucz recapped discussions of the Advisory Council to date:

- Discussion meetings April 14 and May 12, 2010
- Energy Efficiency
- There are no silver bullets
 - large number of small measures needed to reduce GHG emission
 - start with most cost effective first
 - develop new and innovative technological solutions
 - implement them fully and early
 - change individual behavior

- Reduce GHG emissions in each sector of the economy

Mr. Kurucz presented recommendations developed by the Advisory Council Work Group:

- Grant Funding - Explore avenues to expand scope for greatest reductions in GHGs
- Grants that will also reduce other emissions, such as air toxics and criteria pollutants
- Focus grants on those types of equipment common to many sub sectors that use the largest amounts of natural gas
- Set forward-looking standards based on energy efficiency Research and Development (R&D) at agencies such as the Department of Energy (DOE) and the California Energy Commission (CEC)
 - Work with other agencies to ensure the continuation of incentive programs for investment in new more efficient equipment
- Encourage and track R&D on low carbon intensity alternative fuels for industrial processes and motor vehicles by the California Air Resources Board (CARB), DOE, and other agencies
- Incorporate fuels consideration into the permitting process and/or District policies
- Ensure that District fees fully cover its costs as the scope of the GHG regulatory program increases.
- Continue integrated approach to multi-pollutant planning and rule development
 - Large emitters of GHGs may also be large emitters of air toxics and criteria pollutants

The Advisory Council identified emerging issues as:

- Fugitive emissions of high global warming potential
- The impact of carbon pricing on low income communities
- Availability of small business funding support: Small businesses have been selected to receive grants, contracts, loans, loan guarantees, and tax credits
- Development of new biofuel production techniques: Some technologies can produce bio fuel from algae and plant material, and power plant exhaust
- Job growth from innovative technology: Efforts to build more fuel-efficient vehicles have the potential to provide jobs if the government adopts supportive policies
- Role of industry to reduce GHGs: Companies in the Bay Area are manufacturing solar panels, electric cars, and cleaner diesel generators that will help meet the 2050 goals and to continue to clean our air. Industry will also be asked to manufacture and provide additional energy saving, energy storage, and more efficient devices in the future
- Evolving sense of future technology possibilities: More capabilities in the future to develop even more energy efficiency innovations

Chairperson Wagenknecht and Board Members thanked Chairperson Bramlett and Mr. Kurucz for the presentation of the Final Report.

6. Recommendation that the Board of Directors Reserve Up to \$5 Million in Mobile Source Incentive Funds in Support of Shore-Power Projects at Bay Area Ports

Director of Strategic Incentives, Damian Breen, gave a background on the request to reserve \$5 million in MSIF Funding for shore-power projects at Bay Area Ports, including I-Bond Program Years 1, 2 and 3 funding, ARB's proposed I-Bond allocation of \$59.5 million for on-road trucks, shore power and locomotives projects, and discussed the Air District's request for funding at \$88 million.

Mr. Breen reiterated that 85% of Bay Area air toxic health risk comes from diesel particulate emissions from on-road trucks and the ARB is considering a regulatory “rollback” for two years. He described sources of emissions from ocean-going vessels as significant, discussed emissions reductions by electrifying ship berths, and project costs of approximately \$90 million.

Staff’s proposal is to balance shore-side power and on-road truck funding needs over the next fiscal year, as follows:

- \$25 million shore-power (I-Bond/\$20 million; MSIF/\$5 million)
- \$27.5 million on-road trucks (I-Bond Program Year 1 & 2/\$24 million; Carl Moyer/MSIF/\$3.5 million)

Mr. Breen noted that staff recommends reserving up to \$5 million in Mobile Source Incentive Funds (MSIF) in support of shore-power projects at Bay Area ports; and authorize the Executive Officer/APCO to execute all the necessary solicitations, contracts and agreements to expend these funds on shore-power projects at Bay Area ports.

Mr. Broadbent acknowledged that the matter would normally be considered by the Mobile Source Committee with a recommendation to the Board, but due to timing issues and CARB cutting back on funding, the need arose to move forward quickly on the request. He briefly discussed the request, potential uses, the application process and future consideration by the Board, noting that there has been on-going dialogue between the Air District and the Port of Oakland.

Public Comment:

Omar Benjamin, Port of Oakland, thanked the District for its leadership and flexibility in developing and implementing the Air Quality Plan. He discussed disproportionate allocations based upon population which puts the Port in a less desirable situation and noted that a meeting is scheduled with Chair Nichols on June 24, 2010. He asked for support from the District and others with the hope that the CARB will make a public investment in the Port of Oakland which will help to further improve the public health and the economy.

Directors voiced their appreciation of staff’s recommendation, discussed frustration over the inequity of funds and overall funding formula. Mr. Broadbent further discussed air quality issues, revenue sources, legislative efforts, and the District’s request to proportionally reduce amounts of cuts.

Board Action: Director Miley made a motion to reserve up to \$5 million in Mobile Source Incentive Funds (MSIF) in support of shore-power projects at Bay Area ports; and authorize the Executive Officer/APCO to execute all the necessary solicitations, contracts and agreements to expend these funds on shore-power projects at Bay Area ports; Director Uilkema seconded the motion; carried unanimously without objection.

PUBLIC HEARING(S)

7. Final Public Hearing to Consider Adoption of Proposed Fee Amendments to Air District Regional 3: Fees, and Approval of a Notice of Exemption from CEQA

Vice Chairperson Bates approved waiving the staff report, noted that the public hearing had remained open, and asked for public comment. There were no public speakers, and the public hearing was closed.

Board Action: Director Kniss made a motion to adopt proposed amendments to Regulation 3: Fees, with an effective date of July 1, 2010; and approve filing of CEQA notice of exemption; Director Uilkema seconded the motion; unanimously approved without objection.

Adopted Resolution No. 2010-07; a Resolution of the Board of Directors of the Bay Area Air Quality Management District Amending Regulation 3 – Fees

Ayes: Bates, Brown, Daly, Groom, Haggerty, Hosterman, Hudson, Kalra, Klatt, Kniss, Mar, Miley, Ross, Torliatt, Uilkema

Noes: None

Absent: Dunnigan, Garner, Gioia, Spering, Yeager, Zane, Wagenknecht

8. Final Public Hearing and Consideration of Adoption of the Proposed Air District Budget for Fiscal Year Ending 2011

Vice Chairperson Bates approved waiving the staff report, noted that the public hearing had remained open, and asked for public comment. There were no public speakers, and the public hearing was closed.

Board Action: Director Uilkema made a motion to adopt the Proposed Air District Budget for Fiscal Year Ending 2011; Director Kniss seconded the motion; unanimously approved without objection.

Adopted Resolution No. 2010-08; a Resolution of the Board of Directors of the Bay Area Air Quality Management District adopting the Air District Budget for Fiscal Year Ending 2011

Ayes: Bates, Brown, Daly, Groom, Haggerty, Hosterman, Hudson, Kalra, Klatt, Kniss, Mar, Miley, Ross, Torliatt, Uilkema

Noes: None

Absent: Dunnigan, Garner, Gioia, Spering, Yeager, Zane, Wagenknecht

CLOSED SESSION

The Board of Directors adjourned to Closed Session at 11:24 a.m.

9. EXISTING LITIGATION (Government Code Section 54956.9(a))

Pursuant to Government Code Section 54956.9(a), a need exists to meet in Closed Session with Legal Counsel to consider the following case(s):

- A) Andrea Gordon v. Bay Area AQMD, United States District Court, N.D. Cal., Case No. CV 08-8630 BZ
- B) United States and Communities for a Better Environment v. Pacific Gas and Electric Company, et al, United States District Court, N.D., Cal., Case No. C-09-4503 SI
- C) Duraflame, Inc v. Bay Area AQMD, California Court of Appeal, First Appellate District, Civil Case No. A128062.

OPEN SESSION

The Board of Directors reconvened the Regular Board Meeting at 11:33 a.m. District Counsel Brian Bunger reported that there was no reportable action taken.

OTHER BUSINESS

10. Report of the Executive Officer/APCO:

Mr. Broadbent gave the following report:

- The District was recognized and presented with an award by the Prescott-Joseph Center for Community Enhancement, Inc. He explained that the District works with the organization in sponsoring and supporting a Breathmobile in the West Oakland community. It is hoped that similar efforts are duplicated in Bayview Hunters Point and elsewhere.
- Mr. Broadbent introduced new employee, Sonam Shah, Executive Secretary, in the Executive Office.

11. Chairperson's Report: Vice Chairperson Bates announced that he would be recommending to Chairperson Wagenknecht cancellation of the July 7, 2010 and July 21, 2010 Board of Directors meetings.

12. Time and Place of Next Meeting: Regular Meeting - Wednesday, July 7, 2010, 9:45 a.m., Board Room, 939 Ellis Street, San Francisco, CA 94109

13. Adjournment: The Board of Directors meeting adjourned at 11:40 a.m.

Lisa Harper
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 26, 2010

Re: Board Communications Received from June 16, 2010 through August 3, 2010

RECOMMENDED ACTION:

Receive and file.

DISCUSSION

A list of Communications directed to the Board of Directors received by the Air District from June 16, 2010 through August 3, 2010, if any, will be at each Board Member's place at the August 4, 2010 Board meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 23, 2010

Re: District Personnel on Out-of-State Business Travel

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the following District personnel have traveled on out-of-state business:

The out-of-state business travel summarized below covers the period from June 1 – July 23, 2010. Out-of-state travel is reported in the month following travel completion.

DISCUSSION

Kurt Malone, Senior AQ Meteorologist, attended EPA AQS conference in Colorado Springs, CO June 6 – 10, 2010

Dick Duker, MQA Manager, attended EPA AQS conference in Colorado Springs, CO June 8 – 11, 2010

Brad Wagenknecht, Board of Directors Member, attended A&WMA Annual Conference & Exhibition in Calgary, Canada June 21 - 25, 2010

Mark Ross, Board of Directors Member, attended A&WMA Annual Conference & Exhibition in Calgary, Canada June 19 - 24, 2010

David Hudson, Board of Directors Member, attended A&WMA Annual Conference & Exhibition in Calgary, Canada June 21 - 25, 2010

Jack Broadbent, Executive Office / APCO, attended A&WMA Annual Conference & Exhibition in Calgary, Canada June 22 - 25, 2010

Brian Bunker, Legal Counsel, attended A&WMA Annual Conference & Exhibition in Calgary, Canada June 22 - 24, 2010

Jack Colbourn, Administration Division Director, attended A&WMA Annual Conference & Exhibition in Calgary, Canada June 22 - 25, 2010

David Vintze, Air Quality Planning Manager, attended A&WMA Annual Conference & Exhibition in Calgary, Canada June 22 - 25, 2010

Jennifer Chicconi, Executive Operations Manager, attended A&WMA Annual Conference & Exhibition in Calgary, Canada June 22 - 25, 2010

Daniel Belik, Rule Development Manager, attended A&WMA Annual Conference & Exhibition in Calgary, Canada June 21 - 25, 2010

David Fairley, Research & Modeling Statistician, attended A&WMA Annual Conference & Exhibition in Calgary, Canada June 21 - 25, 2010

Eric Stevenson, Technical Services Division Director, attended NACAA Air Monitoring Steering Committee Meeting in Research Triangle Park, NC July 12 – 15, 2010

Jack Broadbent, Executive Officer / APCO, attended NACAA Air Monitoring Steering Committee Meeting in Research Triangle Park, NC July 12 – 15, 2010

Jack Colbourn, Administration Division Director, meeting with EPA & Dept. of Transportation for Grant Funding in Washington, D.C. July 13 – 16, 2010

Alexander Crockett, Assistant Counsel, attended at the EPA environmental Appeals Board on Petitions for Review of PSD Permit for Russell City Energy Center in Washington, D.C. July 21 – 22, 2010

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marina Smotkin
Reviewed by: Jack M. Colbourn



Linda S. Adams
Secretary for
Environmental Protection

Air Resources Board

Mary D. Nichols, Chairman
1001 I Street • P.O. Box 2815
Sacramento, California 95812 • www.arb.ca.gov



Arnold Schwarzenegger
Governor

TO: Members of the Board of Directors

FROM: Honorable Ken Yeager 
Board Member

DATE: July 1, 2010

SUBJECT: QUARTERLY REPORT OF MY ACTIVITIES AS AN AIR RESOURCES BOARD MEMBER

The list below summarizes my activities as an Air Resources Board member from April 1 through June 30, 2010:

April Activities

No activity in April

May Activities

5th Met with Chrysler re credits for neighborhood electric vehicles

27th Air Resources Board meeting, San Diego

June Activities

15th Met with Port of Oakland re Prop 1B shore power funding

17th Air Resources Board staff briefings

21st Call with ARB and BAAQND staff re Prop 1B shore power funding

24th Air Resources Board meeting, Sacramento

Attachments: Public Agendas

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

LOCATION:

**Wednesday, April 21, 2010
at 1:00 p.m.**

Air Resources Board
1001 I Street, 2nd Floor
Sierra Hearing Room
Sacramento, California 95814

**Thursday, April 22, 2010 at
9:00 a.m.**

Air Resources Board
1001 I Street, 2nd Floor
Byron Sher Auditorium
Sacramento, California 95814

PUBLIC MEETING AGENDA

**Wednesday, April 21, 2010
and
Thursday, April 22, 2010**

This facility is accessible by public transit. For transit information, call: (916) 321-BUSS, website <http://www.sacrt.com/> (This facility is accessible to persons with disabilities.)

Webcast

April 21, 2010

1:00 p.m.

Sierra Hearing Room

DISCUSSION ITEM:**Agenda Item #**

10-3-6

Agenda Topic

Continued from the March 25, 2010 Board Meeting: Public Meeting to Up Economic Analyses

Staff, experts and stakeholders will discuss several economic analyses relating to reduce greenhouse gas emissions. This agenda item will include an overview of the implementation of the AB 32 Scoping Plan and allow an extended opportunity

More Information

ARB Staff Presentation

Paul Bernstein, Charles River Associates

David Roland-Holst, University of California, Berkeley

Tom Tanton, Pacific Research Institute

Reid Harvey, U.S. Environmental Protection Agency

Michael Hanemann, UC Berkeley
Hal Nelson, Claremont Graduate University
Larry Goulder, Stanford University

April 22, 2010

9:00 a.m.

Byron Sher Auditorium

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item # Agenda Topic

10-4-1 **Public Meeting to Update the Board on the Implementation of the California 2006 (Assembly Bill 32) and the Climate Change Scoping Plan**
Staff will update the Board on the implementation progress of the Scoping Plan change program outreach activities.

More Information Staff Presentation

10-4-2 **Public Meeting to Update the Board on the Regulation for In-Use Off-Road and the In-Use On-Road Diesel Vehicle Regulation (Truck and Bus Regulation)**
Staff will update the Board on the off-road regulation, including an assessment of emissions from fleets subject to the regulation, using available information including 1) the Diesel Off-Road On-Line Reporting System (DOORS), and 2) the Associated inventory modeling analysis presented to the Board in December 2009. In addition, staff will brief the Board on the Executive Officer hearing concerning the need for further amendments to the regulation. Finally, staff will brief the Board with the latest information regarding the recession's effect on emissions and bus regulation. Finally, staff will brief the Board on potential changes being considered.

More Information Staff Presentation

CLOSED SESSION – LITIGATION

The Board will hold a closed session, as authorized by Government Code 54957, and receive advice from, its legal counsel regarding the following pending litigation:

Central Valley Chrysler-Jeep, Inc. et al. v. Goldstene, U.S. Court of Appeals, U.S. District Court (E.D. Cal. Fresno), Case No. 08 17378.

Fresno Dodge, Inc. et al. v. California Air Resources Board et al., Superior Court (Fresno County), Case No. 04CE CG03498.

General Motors Corp. et al. v. California Air Resources Board et al., Superior Court (Fresno County), Case No. 05CE CG02787.

Green Mountain Chrysler-Plymouth-Dodge-Jeep, et al. v. Crombie, 508 P.2d 1311 (Cal. 1974).

Court Vermont (2007), appeal to U.S. Court of Appeals, Second Circuit 07-4360-cv(CON).

Pacific Merchant Shipping Association v. Goldstene, U.S. District Court 2:09-CV-01151-MCE-EFB.

American Trucking Association, et al. v. U.S. Environmental Protection Appeals, District of Columbia Circuit, Case No. 09-1090.

POET, LLC, et al. v. Goldstene, et al., Superior Court of California (Fre: 09CECG04850.

Rocky Mountain Farmers Union, et al. v. Goldstene, U.S. District Court 1:09-cv-02234-LJO-DLB.

National Petroleum & Refiners Association, et al. v. Goldstene, et al., U Case No. 1:10-cv-00163-AWI-GSA.

OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST

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OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD

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- Una acomodación razonable relacionados con una incapacidad.

Por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de diez (10) días laborales antes del día programado para la audiencia. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

SMOKING IS NOT PERMITTED AT MEETINGS OF THE CALIFORNIA AIR RESOURCES BOARD

[Back to Board Meetings & Other Information Page](#)

LOCATION:

County Administration Center
Board Chambers, Room 310
1600 Pacific Highway
San Diego, California 92101

PUBLIC MEETING AGENDA**May 27, 2010****Webcast****Electronic Board Book**

This facility is accessible by public transit. For transit information, call (619) 233-3004, website <http://www.sdmts.com/>

(This facility is accessible to persons with disabilities.)

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May 27, 2010**9:00 a.m.****DISCUSSION ITEMS:**

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item #**Agenda Topic****10-5-1**

Public Meeting to Provide a Status Report on Imperial County Air Quality and Consideration of the Imperial County PM10 State Implementation Plan

Staff will provide an overview to the Board of past trends and current air quality in Imperial County to highlight air quality progress. The Air Resources Board will also conduct a public hearing to consider approval of the Imperial County PM10 State Implementation Plan (PM10 SIP). If adopted, ARB will submit the PM10 SIP to the United States Environmental Protection Agency for approval as a revision to the California State Implementation Plan.

[More Information](#) [Staff Presentation](#)

10-5-2

Public Meeting to Provide a Report on the San Joaquin Valley Smoke Management Program and Consideration of Modifications to Agricultural Burning Requirements

Staff will present to the Board a report on the Smoke Management Program that the San Joaquin Valley Air Pollution Control District (District) developed

to minimize the impacts of agricultural burning. Staff will also present the modifications to the agricultural burning requirements the District is proposing to meet State law.

More Information Staff Presentation

10-5-3

Public Meeting to Provide Status Report on New United States Environmental Protection Agency Requirements for Near-Roadway Monitoring of Nitrogen Dioxide

Staff will present to the Board information on new near-roadway monitoring requirements for nitrogen dioxide that were adopted earlier this year by the United States Environmental Protection Agency.

More Information Staff Presentation

CLOSED SESSION – LITIGATION

The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

Pacific Merchant Shipping Association v. Goldstene, U.S. District Court (E.D. Cal Fresno), Case No. 2:09-CV-01151-MCE-EFB.

American Trucking Associations, et al. v. U.S. Environmental Protection Agency, et al., U.S. Court of Appeals, District of Columbia Circuit, Case No. 09-1090.

POET, LLC, et al. v. Goldstene, et al., Superior Court of California (Fresno County), Case No. 09CECG04850.

Rocky Mountain Farmers Union, et al. v. Goldstene, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-cv-02234-LJO-DLB.

National Petroleum & Refiners Association, et al. v. Goldstene, et al., U.S. District Court (E.D. Cal. Fresno) Case No. 1:10-cv-00163-AWI-GSA.

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LOCATION OF THE MEETING:

Air Resources Board
1001 I Street, 2nd Floor
Byron Sher Auditorium
Sacramento, California 95814

*TO WATCH A ONE-WAY WEBCAST OF THIS MEETING, YOU CAN GO TO EITHER OF THE FOLLOWING LOCATIONS, AT THESE LOCATIONS IT WILL BE POSSIBLE TO VIEW THE BOARD PROCEEDINGS BUT NOT TO PROVIDE ANY TESTIMONY TO THE BOARD:

City of San Bernardino
Economic Development Agency
201 North E Street, Suite 301
Executive Board Room
San Bernardino, California
(909) 663-1044

South Coast Air Quality Management District
Auditorium
21865 Copley Drive
Diamond Bar, California
(909) 396-2000

This facility is accessible by public transit.
For transit information, call:
(916) 321-BUSS, website
<http://www.sacrt.com/>
(This facility is accessible to persons with disabilities.)

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***REVISED**

PUBLIC MEETING AGENDA

JUNE 24, 2010

Electronic Board Book

WEBCAST

June 24, 2010

9:00 a.m.

CONSENT CALENDAR:

All items on the consent calendar will be voted on by the Board immediately after the start of the public meeting. from the consent calendar by a Board member or if someone in the audience wishes to speak on that item. The fo

calendar:

Consent

Item # Agenda Topic

- 10-6-1 Public Meeting to Consider Approval of the Coso Junction PM10 Redesignation Request**
Staff will present to the Board for approval the 2010 PM10 Maintenance Plan and Redesignation Junction Planning Area. Coso Junction has attained the 24-hour PM10 National Ambient Air on 2007-2009 air quality data.
[More Information](#) [Proposed Resolution](#)

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

**Agenda
Item # Agenda Topic**

- THIS ITEM HAS BEEN POSTPONED TO THE JULY BOARD MEETING**
- 10-5-3 Continuation from the May Board Meeting--Public Meeting to Provide a Status Report on Environmental Protection Agency Requirements for Near-Roadway Monitoring of Nitrogen Dioxide**
Staff will present to the Board information on new near-roadway monitoring requirements that were adopted earlier this year by the United States Environmental Protection Agency.
[More Information](#)
- 10-6-2 Public Hearing to Consider Adoption of Proposed Amendments to the Regulation to Restrict the Use of Diesel Engines on Commercial Harbor Craft Operated Within California Waters and 24 California Baseline**
Staff will present to the Board proposed amendments to the Commercial Harbor Craft on certain crew and supply, barge, and dredge vessels in-use engine requirements and clarifying amendments.
[More Information](#) [Staff Presentation](#)
- 10-6-5 Public Meeting to Consider Staff Recommendations for Commitments between BNSF Railroads to Accelerate Further Diesel PM Emission Reductions at Four Locations in the South Coast Air Basin**
Staff will present to the Board proposed railyard-specific commitments in which UP and BNSF agree to meet interim and final railyard specific diesel PM emissions levels between 2010 and 2015 and other specified periodic reporting requirements.
[More Information](#) [Staff Presentation](#)
- 10-6-3 Public Meeting to Consider the Adoption of Prop 1B: Grants for FY 2008-09 and 2009-10 to Reduce Emissions from Goods Movement**
Staff will present to the Board for adoption a list of grant awards totaling up to \$200 million in funding for specific local agency projects to reduce freight-related emissions in the South Coast Air Basin.
[More Information](#) [Staff Presentation](#)
- 10-6-4 Public Meeting to Consider the Proposed Assembly Bill 118: Air Quality Improvement Program 2010-11 Funding Plan**
Staff will present to the Board a Proposed Air Quality Improvement Program (AQIP) Funding Plan which provides recommendations for program changes and the allocation of AQIP funding.

project categories. Assembly Bill (AB) 118 (Nunez, 2007) provides the Air Resources million annually. AB 118 allows for the AQIP to fund a variety of air quality incentive criteria pollutant emissions, including low-emission vehicles and equipment, research

[More Information](#) [Staff Presentation](#)

10-6-6 Public Meeting to Report to the Board on Target Setting Efforts under Senate B
Staff will present to the Board a status report on efforts to establish regional greenho targets pursuant to Senate Bill 375 (Steinberg, Chapter 728, Statutes of 2008.)

[More Information](#) [Staff Presentation](#) [4 Large MPO Guest Speaker](#) [Andy Chesley Gu](#)

CLOSED SESSION – LITIGATION

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Pacific Merchant Shipping Association v. Goldstene, U.S. District Court (E.D. Cal Fre CV-01151-MCE-EFB.

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To: Chairperson Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 22, 2010

Re: Report of Division Activities for the Months of April 2010-June 2010

ADMINISTRATION AND HUMAN RESOURCES – J. COLBOURN, DIRECTOR

The Human Resources (HR) Office coordinated sixteen recruitment exams including exams for Executive Secretary, Administrative Secretary, Air Monitoring Manager, Finance Manager, IS Manager, Public Information Officer, Secretary, Supervising Environmental Planner, Principal Environmental Planner, Temp Engineering Intern, Temp High School Intern, Temp Supervising Environmental Planner, Temp Administrative Secretary, Temp Air Quality Permit Technician, Temp Air Quality Technician, and Temp Office Assistant. In addition, the HR Office conducted training sessions, including: Floor Monitoring Training, CPR/1st Aid Training, Earthquake Preparedness Training, Safety Training, Preventing Absenteeism & Abuse of Leave, Payroll Timesheet Training, and the Leadership Development Program (see below). Furthermore, the HR Office is planning to conduct training for the Production System, Windows 7 and Office Suite 2010. The HR Office continues to administer payroll, benefits, safety, and labor/employee relations.

- Assisted each LDP Participant with their Individual Development Plans
- Arranged for various targeted trainings for individual LDP participants
- LDP Training on Strategic Thinking/Visioning/Innovation
- LDP Training on Team Work for Team Projects
- Meeting with Managers for various aspects of LDP
- “Leaders Building Leaders” session for LDP.
- One-on-One meetings with LDP Participants
- Meetings with LDP faculty on various aspects of LDP
- Follow-up meetings with Project Sponsors on LDP team projects
- Conducted focus group session of current Supervisors to design a structured Supervisory program

Coordinated the All-Hands Meeting and Employee Recognition Event and assisted with the 06/16/10 Board of Directors meeting at which employees were honored who obtained 25 and 30 years of service.

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

The Valero Benicia Refinery emitted large, black visible plume from the main stack in violation of air quality regulations for 3 days starting on June 17, 2010. Excessive particulate matter from the coker unit overwhelmed air pollution abatement equipment and was emitted to the atmosphere. The refinery shutdown the coker unit to stop the excessive smoke plumes. Staff implemented the Commercial Idling Enforcement program on April 1, as part of the District's Mobile Source Enforcement Program; 10 citations were issued in the quarter. Drayage truck inspections were conducted jointly with CARB at the Port of Oakland on April 6-7 and May 11-12, resulting in eight violations. Train idling inspections were conducted at Burlington Northern Santa Fe and Union Pacific intermodal rail terminals at the Port of Oakland on June 2, 3, 15 and 16. Inspections were conducted at 5 other railyards in the District on April 22 and 23. Thirty-three locomotives were inspected; no violations were documented. Staff documented excessive visible dust emissions at the Lehigh Southwest Cement facility from material handling sources on May 25 and June 3. Both violations were corrected the same day. In June, staff provided testimony to the Hearing Board during abatement hearings against 8 gas stations that had not complied with the April 1, 2009 deadline for installation of state-required vapor recovery equipment upgrades. There are approximately 43 retail non-compliant stations that the District plans to file accusations for Orders of Abatement in order to bring the stations into compliance. On June 9, U.S. EPA released its final report on its review of dust and naturally occurring asbestos (NOA) control measures and air monitoring at the former Hunters Point Naval Shipyard. EPA concluded that, ". . . the implementation and enforcement of the Asbestos Dust Mitigation Plan at the Lennar Bay View Hunters Point—Parcel A' redevelopment project were effective at minimizing dust asbestos exposure and that District oversight was appropriate."

Compliance Assurance Program

Staff completed 62 vehicle inspections for Carl Moyer projects (33 retrofit and 29 new vehicles) and 14 engine inspections for the Goods Movement program for the Strategic Incentives Division. Staff participated in the monthly Truck Work Group meetings at the Port of Oakland.

Compliance Assistance Program

Three compliance assistance advisories were sent to industry to inform them of: 1) the July 1, 2010 perchloroethylene (PERC) dry cleaning machine phase-out (English, Spanish, Korean and Chinese); 2) the September 1, 2010 deadline to install In-Station Diagnostics (ISD) monitoring equipment for select gas stations; and 3) new fees for asbestos operations. Additionally, a CARB Advisory was sent to all gas stations in the Bay Area warning that a damaged Vapor Systems Technologies, Inc. nozzle can unexpectedly cause gasoline to spray out without the nozzle being inserted into a vehicle fuel tank. Two Industrial Compliance Schools were held under the Small Business Incentives program. Graphic Arts Printing Operations was held on April 29 and Wood Products Coating Operations was held on May 11.

Staff conducted compliance assistance site visits at 180 dry cleaners to provide information regarding the July 1, 2010 deadline to phase-out PERC dry cleaning machines and provided information on how to enter into a compliance schedule/agreement to receive up to a 12-month extension on the deadline. The results show that approximately 90 dry cleaners are still using their PERC machines. As part of the District’s compliance assistance campaign to help reduce unnecessary commercial truck idling, “Stop Idling” posters are being displayed in areas truck drivers congregate in West Oakland and near the Port of Oakland. The poster and dash board labels were produced in English, Spanish, Punjabi, Vietnamese and Chinese. On May 20, staff met with the Hunters View Tenants’ Association to discuss and answer questions about air quality issues associated with the planned redevelopment of the Hunters View public housing project. On June 9, staff gave a presentation on the Compliance and Enforcement Division to an emergency management delegation from China.

Technical Support

EPA Region IX conducted Hazardous Waste Combustors training on April 1 at District offices. The training covered compliance performance testing procedures. Staff hosted the following CARB courses at the District offices during this quarter: Above Ground Storage Tanks (April 13), In Station Diagnostics (April 14-15), Landfill Gas Control Facilities (June 8) and Principles of Ambient Air Monitoring (June 9). On June 23, and 30, staff conducted the Second Quarter In-Service Training (IST) for inspection staff. The training topics included: Inspection procedures, air sampling and sample chain of custody review, instrumentation review, stand-by and incident response refresher, water craft fuel gas sampling, proper car mirror positioning and “Hands Free” cell-phone use requirement when driving. Staff completed the conversion, graphing and posting of flare monitoring data through April 2010.

(See Attachment for Activities by County)

ENGINEERING DIVISION – B. BATEMAN, DIRECTOR

Permit Systems Program

In the second quarter of 2010, 362 new permit applications were received: 257 standard New Source Review applications, 84 Gasoline Dispensing Facility applications, 19 Title V applications, and 2 Banking applications. During this period, the Engineering Division issued 165 Authorities to Construct and 502 Permits to Operate.

Engineering Division Permit Activity – 4th Quarter 2009			
Annual update packages started	955	Permits to Operate issued (new and modified)	502
Annual update packages completed	989	Exemptions (apps. Submitted deemed exempt)	18
Total update pages entered	1,335	Authorities to Construct denied	0
New applications received	362	New Companies added to Data Bank during the 2 nd quarter 2010	142
Authorities to Construct issued	165		

Toxics Program

Staff continued to prepare Health Risk Screening Analyses for new and modified source permit applications using revised methodologies adopted with recent amendments to Regulation 2, Rule 5. Staff also continued work in assessing health risk from the Lehigh Southwest Cement Company (Cupertino) and Sentinel Cremation Societies (Emeryville) for the Air Toxics Hot Spots Program. Finally, Staff provided support for proposed updates to the District's CEQA guidelines, and the development of a proposed rule for metal foundries and other metal melting operations.

Title V Program

The draft Title V permit renewals for the Valero Benicia Refinery and the Tesoro Martinez Refinery were issued for public comment in May 2010. The draft Title V renewals for the three other Bay Area refineries (Chevron Richmond, ConocoPhillips Rodeo and Shell Martinez) should be issued in the third quarter of 2010. Draft Title V permit renewals for the Valero Benicia Asphalt and NuStar Logistics have also been recently issued.

The District issued the final Title V permit renewal for NUMMI (Fremont) on June 8, 2010. NUMMI has chosen to keep their Title V permit active even though production at the facility ended earlier this year. It was later announced that Tesla Motors will manufacture automobiles at the facility.

Permit Evaluation Program

EPA's Environmental Appeals Board (EAB) received twelve petitions for review of the PSD permit issued by the District for the proposed Russell City Energy Center (Hayward); seven of these petitions were dismissed for not being timely. The EAB has scheduled oral arguments on the appeal for July 22, 2010.

On June 25, 2010, the District issued a Final Determination of Compliance (FDOC) for the proposed Marsh Landing Generating Station (unincorporated Antioch). This project is a 760-MW natural gas-fired power plant located at a site adjacent to the existing Mirant Contra Costa Power Plant. The FDOC was issued for the project after the District considered public comments received on the Preliminary Determination of Compliance (PDOC). The California Energy Commission will use the FDOC in reviewing potential air quality impacts in its licensing proceeding for the proposed project.

The Los Esteros Critical Energy Facility (San Jose) has requested a renewal of the Authority to Construct issued by the District in August 2007 to convert the plant from simple-cycle operation to combined-cycle operation. A draft evaluation for this permit renewal has been completed. In order to meet current requirements for Best Available Control Technology, the District is proposing to revise emission limits for several pollutants.

Staff has prepared a draft PDOC for the proposed 200-MW Mariposa Energy Project (eastern Alameda County). It is expected that the PDOC for this project will be issued in late July. The District also received a supplemental filing for the proposed 624-MW Oakley Generating Station (Oakley) on April 8, 2010. It is expected that the Preliminary DOC for this project will be issued in August 2010.

Staff continues work to implement the CARB stationary diesel engine ATCM and portable diesel engine ATCM. In addition to the normal workload, the District has received a number of applications to re-designate portable prime uncertified diesel engines to low usage or emergency usage in order to avoid engine shut down as required under the ATCM. These diesel engines, which are allowed to continue to operate in this limited capacity, will likely be replaced with the much cleaner Tier 4 engines when they become available.

Engineering Projects Program

Work on the District's Production System project accelerated in the 2nd quarter of 2010. Tasks included: (1) completing a proposal for updating device data and the permit renewal processes, (2) completing initial designs of the Customer, Engineering staff, Supervisor and Manager portal screens, (3) reviewing initial application process designs for BACT, CEQA, Toxic Risk Screen and offsets, and (4) development of business rules, use cases and emission calculation methodologies.

LEGAL DIVISION – B. BUNGER, DISTRICT COUNSEL

The District Legal Counsel's Office received 225 violations reflected in Notices of Violation (NOVs) for processing.

Mutual Settlement Program staff initiated settlement discussions regarding civil penalties for 103 violations reflected in NOVs. In addition, 3 Final 30 Day Letters were sent regarding civil penalties for 4 violations. Finally, settlement negotiations resulted in collection of \$54,475 in civil penalties for 60 violations.

Counsel in the District Legal Counsel's Office initiated settlement discussions regarding civil penalties for 47 violations. Settlement negotiations by counsel resulted in collection of \$290,550 in civil penalties for 51 violations and non-NOV related settlements.

(See Attachment for Penalties by County)

COMMUNICATIONS AND OUTREACH – L. FASANO

News Releases

The Air District issued twelve press releases and three media advisories during the last quarter:

- 6/30/2010 Port Truck Grant Program concludes
- 6/28/2010 Permissive burn period begins for Range Management
- 6/2/2010 Air District passes guidelines to protect Bay Area neighborhoods
- 5/26/2010 Permissive burn season closes for Flood Debris fires
- 5/13/2010 Air District funds projects to expand bicycling options in the Bay Area
- 5/12/2010 Air District kicks off Great Race for Clean Air
- 5/4/2010 Air District seeks public input on California Goods Movement Bond
- 5/4/2010 Air District offers \$19 million to reduce diesel engine pollution
- 5/3/2010 Spare the Air smog season begins today
- 4/22/2010 Permissive burn seasons close for Crop Replacement, Forest Management, Orchard Pruning and Attrition, and Range Management
- 4/15/2010 Breathe CA 2010 Clean Air Awards
- 4/22/2010 Permissive burn seasons close for Crop Replacement, Forest Management, Orchard Pruning and Attrition, and Range movement
- 4/7/2010 Air District approves \$1.2 million for Vehicle Buy Back Program
- 4/7/2010 Air District seeks public input for updates to CEQA guidelines
- 4/6/2010 Permissive burn season closes for spring Marsh Management fires

Media Inquiries

Staff responded to a number of media inquiries during this quarter, topics included:

- Russell City power plant
- Electric vehicle charging stations
- Smoking vehicle program
- District advanced technology grants
- Clean Air Plan
- Pacific Steel Casting
- Diesel truck replacements
- EPA action on Lehigh Cement
- CEQA guidelines
- Lehigh Cement plant permit
- 40th anniversary of Earth Day
- Valero Refinery
- Methane from dairy operations / clean air plan

Media Highlights

Below are highlights of media coverage of the Air District over the reporting period: (to view press control key and click link)

KTVU clip: Vehicle Buyback

<http://mms.tveyes.com/Transcript.asp?StationID=974&DateTime=4%2F8%2F2010+7%3A19%3A44+AM&Term=Bay+Area+Air+Quality&PlayClip=TRUE>

San Jose Mercury News - Denis Cuff - 2010 ,5Apr

[Clean air plan targets industries from dairies to developers](#)

Contra Costa Times - Jack Broadbent, Linda Civitello2010 ,8May -

[Readers' Forum: Bay Area air quality and health closely related](#) javascript:void(0);

San Jose Mercury

[Smog season begins in Bay Area](#)

javascript:void(0);

KTSF Video Clip (Chinese language) Spare the Air launch

http://www.ktsf.com/share/news/KTSF_Video_Player.asp?playMode=3&clip=m052410a.flv

Publications

Air District Guidebook / Annual Report – The Air District’s updated *Guidebook* and *2009 Annual Report* was printed and distributed. The guidebook serves as an introduction to the Air District while the *2009 Annual Report* highlights last year’s accomplishments and activities.

The report and guidebook are available online at:

<http://www.baaqmd.gov/Divisions/Communications-and-Outreach/Publications-and-Videos/Annual-Report.aspx>

Air Currents – The Spring 2010 edition of *Air Currents* was distributed in March. It featured articles on the Winter Spare the Air season, the Port of Oakland truck retrofit program, and the Toxics New Source Review rule amendments, among other topics. The issue is available online at:

http://www.baaqmd.gov/~media/Files/Communications%20and%20Outreach/Publications/Air%20Currents/ac_2010_spring.ashx

The Breeze – Staff distributed the Spring Issue of *the Breeze* to over 800 e-mail recipients from the Spare the Air Employer network. The issue featured articles on topics geared toward employers, including the Great Race for Clean Air, bridge toll changes, and the transition to Clipper. It is available online at

<http://www.sparetheair.org/~media/STA/Files/2/For%20Employers/Breeze/TheBreeze17.ashx>

Public Inquiries

Staff responded to approximately 800 calls and 350 emails from the public.

Spare the Air Every Day

The 2010 smog season launched Monday, May 3 and runs through September 30, 2010. This year, the *Spare the Air Every Day* campaign will focus on a younger audience. Staff and the advertising contractor developed key messages and new graphics materials for this year's campaign.

Community Outreach

Bay Area Environmental Health Collaborative (BAEHC) – Staff continued to meet with members of BAEHC to discuss the Air District's response to BAEHC's proposed Website, Language Access, and Public Participation protocols.

Bay Area Schools Conference – Staff moderated a session at the Bay Area Schools Conference in San José. Approximately 300 Bay Area educators and students attended.

Breathe California Clean Air Awards Luncheon: The Executive Officer received the 2010 Breathe California Clean Air Award for the Air District's efforts to reduce the harmful effects of particulate matter by adopting and enforcing the Wood Smoke Regulation.

Bayview Hunters Point – Staff met with members of the Hunters Tenant Association in the Bayview Hunters Point community to discuss the demolition, asbestos abatement, Asbestos Dust Mitigation Program and dust issues surrounding the Hunters View project. John Steward Corporation, general contractors of the project, participated.

Staff met with members of the Bayview Hunters Point community to discuss the Air District's pilot Air Filtration project for elementary schools. This pilot project will be funded by the \$515,000 settlement with Lennar Corporation. A total of \$300,000 will be allocated to this project for air filtration installation at six schools.

China Environmental Protection Emergency Management Delegation – Staff hosted a delegation of environmental professionals from Shandong, China on June 9th. Staff shared information about the Air District's mission and enforcement practices.

Climate Change Everybody Profits VI – Staff attended and hosted a booth at this annual event attended by 250 people, including elected representatives from Sonoma County, environmental activists and students. Staff highlighted Air District climate change initiatives.

Community Grant Program – Staff conducted a site visit to Community Grant Program recipients Axis Community Health in Pleasanton and Earth Team in Oakland. Staff spoke with patients served by Axis Community Health and observed clinical treatment at their facility.

Federal Express Trucking Fleet – Staff gave a presentation regarding the health impacts of diesel particulates and the State diesel idling law to truck drivers at the South San Francisco depot of Federal Express. Approximately 25 drivers attended.

Great Race for Clean Air – The Air District launched the Great Race for Clean Air event, a friendly competition designed for Bay Area employers to address air quality concerns and transportation solutions at their workplace. Resource Teams around the nine-county region will be recruiting employers in their local counties to participate in this event. The event will run from August 1 through September 30, 2010. The Santa Clara resource team hosted a region-wide webinar for interested employers on how to participate in the Great Race for Clean Air. Over 40 people participated in the webinar.

League of Women Voters Annual Meeting – The Air District's Communications and Outreach Director delivered the keynote speech to local presidents of over 50 chapters of the League of Women Voters in the Bay Area. The league's Bay Area Monitor newsletter also included a feature on the summer Spare the Air season.

Navigating the American Carbon World Conference – The Air District received an award from the Climate Action Registry recognizing its climate programs.

Richmond Green Zoning Tour – Staff participated in a tour of the city of Richmond hosted by the West County Toxics Coalition. The tour was used to launch a discussion of solutions to environmental health impacts in Richmond and opportunities for projects designed to green North Richmond. A representative from United States Senator Barbara Boxer's office participated in this tour.

San Jose Resource Team – The Air District hosted meetings of the San José Green Vision Resource Team, a joint collaboration between the Air District and the City of San José, to plan home energy conservation workshops for low-income residents.

Stop Waste Green Star Schools Initiative – Staff met with the Alameda County Stop Waste Program to discuss a regional environmental education certification program that would include Air District curricula.

Air District Presence at Community Events

Staff represented the Air District and hosted informational booths at the following community events:

San Francisco County: Saturday, April 3, 2010 Asthma Walk, Coleman Medical Center, 6301 Third Street to Candle Stick Park, San Francisco

Contra Costa County: Wednesday, April 7, John Muir Health, Walnut Creek Campus, Walnut Creek

Alameda County: Wednesday, April 14, Oakland Earth Expo, Frank Ogawa Plaza, Oakland

San Mateo County: Thursday, April 15, Visa Earth Day Expo, Visa's Corporate Services Department, Foster City

San Francisco County: Friday, April 16, Breathe California Award Luncheon, Westin St. Francis, 335 Powell Street, San Francisco

Alameda County: Saturday, April 17, Alameda Earth Day Festival, Washington Park, Alameda

Contra Costa County: Saturday, April 17, John Muir Association, John Muir National Historic Site, Martinez

Alameda County: Saturday, April 17, Oakland Zoo's Earth Day Expo, Oakland Zoo, Oakland

Santa Clara County: Saturday, April 17, Earth Day Film and Fun Festival, City Hall Plaza, Cupertino

Santa Clara County: Wednesday, April 22, Nvidia Earth Day Event, 2731 San Tomas Express Way, Santa Clara

Alameda County: Saturday, April 24, Berkeley Earth Day, Civic Center/Downtown Berkeley, Berkeley

Marin County: Saturday, April 24, Earth Day Marin, Central Marin, Marin

Napa County: Saturday, April 24, Earth Day Napa, Downtown Napa, Napa

Contra Costa County: Saturday, April 24, Lamorinda Employer Transportation Commuter Fair, Lafayette Library and Learning Center Community Hall, Lafayette

Contra Costa County: Wednesday, April 28, Green Fair, John Muir Medical Center, Concord Campus, Concord

San Mateo County: Thursday, April 29, HDR/The Hoyt Company, 1120 Veterans Boulevard, South San Francisco

Sonoma County: Thursday, May 13, Climate Change Everybody Profits V1, Veterans Memorial Hall, Sebastopol

Contra Costa County: Sunday and Monday, May 30-31, San Ramon Art & Wine Festival, San Ramon Central Park, San Ramon

Contra Costa County: Saturday & Sunday, June 5-6, Contra Costa County Fair, 1201 West 10th Street, Antioch

San Mateo County: Saturday & Sunday, June 12-13, San Mateo County Fair, 2495 S. Delaware Street, San Mateo

Sonoma County: Saturday, June 12, Harmony Festival, 1350 Bennett Valley Road, Santa Rosa

Contra Costa County: Thursday, June 17, Pittsburg Green Footprint Festival, Small World Park, Pittsburg

Alameda County: Saturday, June 19, Truckers and Families Free Health Fair, OT-411 Maritime & Burma, Oakland

Santa Clara County: Thursday, June 24, 2010 Environmental Faire, Applied Materials, 3100 Bowers Ave, Santa Clara

Solano County: Saturday & Sunday, June 26-27, Solano County Fair, 900 Fairgrounds Drive, Vallejo

Alameda County: Saturday & Sunday, June 26-27, Alameda County Fair, 4501 Pleasanton Avenue, Pleasanton

PLANNING DIVISION – H. HILKEN, DIRECTOR

Community Air Risk Evaluation (CARE) Program

During this quarter, staff contributed to the further development of the District's updated CEQA Guidelines, adopted by the Board of Directors on June 2nd, 2010. CARE Program contributions included developing screening tables for roadways and stationary sources, writing the methodology document for evaluating local risk and hazards impacts, evaluating risk and hazards impacts for local case studies, and planning for and participating in numerous workshops and meetings. The Board of Directors approved staff's recommendation to contract with Sonoma Technologies, Inc. to assist with preparation of a detailed emissions inventory for the Bay Area to support Community Risk Reduction Plans (CRRPs). Staff completed draft scopes of work for the City of San

Jose Planning Department and the San Francisco Department of Public Health to develop pilot Community Risk Reduction Plans; the District will provide each jurisdiction approximately \$50,000 to support local work on CRRPs. A CARE Task Force meeting was held on May 19th to provide an update on the CEQA guidelines and discuss the draft Community Risk Reduction Plan guidelines.

Staff participated in a meeting of the Cumulative Impacts/Precautionary Approach (CI/PA) Working Group at CalEPA, where staff from the Office of Environmental Health Hazard Assessment (OEHHA) presented progress on writing a document recommending ways to incorporate CI/PA issues into agency decision making processes. Staff participated in a workshop on CAPCOA's Health Risk Assessments for Proposed Land Use Projects guidance document. Staff completed the West Oakland Truck Survey and posted the final report on the CARE web page. Working with the Desert Research Institute, staff completed the measurement phase of the West Oakland Measurement Study. Staff hosted a public meeting in West Oakland to present and discuss the 2nd quarter of PM metals data (roughly November through January) collected near Custom Alloy Scrap Sales (CASS).

Air Quality Planning Program

Staff held public workshops on the draft 2010 Clean Air Plan (CAP) and the Draft Program Environmental Impact Report in Petaluma, Santa Clara, and Oakland. Staff is responding to public comments and is preparing the final 2010 CAP for Board consideration in September 2010.

Staff hosted local government staff workshops on the CEQA Guidelines update in San Francisco, Santa Rosa, Fairfield, Napa, Walnut Creek, Oakland, San Jose, Redwood City, Daly City, and San Rafael. Staff also hosted public workshops for the CEQA Guidelines update in Mountain View and Oakland. Staff also made presentations to over 40 public and private organizations explaining the CEQA Guidelines and receiving comments. Staff prepared response to comments received at the workshops and prepared a final draft of the CEQA Guidelines for Board consideration. The Board of Directors approved the CEQA Guidelines on June 2, 2010. Staff developed and posted resources and tools to assist local government staff in implementing the CEQA Guidelines. Staff hosted 5 URBEMIS/BGM model training workshops for local government agency staff. The training workshops were attended by approximately 150 local government staff. Staff is coordinating efforts to track implementation of the CEQA Guidelines and has initiated the Community Risk Reduction Plan (CRRP) development process.

Staff continued to participate on the Project Oversight Panel for the CAPCOA GHG mitigation measure effectiveness study that is developing GHG reduction methodologies and emission reduction estimates for mitigation measures that local governments can use in their CEQA documents. This resource document, titled Quantifying Greenhouse Gas Mitigation Measures, is expected to be released in August 2010. Staff participated in weekly meetings with MTC and ABAG staff to discuss the development of the work plan for the Sustainable Communities Strategy as required by SB 375. Staff continued to attend monthly meetings of the Bay Area Inter-Agency Modeling Committee to help determine the GHG reduction targets. Staff continued review of Climate Protection Grant Program progress reports and some final reports from Grant recipients.

Research and Modeling Program

Staff hosted a Modeling Advisory Committee meeting to discuss progress on PM modeling and to share technical information pertinent to PM State Implementation Plan development. Staff continued to work with Sonoma Technologies, Inc. (STI) to develop future year PM modeling emissions inventories. Staff made progress in developing a Program Plan for a study of Ultrafine Particulate Matter. Staff reviewed future year toxics emission inventory data and documentation delivered to the CARE Program by STI and provided comments. Staff is preparing modeling inputs to conduct regional toxics modeling based on the future year inventories. Staff made progress in testing and evaluating the latest version of U.S. EPA's CMAQ model with regards to ozone, PM and toxics. Staff continued to work with Pennsylvania State University in optimizing meteorological model (the Weather Research and Forecasting model) performance in the Bay Area. Staff prepared a presentation on the District's Multi-Pollutant Evaluation Methodology which was presented at the Air and Waste Management Association's annual conference. Staff prepared AERMOD inputs to support the Engineering Division in dispersion modeling of the Potrero Hills Landfill and Stanford University. Staff participated in an air pollution conference on the Central Valley's air quality. Staff participated in several meetings with ARB, EPA, neighboring districts and industry representatives to discuss the status of the Central California Air Quality Studies.

Rule Development Program

Staff is completing a second draft for comments on proposed amendments to Regulation 9, Rule 10: Nitrogen Oxides and Carbon Monoxide from Boilers, Steam Generators and Process Heaters in Petroleum Refineries. Staff has incorporated comments from the first draft and has had extensive discussions with refiners and District staff, and presented information on refinery heaters and the rule development process to the Stationary Source Committee. Staff is developing a regulation for foundries and metal melting facilities. Staff has made numerous visits to potentially affected facilities and has met with the California Metals Coalition, representing the industry, and a coalition of community and environmental groups on issues associated with potential regulation, and presented information about the industry and rule process to the Stationary Source Committee. Staff is developing a regulation to reduce NOx emissions from the cement kiln at Lehigh Southwest Cement and is tracking the development of proposed U.S. EPA rules for cement kilns. Staff is also developing regulations to reduce organic emissions from vacuum trucks and to reduce particulate matter emissions subject to Regulation 6: Particulate Matter and Visible Emissions.

Staff has conducted a number of seminars for boiler operators and engineering firms on upcoming requirements in District Regulation 9, Rule 7: Nitrogen Oxides and Carbon Monoxide from Industrial, Institutional and Commercial Boilers, Steam Generators and Process Heaters. Staff met with the Sonoma County Farm Bureau Animal Resource Management Committee to discuss a possible District rule for livestock waste. Staff has let a contract with Berkeley Analytical Laboratories to conduct testing on formaldehyde emissions from wood coating resins and met with representatives of the American Coatings Association and Sherwin-Williams. At the annual AWMA Conference, staff presented a paper titled "Using a Multi-Pollutant Evaluation Method to Study the Economics of Selective Catalytic Reduction."

Emission Inventory Program

Staff continued work on the BY2008 base year inventory. Staff continued responding to inquiries on the emission inventory from District staff and outside parties. Staff evaluated potential firms to verify and certify the District's (in-house) GHG emissions for the next three years, and awarded the contract to Complete Integrated Certification Services (CICS) of Sacramento. Staff attended a Climate Registry meeting to learn the reporting requirements for the Climate Registry. Starting this year, the District's GHG inventory will be reported to the Climate Registry instead of CCAR. Staff developed future year GHG emission factors with EMFAC2007 post-processor to show impact of Pavley GHG reductions on the Bay Area GHG inventory. Staff assisted with the development of the future years CARE inventory. Staff continued preparation of the Small Ports Emissions Inventory. Staff assisted with the development of the 2010 Clean Air Plan and participated in CAP workshops. Staff attended the Coordinating Research Council On-Road Vehicle Emissions Workshop. Staff attended Port of Redwood City - Board of Commissioners Special Meeting. Staff participated in an EITAC meeting.

STRATEGIC INCENTIVES – D. BREEN, DIRECTOR**Port Truck Program**

The Port Truck Program continued to provide retrofits and replacement trucks to drivers at the Port of Oakland at a high rate. As of June 30, 2010, the program had accounted for:

- 1,123 retrofit devices installed and invoiced (this includes both Goods Movement Bond (I-Bond) Program Year 1 and the Extension program)
- 205 trucks replaced and invoiced (both Year 1 and supplemental)
- 1,328 trucks retrofitted or replaced in total.

I-Bond Program

The Bay Area Air Quality Management District Air District (Air District) successfully obtained allocation of \$59.5 million from the California Air Resources Board from its I-Bond program Year 2 and Year 3 disbursements. An initial allocation of \$28 million will be provided to the Air District in fiscal year (FY) 10/11 with \$20 million of the funding available being earmarked for shore-power projects at the Port of Oakland and \$8 million being allocated for on-road truck projects.

Incentives Development

The Division established a Development Office, with the purpose of developing additional funding sources for greenhouse gas and criteria pollutant reduction. This office has had the following recent successes:

- The California Energy Commission issued a Notice of Proposed Award for \$470,600 to the Air District for a Liquefied Natural Gas Infrastructure Project at the Port of Oakland.

- The Metropolitan Transportation Commission selected the Air District to submit final proposals for funding for two projects: Last-Mile Mobility Solutions, a Pilot Bike-sharing Program (requesting \$5.14 Million); and Rapid Electric Vehicle Charging Infrastructure Deployment (requesting \$5.15 Million).

Carl Moyer Program (CMP) / Mobile Source Incentive Fund (MSIF):

Staff closed out Year 11 and opened Year 12 of the CMP. CMP Year 12 features an online application tool/production system which is the first of its kind in the State. This system allows for all applications for the program to be submitted online and is currently being used successfully by applicants to submit CMP Year 12 project applications.

Vehicle Buy Back

The District successfully extended dismantler contracts for the program to December 31, 2010, which will allow for its operation until that time. The California State Bureau of Automotive Repair now plans to launch an overlapping program in January at the earliest, at which time the Air District's program will be suspended.

Outreach

Staff engaged in outreach and stakeholder engagement throughout the quarter. Highlights include the following:

- Presented multiple Port Truck Program updates to the Oakland Truck Work Group.
- Presented information sessions at OT411 Trucker Information Center providing updates about the Extension program and current implementation of the CA Drayage Truck Regulation.
- Presented program information at a TFCA application workshop for Advanced Demonstration Technology projects held in San Francisco.
- Hosted a meeting of the TFCA Program Manager/Air District Work Group, discussing program design, administration, and schedule.
- Visited all nine TFCA Program Manager agencies, in order to provide technical assistance, address questions on projects, and gather input on the program.
- Presented TFCA program achievements at the Association of Bay Area Governments Spring General Assembly and Summit's Local Government Innovation Showcase.
- Presented CMP program information at a Solano County Farm Bureau meeting.
- Presented CMP and GMP program information at a Coast County Peterbilt event in San Jose.

TECHNICAL DIVISION – E. STEVENSON, DIRECTOR**Air Quality**

There were no national or State ozone exceedances in the Bay Area during the second quarter of 2010. This year to-date had fewer ozone exceedances than normal because a consistent onshore wind pattern kept Bay Area inland temperatures cooler than normal. Last year during the second quarter, there were 5 days when the national ozone standard was exceeded and 4 days when the State 1-hour standard was exceeded. No summertime Spare the Air alerts were called this quarter; the program began on May 3, 2010 and will continue through the end of September.

Beginning this year, the acreage allocation program for spring marsh burns was changed to March 1 through April 15. Previously, Technical Services Division forecasters made acreage allocations for the spring marsh burn season from February 1 to March 31. The change allows burners to make their burns during a less rainy part of the season. This spring there were no smoke complaints from the public from marsh burns.

Air Monitoring

On April 1, 2010, PM_{2.5} sampling was reduced to EPA-mandated summertime schedules. In addition, ozone analyzers at four sites were brought back online on April 1 after being shut down on October 1, 2009, as allowed by a waiver granted by EPA during the low ozone season winter months. 25 air monitoring stations were operational after April 1. The San Pablo station, which had been closed since March 23, 2009, due to fire damage, became fully operational on May 19, 2010. The Hayward location was not operational during the entire quarter due to rebuilding of the site by the City of Hayward.

Meteorology and Forecasting

The 1st quarter 2010 air quality data were quality assured and entered into the EPA Air Quality System (AQS) database. Staff continued to make daily air quality, summertime Spare the Air, and open burn forecasts. The final version of the Air Monitoring Quality Assurance Project Plan was sent to EPA. The 2009 Monitoring Network Report was prepared and submitted to EPA and placed on the Air District web site. The Five-Year Air Monitoring Assessment was prepared and submitted to EPA. Staff attended the EPA AQS Database Training and Conference in Colorado Springs, Colorado. Staff attended the one-day Bay Area Fire Weather Cooperators meeting in Oakland. Staff completed the spring audit of the Air District's meteorological network.

Performance Evaluation

The Performance Evaluation (PE) Group conducted regular, mandated performance audits on 90 analyzers at 22 Air District monitoring stations. PE staff worked with air monitoring staff to make needed improvements in the new Data Acquisition System. Staff met with Professor Robert Harley and Timothy Dallman of UC Berkeley to discuss an air monitoring project in the Caldecott Tunnel.

Hydrogen Sulfide and Sulfur Dioxide monitors were audited at the Shell Refinery, the ConocoPhillips Carbon Plant, and the ConocoPhillips Refinery Ground Level Monitoring (GLM) networks. All GLM monitors passed the audit.

Laboratory

In addition to routine ongoing analyses, the laboratory analyzed seven fallout samples from the vicinity of Valero Refining Company, Benicia for identification of coke.

Two bag house dust samples from Custom Alloy Scrap Sales, Oakland were analyzed for hexavalent chrome and several other metals.

Thirty-five liquid samples and three sludge samples from Palo Alto Regional Water Quality Control Plant were analyzed for several metals, as were thirty-nine liquid samples and three sludge samples from Central Contra Costa Sanitary District, Martinez.

Four plating bath samples from various plating industries were analyzed for surface tension and density.

Twelve stack samples from Owens Brockway, Oakland were analyzed for lead.

Source Test

Special Projects

Ongoing Source Test activities during April, May, and June of 2010 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 and Business System Analysis for the new production system.

STATISTICS

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

General Checks Issued	2,102
Purchase Orders Issued	1,119
Checks/Credit Cards Processed	3,854
Contracts Completed	35
RFP's	4

Executive Office:

Meetings Attended	182
Board Meetings Held	4
Committee Meetings Held	8
Advisory Council Meetings Held	3
Hearing Board Meetings Held	6
Variances Received	2

Information Systems

New Installation Completed	10
PC Upgrades Completed	8
Service Calls Completed	829

Human Resources

Manager/Employee Consultation (Hrs.)	300
Management Projects (Hrs.)	300
Employee/Benefit Transaction	500
Training Sessions Conducted	
Applications Processed	436
Exams Conducted	16
New Hires	10
Payroll Administration (Hrs.)	600
Safety Administration	150
Inquiries (voice/telephone/in-person)	5,600

Strategic Facility Planning/Library/Vehicle

Requests for Facility Services	558
Titles Indexed/Cataloged	67
Periodicals Received/Routed	72
Vehicle Request(s)/Maintenance	98
Pool Vehicle Requests	118

Compliance Assistance and Operations Program

Asbestos Plans Received	1,384
Coating and other Petitions Evaluated	1
Open Burn notifications Received	633
Prescribed Burn Plans Evaluated	9
Tank/Soil Removal Notifications Received	26
Compliance Assistance Inquiries Received	175
Green Business Reviews	17
Refinery Flare Notifications	22

Compliance Assurance Program

Industrial Inspections Conducted	2,270
Gas Station Inspections Conducted	601
Asbestos Inspections Conducted	500
Open Burning Inspections Conducted	58
PERP Inspections Conducted	28
Grants Inspections Conducted	333

Engineering Division:

Annual Update Packages Started	955
Annual Update Packages Completed	989
Total Update Pages Entered	1,335
New Applications Received	362
Authorities to Construct Issued	165
Permits to Operate Issued	502
Exemptions (apps. Submitted deemed exempt)	18
Authorities to Construct Denied	0
New Companies added to Databank during the 2 nd Quarter 2010	142

Outreach & Incentives Division:

Presentations Made	4
Responses to Media Inquiries	80
Press Releases and Advisories	15
General Requests for Information	1,150
Events staffed with Air District booth	28
Visitors	10

STATISTICS (continued)

Compliance and Enforcement Division:**Enforcement Program**

Violations Resulting in Notices of Violation	113
Violations Resulting in Notice to Comply	65
New Hearing Board Cases Reviewed	7
Reportable Compliance Activity Investigated	164
General Complaints Investigated	475
Smoking vehicle complaints received	2,625
Woodsmoke complaints received	166

Laboratory

Sample Analyzed	1,210
Inter-laboratory Analyses	2

Source Test

Total Source Tests	258
Pending Source Tests	4
Violation Notices Recommended	7
Contractor Source Tests Reviewed	3,281

Technical Services:**2nd Quarter 2010 Ambient Air Monitoring**

Days Exceeding Nat'l 24-hour PM _{2.5} Std.	0
Days Exceeding Nat'l 24-hour PM ₁₀ Std.	0
Days Exceeding Nat'l 24-hour PM ₁₀ Std.	0
Days Exceeding the Nat'l 8-hour Ozone Std.	0
Days Exceeding the State 1-hour Ozone Std.	0
Days Exceeding the State 8-hour Ozone Std.	0

Continuous Emissions Monitoring (CEM)

Indicated Excess Emission Report Eval.	28
Monthly CEM Reports Reviewed	133
Indicated Excesses from CEM	10

Ground Level Monitoring (GLM)

Apr.-Jun. Ground Level Monitoring SO ₂ Excess Reports	0
Apr.-Jun. Ground Level Monitoring H ₂ S Excess Reports	1

Ozone Totals, Jan.-Dec. 2010

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

Particulate Totals, Jan.-Dec. 2010

Days Exceeding Nat'l 24-hour PM _{2.5} Std.	5
Days Exceeding the Nat'l 24-hour PM ₁₀ Std.	0
Days Exceeding State 24-hour PM ₁₀ Std.	1

PM_{2.5} Winter Season Totals for 2009-2010

Days Exceeding Nat'l 24-hour PM _{2.5} Std.	9
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2nd Quarter 2010 Agricultural Burn Days

Apr.-Jun. Permissive Burn Days – North	88
Apr.-Jun. No-Burn Days – North	3
Apr.-Jun. Permissive Burn Days – South	88
Apr.-Jun. No-Burn Days – South	3
Apr.-Jun. Permissive Burn Days – Coastal	88
Apr.-Jun. No Burn Days – Coastal	3

These facilities have received one or more Notices of Violations
Report period: April 1, 2010 – June 30, 2010

Alameda County

Status Date	Site #	Site Name	City	Regulation Title
02/25/2010	C9576	ConocoPhillips #2611104	Alameda	Gasoline Dispensing Facilities
07/22/2009	C0897	Dublin Auto Wash	Dublin	Gasoline Dispensing Facilities
12/23/2009	A4735	Sentinel Cremation Societies Inc	Emeryville	Parametric Monitoring & Recordkeeping Procedures, Failure to Meet Permit Conditions
08/04/2008	L6230	P. W. Stephens Environmental, Inc.	Fremont	Asbestos Demolition, Renovation
11/09/2009	C0259	Quick Gas & Food Mart	Fremont	Gasoline Dispensing Facilities
11/12/2009	C0788	Tosco Northwest Company #2611125	Fremont	Gasoline Dispensing Facilities
04/07/2010	B1936	Content Critical California LLC	Hayward	Authority to Construct, Permit to Operate
07/06/2009	D2001	Convenience & Petroleum Inc	Hayward	Failure to Meet Permit Conditions
07/13/2009	C9440	RINO - A and G Company	Hayward	Authority to Construct, Permit to Operate
04/12/2010	C8336	World Oil Marketing #76	Hayward	Gasoline Dispensing Facilities
03/09/2010	U0720	Dale and/or Lucila Jensen	Livermore	Open Burning
02/09/2010	C9825	Livermore Gas Mart	Livermore	Gasoline Dispensing Facilities, Permit to Operate
11/12/2009	C9280	Lido Auto Care Inc	Newark	Gasoline Dispensing Facilities
06/02/2010	U2194	C Trans Inc.	Oakland	Commercial Vehicle Idling Citation
07/27/2009	C9508	Chevron #9-1851	Oakland	Gasoline Dispensing Facilities
07/10/2009	C0192	Eagle Gas	Oakland	Gasoline Dispensing Facilities
02/24/2010	A0591	East Bay Municipal Utility District	Oakland	Failure to Meet Permit Conditions (Title V)
03/23/2010	A0678	Port of Oakland	Oakland	Failure to Meet Permit Conditions
03/18/2010	A0615	Rolls-Royce Engine Services - Oakland, Inc.	Oakland	Aerospace Assembly & Component Coating Operations
06/01/2010	U2189	United Bridge Transportation, LLC	Oakland	Commercial Vehicle Idling Citation
02/19/2010	A1371	Dublin San Ramon Services District - Wastewater TP	Pleasanton	Failure to Meet Permit Conditions
04/12/2010	C8739	Santa Rita Shell #135786	Pleasanton	Gasoline Dispensing Facilities
04/05/2010	A6024	The Home Depot Store #0629	Pleasanton	Authority to Construct, Permit to Operate
07/23/2009	D0361	Valero Refining Co SS#7399	Pleasanton	Gasoline Dispensing Facilities
10/28/2009	C8867	Bayview Shell #136019	San Leandro	Failure to Meet Permit Conditions
03/10/2010	B1598	East Bay Bumpers	San Leandro	Motor Vehicle & Mobile Equip Coating Operations
06/08/2009	C8315	Marina Food Market	San Leandro	Authority to Construct, Permit to Operate
10/14/2009	D0762	Sohal Oil #2	San Leandro	Authority to Construct, Permit to Operate
12/23/2009	B0898	Star Pacific Inc	Union City	Particulate Matter and Visible Emissions
09/01/2009	A1209	Union Sanitary District	Union City	Failure to Meet Permit Conditions

These facilities have received one or more Notices of Violations
Report period: April 1, 2010 – June 30, 2010
Continued

Contra Costa County

Status Date	Site #	Site Name	City	Regulation Title
09/23/2009	C1124	Lone Tree Gas & Food	Antioch	Gasoline Dispensing Facilities
01/07/2010	C1164	Brentwood American Station	Brentwood	Gasoline Dispensing Facilities
11/10/2009	C7695	All Star Gasoline	Concord	Failure to Meet Permit Conditions
02/03/2010	A1512	B of A, Corporate Real Estate	Concord	Failure to Meet Permit Conditions
10/29/2009	T8796	Charlie Wood	Concord	Asbestos Demolition, Renovation
02/01/2010	C1296	Diamond Petroleum Inc	Concord	Gasoline Dispensing Facilities, Failure to Meet Permit Conditions
03/03/2010	A0581	ST Shore Terminals LLC	Crockett	Gasoline Bulk Terminal Emission Limitations
08/24/2009	T7653	Golden Oaks Construction	Discovery Bay	Asbestos Demolition, Renovation
11/24/2009	C8939	R & R Auto Service	El Cerrito	Gasoline Dispensing Facilities
11/24/2009	C9169	Super Stop Gas & Mart	El Cerrito	Gasoline Dispensing Facilities
12/16/2009	U1291	City of Lafayette	Lafayette	Authority to Construct, Permit to Operate
03/18/2010	A7034	Plains Products Terminals LLC	Martinez	Failure to Meet Permit Conditions (Title V)
04/22/2010	B2758	Tesoro Refining and Marketing Company	Martinez	Particulate Matter and Visible Emissions, Continuous Emission Monitoring & Recordkeeping Procedures
10/06/2009	D0532	Moraga Auto Care	Moraga	Gasoline Dispensing Facilities
01/06/2010	A0227	Criterion Catalysts Company LP	Pittsburg	Failure to Meet Permit Conditions (Title V), CEM/Recordkeeping
10/09/2008	B9386	JM Enterprises Inc	Pittsburg	Authority to Construct, Permit to Operate
05/11/2010	U1812	Nicolas Hudson	Pittsburg	Open Burning
03/01/2010	A0072	Chevron Inc	Richmond	Failure to Meet Permit Conditions
02/18/2010	A0010	Chevron Products Company	Richmond	NSPS, Failure to Meet Permit Conditions (Title V), NOx/CO from Boilers, Steam Generators & Process Heaters in Petroleum Refineries, Authority to Construct, Permit to Operate
11/25/2009	C8441	Cutting Arco & Food Mart	Richmond	Gasoline Dispensing Facilities
03/25/2010	E0156	Eastbay Erectors, Inc	Richmond	Authority to Construct
03/30/2010	U1863	Eduardo Lopez	Richmond	Motor Vehicle & Mobile Equip Coating Operations
04/21/2010	A5665	Electro Forming Company	Richmond	Hexavalent Chromium ATCM
04/20/2010	A0023	General Chemical West LLC	Richmond	Emission Limit For Sulfuric Acid Plants

These facilities have received one or more Notices of Violations
Report period: April 1, 2010 – June 30, 2010
Continued

Contra Costa County

Status Date	Site #	Site Name	City	Regulation Title
03/30/2010	U1864	Gerson Auto Body	Richmond	Authority to Construct, Permit to Operate, Motor Vehicle & Mobile Equip Coating Operations
03/11/2009	I0169	Marina Way / Burger King	Richmond	Particulate Matter & Visible Emissions
02/18/2009	C8675	Richmond Gas & Food Mart	Richmond	Gasoline Dispensing Facilities
03/04/2010	B7433	Social Security Administration	Richmond	Gasoline Dispensing Facilities
11/24/2009	C7223	Stop & Save Gasoline	Richmond	Gasoline Dispensing Facilities
11/25/2009	C0728	US Gas	Richmond	Gasoline Dispensing Facilities
03/16/2010	B7419	Air Liquide Large Industries US LP	Rodeo	Failure to Meet Permit Conditions (Title V)
03/08/2010	A0016	ConocoPhillips - San Francisco Refinery	Rodeo	Failure to Meet Permit Conditions (Title V), NSPS, Particulate Matter & Visible Emissions, Wastewater Collection & Separation Systems.
11/30/2009	D1147	San Pablo Chevron	San Pablo	Gasoline Dispensing Facilities
02/17/2010	C9838	Chevron Inc	Walnut Creek	Permit to Operate, Gasoline Dispensing Facilities
05/06/2010	C1719	Main Street Chevron	Walnut Creek	Gasoline Dispensing Facilities
04/01/2010	C1735	TEXXOIL	Walnut Creek	Permit to Operate

Marin County

Status Date	Site #	Site Name	City	Regulation Title
03/29/2010	C8882	Grand Gas	Mill Valley	Gasoline Dispensing Facilities
07/10/2009	A4094	San Quentin State Prison	San Quentin	Gasoline Dispensing Facilities
05/21/2009	C1939	Betts Marin Car Wash	San Rafael	Gasoline Dispensing Facilities
05/21/2009	C0099	GAWFCO USA Gasoline	San Rafael	Gasoline Dispensing Facilities
04/28/2009	C1952	Marinwood Chevron	San Rafael	Gasoline Dispensing Facilities

These facilities have received one or more Notices of Violations
Report period: April 1, 2010 – June 30, 2010
Continued

Napa County

Status Date	Site #	Site Name	City	Regulation Title
01/08/2010	B1247	Clover Flat Landfill Inc	Calistoga	Parametric Monitoring & Recordkeeping Procedures, Landfill Gas Collection & Emission Control System Requirements

San Francisco County

Status Date	Site #	Site Name	City	Regulation Title
03/23/2010	B1106	Auto Body Experts	San Francisco	Motor Vehicle & Mobile Equip Coating Operations
04/20/2010	A3288	BAE Systems San Francisco Ship Repair Inc	San Francisco	Failure to Meet Permit Conditions (Title V)
10/29/2009	D2127	City of San Francisco Fire #9	San Francisco	Gasoline Dispensing Facilities
02/22/2010	A8260	Mack's Valet Cleaners	San Francisco	Permit to Operate
11/18/2009	C9656	Sam Truong 76 - Sam Truong	San Francisco	Gasoline Dispensing Facilities
10/29/2009	C9805	San Francisco Fire Dept Station 18	San Francisco	Gasoline Dispensing Facilities
10/29/2009	D1919	San Francisco Fire Dept Station 7	San Francisco	Gasoline Dispensing Facilities
10/29/2009	D1921	San Francisco Fire Station #8	San Francisco	Gasoline Dispensing Facilities
10/29/2009	D1925	San Francisco Fire Station 13	San Francisco	Gasoline Dispensing Facilities
05/29/2009	C8962	Unocal #5458	San Francisco	Gasoline Dispensing Facilities

San Mateo County

Status Date	Site #	Site Name	City	Regulation Title
03/30/2010	A7632	Seaport Refining and Environmental LLC	Redwood City	Failure to Meet Permit Conditions
10/02/2009	C8027	Fox Rent A Car	San Francisco	Gasoline Dispensing Facilities
01/12/2010	T7610	Columbus Salame Company	South San Francisco	Public Nuisance

These facilities have received one or more Notices of Violations
Report period: April 1, 2010 – June 30, 2010
Continued

Santa Clara County

Status Date	Site #	Site Name	City	Regulation Title
03/23/2010	A2981	Coast Oil Company, LLC	Gilroy	Gasoline Dispensing Facilities
07/14/2009	C9231	Conoco Phillips #255130	Milpitas	Gasoline Dispensing Facilities
11/16/2009	D0457	Unocal #6397	Milpitas	Gasoline Dispensing Facilities
02/10/2010	C0823	Pump N Go	Morgan Hill	Gasoline Dispensing Facilities
04/01/2010	B2022	Dana Street Roasting Company	Mountain View	Failure to Meet Permit Conditions
07/24/2009	C9068	El Monte Union 76	Mountain View	Gasoline Dispensing Facilities
09/29/2009	C7830	H & M Station	Mountain View	Gasoline Dispensing Facilities
03/17/2010	C9872	Arturo Gas Station	San Jose	Gasoline Dispensing Facilities, Permit to Operate
08/13/2009	C9354	BP Service Station	San Jose	Gasoline Dispensing Facilities
03/09/2010	C9813	Capitol Nissan	San Jose	Failure to Meet Permit Conditions
07/14/2009	C4124	Chevron #4259	San Jose	Gasoline Dispensing Facilities
01/05/2010	C3876	Chevron #9-5771	San Jose	Authority to Construct, Permit to Operate
07/16/2009	C4171	ConocoPhillips #256429	San Jose	Gasoline Dispensing Facilities
12/29/2009	C9217	Gas of America	San Jose	Authority to Construct, Permit to Operate
01/25/2010	A0085	Hitachi Global Storage Technologies Inc	San Jose	Failure to Meet Permit Conditions
02/01/2010	T2738	La Nguyen	San Jose	Particulate Matter & Visible Emissions
06/18/2009	T6529	LSA - cleanpart	San Jose	Particulate Matter & Visible Emissions
07/13/2009	C9810	Montague Valero	San Jose	Gasoline Dispensing Facilities
12/15/2009	C0541	Petro America	San Jose	Permit to Operate
10/15/2009	A0778	San Jose/Santa Clara Water Pollution Control	San Jose	Failure to Meet Permit Conditions (Title V)
07/24/2009	C6525	Santa Clara County Roads & Airprt Agency	San Jose	Gasoline Dispensing Facilities
07/14/2009	C4264	Unocal #6915 - Ali Mahmoodi	San Jose	Gasoline Dispensing Facilities
11/02/2009	D0374	Valero Refining Co SS#7263	San Jose	Gasoline Dispensing Facilities
12/21/2009	D0357	Valero Refining Co SS#7850	Santa Clara	Gasoline Dispensing Facilities
02/01/2010	D0284	Sunnyvale Car Wash/US Gas	Sunnyvale	Gasoline Dispensing Facilities

These facilities have received one or more Notices of Violations
Report period: April 1, 2010 – June 30, 2010
Continued

Solano County

Status Date	Site #	Site Name	City	Regulation Title
05/28/2009	C9662	Fast & Easy Mart	Benicia	Gasoline Dispensing Facilities
02/24/2010	B2626	Valero Refining Company - California	Benicia	Failure to Meet Permit Conditions (Title V), Parametric Monitoring/Recordkeeping, Storage of Organic Liquids, Particulate Matter and Visible Emissions, Equipment Leaks
10/08/2009	C5247	B B C	Vallejo	Gasoline Dispensing Facilities, Permit to Operate
03/12/2009	C7890	Valero	Vallejo	Gasoline Dispensing Facilities

Sonoma County

Status Date	Site #	Site Name	City	Regulation Title
03/25/2010	U1329	Tellier, Jaime	Glen Ellen	Open Burning
12/11/2009	U2024	Barbara Parsons	Petaluma	Particulate Matter & Visible Emissions
03/25/2010	B6616	City of Petaluma Water Recycling Facility	Petaluma	Parametric Monitoring & Recordkeeping Procedures, Failure to Meet Permit Conditions
05/13/2009	D0371	Santa Rosa Grand Petroleum Inc	Petaluma	Gasoline Dispensing Facilities
04/29/2010	U1383	Reality Custom Painting	Rohnert Park	Motor Vehicle & Mobile Equip Coating Operations
04/14/2010	B4845	Santa Rosa/Carrera Plating	Santa Rosa	Hexavalent Chromium ATCM
04/02/2010	A2157	Syar Industries Inc	Santa Rosa	Failure to Meet Permit Conditions
05/14/2009	C7228	Unocal #4320	Santa Rosa	Gasoline Dispensing Facilities
04/26/2010	U1817	Bill Garlock	Sebastopol	Open Burning
03/23/2010	U0863	Duryee, Mary	Sebastopol	Open Burning
03/20/2010	U0663	Luiz, Dave	Sebastopol	Open Burning
04/26/2010	F6041	Schlegel, Joshua	Sebastopol	Open Burning
03/11/2010	U0662	Pagh, Larry	Sonoma	Open Burning
03/25/2010	U1328	Shannon Gardner	Sonoma	Open Burning
05/18/2009	C9503	Sunoco #0493-2943 Sears Point Ra	Sonoma	Gasoline Dispensing Facilities

These facilities have received one or more Notices of Violations
Report period: April 1, 2010 – June 30, 2010
Continued

Out of Area Counties

Status Date	Site #	Site Name	City	Regulation Title
06/01/2010	U2190	Pursley Trucking Inc.	Crocker	Commercial Vehicle Idling Citation
05/13/2010	U2191	Greatwide Dedicated Transport LLC	Dallas	Commercial Vehicle Idling Citation
06/02/2010	U2193	California Multimodal LLC	Long Beach	Commercial Vehicle Idling Citation
06/14/2010	U2195	M.N.B. Express Inc.	Manteca	Commercial Vehicle Idling Citation
06/03/2010	U2192	MCM Construction Inc.	North Highlands	Commercial Vehicle Idling Citation
05/19/2010	U2179	Seaboard Transport Inc.	Shawnee Mission	Commercial Vehicle Idling Citation
05/13/2010	U2185	ENE Transport inc.	Wilmington	Commercial Vehicle Idling Citation

**Closed Notice of Violations with Penalties by County
April 1, 2010 – June 30, 2010**

Alameda

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
East Bay Bumpers	B1598	San Leandro	\$500	1
Nautical Engineering Inc	B1894	Oakland	\$1,500	1
Pacific Steel Casting Co-Plant #2	A0703	Berkeley	\$8,000	3
Port of Oakland	A0678	Oakland	\$1,000	1
Rohm and Haas Chemicals LLC	A0200	Hayward	\$7,500	5
Santa Rita Shell #135786	C8739	Pleasanton	\$1,500	2
Valero Refining Co SS#7567	D0378	Pleasanton	\$1,000	1
CEMEX Construction Materials Pacific, LLC	A0802	Sunol	\$1,500	2
Sentinel Cremation Societies Inc	A4735	Emeryville	\$2,000	2
Berkeley Wright's Automotive	B9772	Berkeley	\$1,500	2
Cultured Marble Products	B1929	San Leandro	\$500	1
Lao Construction Comopany	S7617	Oakland	\$1,000	2
Paradiso Mechanical, Inc	C8753	San Leandro	\$500	1
Valley Crest Landscape-Attn Eva Morrissey	C9073	Pleasanton	\$1,500	2
Vasco Valero Inc	D0258	Livermore	\$600	1

Total Violations Closed: 27

Closed Notice of Violations with Penalties by County
April 1, 2010 – June 30, 2010
Continued

Contra Costa

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
ConocoPhillips - San Francisco Refinery	A0016	Rodeo	\$30,000	2
Dow Chemical Company	A0031	Pittsburg	\$18,500	3
Golden Oaks Construction	T7653	Discovery Bay	\$1,000	2
Shell Martinez Refinery	A0011	Martinez	\$58,000	10
Super Stop Gas & Mart	C9169	El Cerrito	\$700	1
Chevron Products Company	A0010	Richmond	\$77,500	12
Do It Fluid	C9922	Richmond	\$1,250	3
Martinez Carwash	C9730	Martinez	\$750	2
US Gas	C0728	Richmond	\$550	1
Byron Mini Mart	C8893	Byron	\$200	1
Shell Martinez Refinery	A0011	Martinez	\$61,500	14

Total Violations Closed: 51

Marin

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
GAWFCO USA Gasoline	C0099	San Rafael	\$500	2

Total Violations Closed: 2

Napa

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Mann, Ron	U0207	Napa	\$900	1

Total Violations Closed: 1

Closed Notice of Violations with Penalties by County
April 1, 2010 – June 30, 2010
Continued

San Francisco

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
San Francisco Water Department	C6643	San Francisco	\$1,000	1
Unocal #5458	C8962	San Francisco	\$500	1
San Francisco, City & County, PUC	A4116	San Francisco	\$3,000	1

Total Violations Closed: 3

San Mateo

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Progressive Operating Co , LP	D0503	San Bruno	\$700	1
City of Daly City Corp Yard	C0137	Daly City	\$500	1
Brentwood Auto Service	D0462	South San Francisco	\$1,000	1

Total Violations Closed: 3

Santa Clara

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
San Martin Gas & Mart	C5339	San Martin	\$900	1
Calpine Gilroy Cogen,LP & Gilroy Energy Center LLC	B1180	Gilroy	\$1,000	1
Calstone Company	C6109	Sunnyvale	\$500	1
Macys Inc Attn: James Skyberg	B9361	Santa Clara	\$2,250	2
San Jose USD	C0112	San Jose	\$800	1
Santa Clara Cnty Dept of Roads & Airports	C9487	San Martin	\$500	1
Tosco Northwest Company	C9221	Los Gatos	\$700	1

Total Violations Closed: 8

Closed Notice of Violations with Penalties by County
April 1, 2010 – June 30, 2010
Continued

Solano

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
B B C	C5247	Vallejo	\$1,000	1
Vintage Production California, LLC	U0218	Rio Vista	\$1,250	1

Total Violations Closed: 2

Sonoma

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Pagh, Larry	U0662	Sonoma	\$400	1
Unocal #4320	C7228	Santa Rosa	\$500	2
Mazzetta, Clarence	T8993	Petaluma	\$1,000	1
Nagy, Ron	T5690	Cotati	\$1,500	1
Al's Arco	C4360	Santa Clara	\$775	1
ARCO Station	C0551	San Jose	\$900	1
County of Santa Clara - Parks Rec	C9093	San Jose	\$500	1
Moorpark Valero - Attn: Jerome Hoa Tran	C9930	San Jose	\$975	1
Saratoga Gas Company	C9404	Saratoga	\$775	1
The Home Depot	B7733	San Jose	\$2,500	1
Redwood Coast Petroleum	A0869	Santa Rosa	\$1,500	1
Steven Dutra	T6646	Petaluma	\$2,000	1

Total Violations Closed: 13

**Closed Notice of Violations with Penalties by County
 April 1, 2010 – June 30, 2010
 Continued**

District Wide

Site Name	Site Occurrence	City	Penalty Amount	# of Violations Closed
Hi-Temp Coating Technology	A0011	Acton	\$3,000	1

Total Violations Closed: 1

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 _x	Nitrogen oxides, or oxides of nitrogen
NPOC	Non-Precursor Organic Compounds
NSR	New Source Review
O ₃	Ozone
PM _{2.5}	Particulate matter less than 2.5 microns
PM ₁₀	Particulate matter (dust) less than 10 microns
PM _{>10}	Particulate matter (dust) over 10 microns
POC	Precursor Organic Compounds
pphm	Parts per hundred million
ppm	Parts per million
PUC	Public Utilities Commission
RFG	Reformulated gasoline
ROG	Reactive organic gases (photochemically reactive organic compounds)
RIDES	RIDES for Bay Area Commuters
RTP	Regional Transportation Plan
RVP	Reid vapor pressure (measure of gasoline volatility)
SCAQMD	South Coast [Los Angeles area] Air Quality Management District
SIP	State Implementation Plan (prepared for <i>national</i> air quality standards)
SO ₂	Sulfur Dioxide
TAC	Toxic Air Contaminant
TCM	Transportation Control Measure
TFCA	Transportation Fund for Clean Air [BAAQMD]
TIP	Transportation Improvement Program
TMA	Transportation Management Association
TOS	Traffic Operations System
tpd	tons per day
Ug/m ³	micrograms per cubic meter
ULEV	Ultra low emission vehicle
ULSD	Ultra low sulfur diesel
USC	United States Code
UV	Ultraviolet
VMT	Vehicle miles traveled (usually per <i>day</i> , in a defined area)
VTA	Santa Clara Valley Transportation Authority
ZEV	Zero Emission Vehicle

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 15, 2010

Re: Authorization of Contract to Complete Updated Cost Recovery Study

RECOMMENDED ACTION:

Recommend Board of Directors approval to authorize the Executive Officer, to execute a contract in an amount not to exceed \$150,000 for the completion of an updated Cost Recovery Study.

SUMMARY

At the May 5, 2010 Board of Directors meeting, staff recommended that the District hire a contractor to complete an updated Cost Recovery Study. The Study will analyze the cost of regulatory program activities in relation to the revenue received from fees. In addition, the Study will evaluate measures to improve efficiency of operations and contain program costs. The Board directed staff to have the Study prepared for use in considering appropriate fee amendments for the upcoming FYE 2011 Fiscal Year.

Staff has since convened a Stakeholder Advisory Committee that has provided input in the development of a Request for Proposals (RFP) for the Study. This RFP was issued on July 8, 2010, with proposal required to be submitted by August 8, 2010.

Division II, Section 4.3 of the Administrative Code indicates that contracts over \$70,000 may be signed by the Executive Officer after being directed to do so by the Board of Directors. Staff requests that the Board direct the Executive Officer to complete the evaluation of RFPs, select an appropriate contractor, and execute a contract to complete the updated Cost Recovery Study.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Funds for this contract will be allocated from the FYE 2010 budget and will not have a significant financial impact.

Respectfully Submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Brian Bateman
Reviewed by: Jeff Mckay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
 Memorandum

To: Chairperson Brad Wagenknecht and Members
 of the Board of Directors

From: Jack P. Broadbent
 Executive Officer/APCO

Date: July 28, 2010

Re: Contract for Computer Workstations

RECOMMENDED ACTION:

Recommend Board of Directors approval to authorize the Executive Officer/APCO to enter into a contract for procurement of computer workstations for District staff not to exceed \$450,000.

DISCUSSION

The District has been deferring its purchase of computer workstation over the previous 5 years and instead replacing workstation components that fail. As a result, many of the District workstations are currently 8-10 years old, and are incapable of running modern computer applications.

Competitive bids were obtained as detailed in the matrix below. Dell Corporation submitted the lowest cost bid, and has been selected as the vendor.

Manufacturer	HP	ACER	ASUS	Dell
Installation Included?	Partial	No	Partial	Yes
Green Shipping Included	No	No	No	Yes
California State Government Discount Available?	No	No	No	Yes
Staged Delivery Included?	No	No	No	Yes
Cost	486,149	\$707,991	\$482,869	\$429,193

BUDGET CONSIDERATION/FINANCIAL IMPACT:

This expenditure is included in the Air District budget, and no further impact is anticipated.

Respectfully submitted,

Jack P. Broadbent
 Executive Officer/APCO

Prepared by: John Chiladakis
 Reviewed by: Jeffrey McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 20, 2010

Re: Report of the Mobile Source Committee Meeting of June 30, 2010

RECOMMENDED ACTIONS:

The Committee recommends Board of Directors' approval of the following items:

- A) Approve Carl Moyer Program Year 12 and Transportation Fund for Clean Air (TFCA) FY 2009/2010 projects with proposed grant awards over \$100,000;
- B) Authorize the Executive Officer/APCO to enter into agreements for the recommended Carl Moyer Program Year 12 and Transportation Fund for Clean Air (TFCA) FY 2009/2010 projects;
- C) Approve an allocation of up to \$5 million in Transportation Fund for Clean Air (TFCA) funds, including \$2.5 million from FY 10/11 and \$2.5 million from FY 11/12, to support a regional electric vehicle (EV) charging infrastructure deployment program; and
- D) Authorize the Executive Officer/APCO to enter into a contract with Armanino McKenna, LLP, for an amount not to exceed \$200,000 to provide a review and modernization of the TFCA Regional Fund Program.

BACKGROUND

The Mobile Source Committee met on Wednesday, June 30, 2010. The Committee received and considered the following reports and recommendations:

- A) Consideration of Project with Proposed Grant Awards over \$100,000,
- B) Update on the Strategic Incentives Division Database System; and
- C) Request to Approve Allocation of Up to \$5 Million in Transportation Fund for Clean Air (TFCA) Funds for Electric Vehicle (EV) Charging Infrastructure
- D) Request to Approve Contract for TFCA Program Review in the Amount of \$200,000

Attached are the staff reports presented in the Mobile Source Committee packet.

Chairperson Scott Haggerty will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) None. Through the CMP, MSIF and TFCA, the Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for both programs are provided by each funding source.
- B) None.
- C) None. The Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for the TFCA program is provided by the funding source.
- D) Funding was approved in the amount of \$200,000 by the Board of Directors on September 16, 2009, and the current budget was amended to include the funds.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer Chicconi

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 16, 2010

Re: Consideration of Projects with Proposed Grant Awards Over \$100,000

RECOMMENDATIONS:

Recommend Board of Directors:

1. Approve Carl Moyer Program Year 12 and Transportation Fund for Clean Air (TFCA) FY 2009/2010 projects with proposed grant awards over \$100,000.
2. Authorize the Executive Officer/APCO to enter into agreements for the recommended Carl Moyer Program Year 12 and Transportation Fund for Clean Air (TFCA) FY 2009/2010 projects.

BACKGROUND

The Bay Area Air Quality Management District (Air District) has participated in the Carl Moyer Program (CMP), in cooperation with the California Air Resources Board (ARB), since the program began in fiscal year 1998/1999. The CMP provides grants to public and private entities to reduce emissions of oxides of nitrogen (NOx), reactive organic gases (ROG) and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, stationary agricultural pump engines, and forklifts.

Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile Source Incentive Fund (MSIF). AB 923 stipulates that air districts may use the revenues generated by the additional \$2 surcharge for projects eligible for grants under the CMP.

Since 1991 the Transportation Fund for Clean Air (TFCA) program has funded projects that achieve surplus emission reductions from on-road motor vehicles. Sixty percent (60%) of TFCA funds are awarded directly by the Air District through a grant program known as the Regional Fund that is allocated on a competitive basis to eligible projects proposed by project sponsors. Funding for this program is provided by a \$4 surcharge on motor vehicles registered within the

San Francisco Bay Area as authorized by the California State Legislature. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code Sections 44241 and 44242.

On March 17, 2010 the Board of Directors authorized Air District participation in Year 12 of the CMP, and authorized the Executive Officer/APCO to execute Grant Agreements and amendments for projects funded with CMP funds or MSIF revenues, with individual grant award amounts up to \$100,000. On November 18, 2009, the Air District Board of Directors authorized the Executive Officer/APCO to execute Grant Agreements and amendments for projects funded with TFCA funds, with individual grant award amounts up to \$100,000.

CMP and TFCA projects with grant award amounts over \$100,000 are brought to the Committee for consideration at least on a quarterly basis. Staff reviews and evaluates the grant applications based upon the respective governing policies and guidelines established by the ARB and/or the Air District's Board of Directors.

DISCUSSION

Carl Moyer Program:

The Air District started accepting applications for CMP Year 12 projects on May 3, 2010. The Air District has approximately \$19 million available for CMP projects from a combination of MSIF and CMP funds. Project applications are being accepted and evaluated on a first-come, first-served basis.

As of June 11, 2010, the Air District had received 6 project applications. Of the applications that have been evaluated between May 3, 2010, and June 11, 2010, one eligible project has a proposed individual grant award over \$100,000. This project (Project #: 12MOY8), was proposed by Evergreen Supply in Santa Clara County and will replace one 1987 model year off-road, wheel loader with a cleaner, 2007 model year wheel loader. The project will result in the reduction of 1.86 tons of NO_x, ROG and PM per year from its operations in San Jose. Staff recommends allocating \$201,620 to this project from a combination of CMP funds and MSIF revenues.

Attachment 1 lists all of the eligible projects that have been received by the Air District as of June 11, 2010, and summarizes the allocation of funding by equipment category (Figure 1), and county (Figure 2).

TFCA:

The Air District started accepting applications for TFCA FY 09/10 projects on July 21, 2009. For FY 09/10, the Air District has approximately \$11.6 million available for eligible Shuttle and Ridesharing, Bicycle, Alternative Fuel Vehicle and Infrastructure, and Advanced Technology Demonstration projects. Project applications are being accepted and evaluated on a first-come, first-served basis.

As of June 14, 2010, the Air District had received more than 78 project applications for TFCA Regional Fund funding. Of the applications that have been evaluated between May 12, 2010 and June 14, 2010, one eligible project has a proposed individual grant award over \$100,000. This

project (Project #: 09R50) was proposed by Better Place and will demonstrate the first electric vehicle “battery-swap station” to be constructed in California. This project will also support the installation of electric vehicle fast-charging infrastructure and a fleet of 10 battery-swap ready electric taxi vehicles. The project will result in the reduction of more than 0.14 tons of NOx, ROG and PM per year from its operations based in southeastern San Francisco. Staff recommends allocating \$470,000 to this advanced technology demonstration project from TFCA Regional Fund revenues, as described in Attachment 2. Attachment 2 also summarizes the allocation of funding by equipment category (Figure 3), and county (Figure 4).

Attachment 3 lists all the FY 09/10 TFCA Regional Fund projects that have been awarded funding as of May 12, 2010.

More than 36% of the TFCA funds allocated to eligible projects have been awarded to projects that reduce surplus emissions in highly impacted Bay Area communities.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None. Through the CMP, MSIF and TFCA, the Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for both programs are provided by each funding source.

Respectfully submitted,

Jack P. Broadbent
Executive Director/APCO

Prepared by: Karen Schkolnick and Anthony Fournier
Reviewed by: Damian Breen

Attachment 1: Summary of all eligible CMP projects as of 6/11/10

Attachment 2: Recommended FY 09/10 TFCA Regional Fund projects with individual grant awards greater than \$100,000 as of 6/14/10

Attachment 3: Summary of FY 09/10 TFCA Regional Fund approved projects as of 6/14/10

Attachment 1

Table 1: Summary of all CMP Yr 12/ MSIF approved projects (5/3/10 to 6/11/10)

Project #	Equipment category	# of engines	Proposed contract award	Applicant name	NOx (TPY)	ROG (TPY)	PM (TPY)	Board approval date	County
12MOY2	Agriculture	3	\$ 57,831.00	Nichelini Vineyards, LLC	0.648	0.078	0.021	APCO	Napa
12MOY8	Off-road	1	\$ 201,620.00	Evergreen Supply	1.556	0.185	0.075	7/7/2010	Santa Clara
12MOY11	Off-road	2	\$ 43,833.00	Domenico J. Carinalli, Jr. (Farmer)	0.141	0.047	0.015	APCO	Sonoma
3 Projects		6	\$ 303,284.00		2.345	0.310	0.111		

Figure 1: CMP/ MSIF Funding Distribution by Equipment Category as of 6/11/10

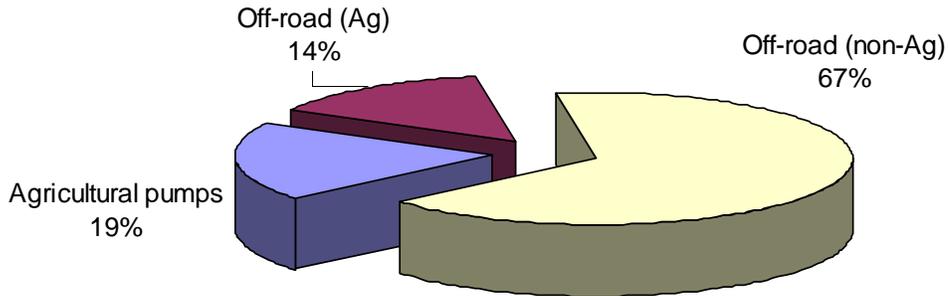
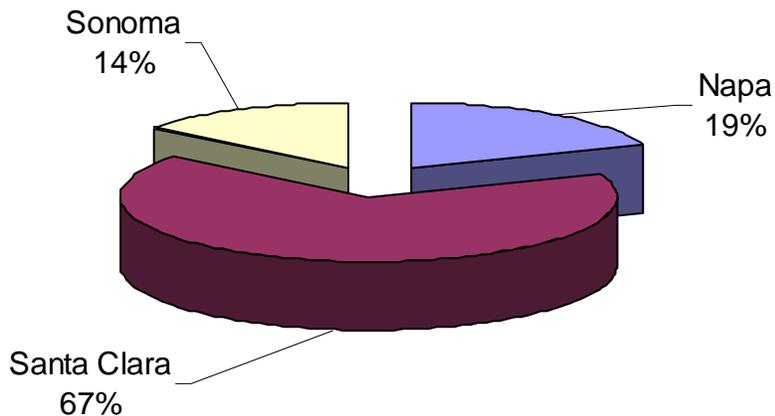


Figure 2: CMP/ MSIF Funding Distribution by County as of 6/11/10



ATTACHMENT 2: Recommended FY 09/10 TFCA Regional Fund Projects with Grant Awards Greater Than \$100,000 (as of 6/14/10)

Project #	Project Sponsor	Project Title and Type	TFCA \$ Awarded	CO2 (TPY)	NOX (TPY)	ROG (TPY)	PM (TPY)	C/E	Score	AB 130 Designation	County
09R50	Better Place	Zero Emission Electric Taxi Project	\$ 470,000	1,179.21	0.05	0.07	0.01	\$378,632 *	70%	AB1390	San Francisco

Figure 3: FY 09/10 TFCA Funds Awarded - By County **

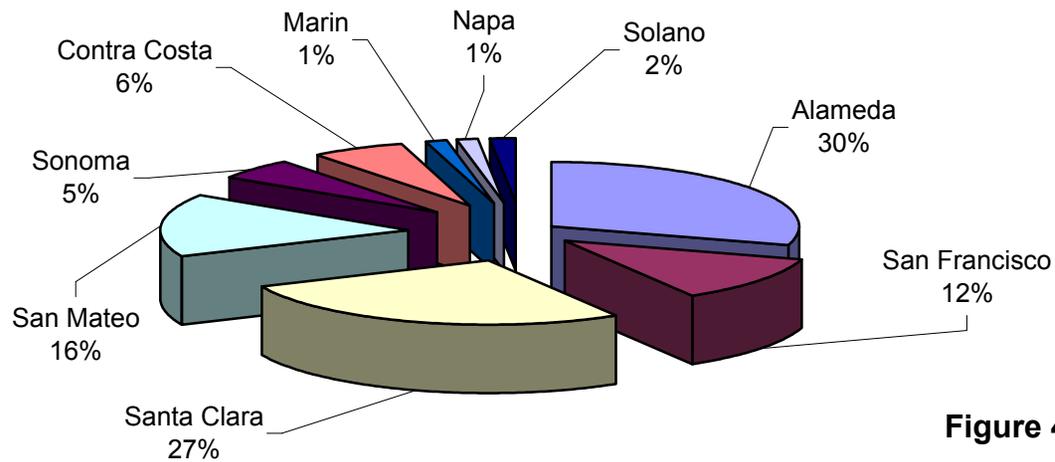
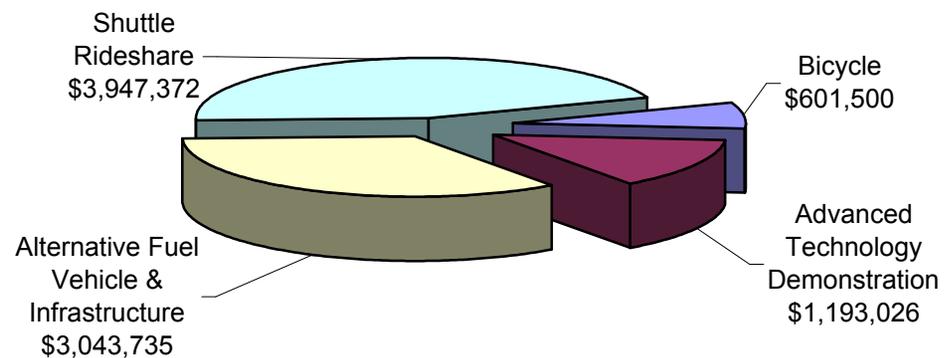


Figure 4: FY 09/10 TFCA Funds Awarded - By Project Type **



* Advanced Technology Demonstration projects have a cost-effectiveness threshold of \$500,000/ton of criteria pollutants reduced

** Includes all projects listed in Attachments 2 and 3

ATTACHMENT 3: Summary of FY 09/10 TFCA Approved Projects (as of 6/14/10)

Project #	Project Sponsor	Project Title	TFCA \$ Awarded	CO2 (TPY)	NOX (TPY)	ROG (TPY)	PM (TPY)	Score %	Board Approval Date	County	Project Type
09R15	Clean Energy	Liquefied Natural Gas Station	\$ 200,000	28.40	0.30	0.02	-	69%	2/3/10	Alameda	Alt Fuel
09R16	County of Santa Clara	Compressed Natural Gas Station & (3) CNG Sedans	\$ 204,105	36.15	0.29	0.03	-	67%	2/3/10	Santa Clara	Alt Fuel
09R17	Santa Clara Valley Industries	(11) Compressed Natural Gas Refuse Trucks	\$ 275,000	46.22	2.20	-	-	71%	6/2/10	Santa Clara	Alt Fuel
09R18	County of Santa Clara	(1) Compressed Natural Gas Security Transfer Bus	\$ 36,000	20.69	0.08	-	-	77%	APCO	Santa Clara	Alt Fuel
09R19	Livermore Sanitation	(3) Compressed Natural Gas Refuse Trucks	\$ 73,497	20.50	0.23	-	-	74%	APCO	Alameda	Alt Fuel
09R20	Mission Trail Waste Systems	(23) Compressed Natural Gas Refuse Trucks	\$ 426,503	171.05	3.84	1.92	-	75%	2/3/10	Santa Clara	Alt Fuel
09R21	Oakland Port Services Corp., dba AB Trucking	(6) Natural Gas Port Trucks	\$ 297,000	97.95	1.10	-	-	71%	2/3/10	Alameda	Alt Fuel
09R22	Sonoma County Transit	(2) Compressed Natural Gas Transit Buses	\$ 80,000	62.57	0.58	-	-	81%	APCO	Sonoma	Alt Fuel
09R23	South SF Scavenger., INC	(4) Compressed Natural Gas Refuse Trucks	\$ 80,000	24.87	0.28	-	-	76%	APCO	San Mateo	Alt Fuel
09R24	UC Davis Fleet	(1) Compressed Natural Gas Bus	\$ 41,350	10.93	0.09	-	-	61%	APCO	ALA, CC, SOL	Alt Fuel
09R25	WM of Alameda County, Inc.	(31) Compressed Natural Gas Refuse Trucks	\$ 500,000	683.35	8.40	-	-	91%	2/3/10	Alameda	Alt Fuel
09R26	Yellow Cab/Clean Energy Finance	(25) Compressed Natural Gas Taxis	\$ 75,000	-	0.11	0.19	-	82%	APCO	San Francisco	Alt Fuel
09R27	Breathe California for Silicon Valley Clean Cities	US Department of Energy - Clean Cities Coalition Outreach (SV)	\$ 25,000	9.72	0.04	0.02	-	72%	APCO	9 County	Alt Fuel
09R28	East Bay Clean Cities Coalition	US Department of Energy - Clean Cities Coalition Outreach (EB)	\$ 25,000	9.72	0.04	0.02	-	72%	APCO	9 County	Alt Fuel
09R29	SF Environment	US Department of Energy - Clean Cities Coalition Outreach (SF)	\$ 25,000	18.93	0.13	0.02	-	72%	APCO	9 County	Alt Fuel
09R30	Better Place	(30) Electric Vehicle Charge Points	\$ 30,000	101.31	0.00	0.00	0.00	77%	APCO	Santa Clara	Alt Fuel
09R31	City of Palo Alto	(6) Electric Vehicle Charge Points	\$ 12,000	20.26	0.00	0.00	0.00	68%	APCO	Santa Clara	Alt Fuel
09R32	City & County of San Francisco	(60) Electric Vehicle Public Garage Charge Points	\$ 100,000	202.62	0.03	0.04	0.01	84%	APCO	San Francisco	Alt Fuel
09R33	City of Santa Rosa	(14) Plug-in Hybrid Electric Vehicle conversions & (20) Electric Vehicle Charge Points	\$ 45,811	10.54	0.00	0.00	0.00	71%	APCO	Sonoma	Alt Fuel
09R35	County of Santa Clara	(40) Electric Vehicle Charge Points	\$ 85,720	135.08	0.02	0.03	0.00	75%	APCO	Santa Clara	Alt Fuel
09R36	County of Sonoma	(30) Plug-in Hybrid Electric Vehicle Conversions & Electric Vehicle Charge Points	\$ 81,173	35.89	0.00	0.00	0.00	69%	APCO	Sonoma	Alt Fuel
09R37	County of Alameda	(15) Hybrid Vehicles & (4) NEV	\$ 43,816	2.29	0.01	0.02	0.00	66%	APCO	Alameda	Alt Fuel
09R39	County of Alameda	(40) Electric Vehicle Charge Points	\$ 84,760	135.07	0.02	0.03	0.00	72%	APCO	Alameda	Alt Fuel

ATTACHMENT 3: Summary of FY 09/10 TFCA Approved Projects (as of 6/14/10)

Project #	Project Sponsor	Project Title	TFCA \$ Awarded	CO2 (TPY)	NOX (TPY)	ROG (TPY)	PM (TPY)	Score %	Board Approval Date	County	Project Type
09R40	Friendly Cab	(20) Ford Escape Hybrids	\$ 80,000	220.66	0.04	0.06	0.01	81%	APCO	Alameda	Alt Fuel
09R41	City of Palo Alto	(1) Medium Duty Vehicle	\$ 16,000	-	0.00	0.00	0.00	60%	APCO	San Mateo	Alt Fuel
09R42	City of Palo Alto	(1) Heavy Duty Vehicle Purchase	\$ 77,000	4.40	0.12	0.00	-	60%	APCO	San Mateo	Alt Fuel
09R43	East Bay Regional Parks	(3) Medium Duty Vehicle Purchase	\$ 24,000	-	0.00	-	0.00	68%	APCO	San Mateo	Alt Fuel
09R44	Pacific Gas & Electric	(46) E-PTO Hybrid Utility Trucks Demonstration	\$ 403,803	1,011.88	0.84	0.02	0.01	76%	6/2/10	Contra Costa	ATD
09R45	Devine Intermodal	(1) Heavy Duty Vehicle Purchase - Hydrogen	\$ 96,723	146.68	0.19	0.01	0.00	71%	APCO	Alameda	ATD
09R47	UC Berkeley Transportation - Sustainability Research Center	High-Pressure Hydrogen Fueling Facility and Fuel Cell-Vehicle Demonstration	\$ 99,900	267.03	0.01	0.01	0.00	79%	APCO	Alameda	ATD
09R48	OptaMotive Systems, LLC	OptaMotive EV Systems Demonstration	\$ 95,000	192.26	0.01	0.01	0.00	63%	APCO	Santa Clara	ATD
09R49	City CarShare	New Plug In 10kwh conversion	\$ 27,600	110.55	0.00	0.00	0.00	71%	APCO	San Francisco	ATD
09BFP01	City of Oakland	Class II and III Bikeways on E.12th Street	\$ 10,500	n/a	n/a	n/a	n/a	n/a	APCO	Alameda	Bike
09BFP02	City of Oakland	Class II and III Bikeways on 14th Street, MacArthur Boulevard, and Fruitvale Avenue	\$ 57,000	n/a	n/a	n/a	n/a	n/a	APCO	Alameda	Bike
09BFP03	City of Daly City	Southgate Avenue Class II Bicycle Lane Gap Closure	\$ 25,500	n/a	n/a	n/a	n/a	n/a	APCO	San Mateo	Bike
09BFP04	City of Petaluma	Class III Bicycle Routes in Petaluma	\$ 103,311	n/a	n/a	n/a	n/a	n/a	APCO	Sonoma	Bike
09BFP05	City of San Carlos	Class III Bicycle Route on Old County Road	\$ 18,150	n/a	n/a	n/a	n/a	n/a	APCO	San Mateo	Bike
09BFP06	City of San Jose	San Jose Citywide Bicycle Racks Installation	\$ 14,880	n/a	n/a	n/a	n/a	n/a	APCO	Santa Clara	Bike
09BFP10	City of Santa Rosa Department of Public Works	Class II Bicycle Lane on Coffey Lane	\$ 23,100	n/a	n/a	n/a	n/a	n/a	APCO	Sonoma	Bike
09BFP12	San Francisco Municipal Transportation Agency	San Francisco Citywide Bicycle Racks Installation	\$ 84,000	n/a	n/a	n/a	n/a	n/a	APCO	San Francisco	Bike
09BFP13	San Francisco Municipal Transportation Agency	Class II Bicycle Lane on John Muir Drive	\$ 66,900	n/a	n/a	n/a	n/a	n/a	APCO	San Francisco	Bike
09BFP15	San Francisco Municipal Transportation Agency	Class II Bicycle Lane on Great Highway/Point Lobos Avenue	\$ 15,300	n/a	n/a	n/a	n/a	n/a	APCO	San Francisco	Bike
09BFP16	Alameda County Public Works Agency	Class II Bicycle Lane on Greenville Road	\$ 30,000	n/a	n/a	n/a	n/a	n/a	APCO	Alameda	Bike
09BFP17	Alameda County Public Works Agency	Class II Bicycle Lane on Marina Avenue	\$ 85,000	n/a	n/a	n/a	n/a	n/a	APCO	Alameda	Bike
09BFP18	Alameda County Public Works Agency	Class II Bicycle Lane on Foothill Boulevard	\$ 67,859	n/a	n/a	n/a	n/a	n/a	APCO	Alameda	Bike
09R05	Santa Clara Valley Transportation Authority	ACE Shuttle Bus Program	\$ 960,000	7,242.80	6.09	5.32	3.68	79%	2/3/10	Santa Clara	S-RS

ATTACHMENT 3: Summary of FY 09/10 TFCA Approved Projects (as of 6/14/10)

Project #	Project Sponsor	Project Title	TFCA \$ Awarded	CO2 (TPY)	NOX (TPY)	ROG (TPY)	PM (TPY)	Score %	Board Approval Date	County	Project Type
09R06	San Joaquin Regional Rail Commission	ACE Shuttle - Route 54	\$ 50,000	950.10	0.71	0.75	0.51	77%	2/3/10	Alameda	S-RS
09R07	San Joaquin Regional Rail Commission	ACE Shuttle - Route 53	\$ 44,000	318.00	0.31	0.27	0.18	65%	2/3/10	Alameda	S-RS
09R08	Metropolitan Transportation Commission	511 Rideshare Program	\$ 1,050,000	29,410.00	24.75	22.29	14.88	84%	2/3/10	9 County	S-RS
09R09	Livermore Amador Valley Transit Authority	Route 1A/B BART Shuttle	\$ 59,750	143.80	0.23	0.24	0.11	60%	2/3/10	Alameda	S-RS
09R10	Associated Students, San Jose State University	SJSU Ridesharing and Trip Reduction	\$ 120,000	1,213.70	1.07	1.02	0.62	79%	2/3/10	Santa Clara	S-RS
09R11	Peninsula Corridor Joint Powers Board	Caltrain Shuttle	\$ 1,000,000	5,811.30	4.62	4.90	3.04	76%	2/3/10	San Mateo	S-RS
09R12	City of Redwood City	Redwood City Commuter Shuttle	\$ 15,000	142.00	0.11	0.10	0.07	93%	2/3/10	San Mateo	S-RS
09R13	San Francisco General Hospital	SFGH Pilot Shuttle	\$ 50,122	416.80	0.44	0.41	0.24	94%	2/3/10	San Francisco	S-RS
09R14	City of Oakland	Oakland Waterfront - Uptown Pilot Shuttle	\$ 498,500	1,980.40	1.80	1.75	1.01	85%	2/3/10	Alameda	S-RS
09R46	City of Berkeley	Berkeley Transit Action Plan	\$ 100,000	1,681.60	1.20	1.15	0.85	79%	APCO	Alameda	S-RS

Total \$ 8,315,633 53,148.06 60.34 40.65 25.23

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 14, 2010

Re: Update on the Strategic Incentives Division Database System

RECOMMENDED ACTION:

None. Informational item, receive and file.

BACKGROUND

In 2007, the Air District's Carl Moyer Program (CMP) and Lower Emission School Bus Program were audited by the California Air Resources Board (ARB), and the California Department of Finance (DOF). In response to the findings of these audits, the Air District implemented proactive measures to enhance the performance and accountability of its grant program processes.

On July 25, 2007, the Board of Directors allocated \$900,000 from the Air District's general reserves to solicit bids and execute agreements to assist staff in carrying out the functions of the CMP and a remediation plan required by ARB. A portion of this funding, approximately \$389,000, was spent to develop an online application tool/production system (System) for the grants programs to address ARB and DOF concerns about recordkeeping and program accessibility. In this report, staff will update the Committee on the status of the System and describe its functionality.

DISCUSSION

As previously stated, in order to address ARB and DOF concerns, a new System was developed via a collaborative effort between Viaspire and the Trinity Technology Group (Consultants), and Air District staff in the Strategic Incentives and Information Systems Services Divisions. Via this collaboration, grant processes were analyzed, updated, improved, and consolidated into a new database that allows program applicants to submit materials online. Prior to the launch of the new System, the project team also solicited input from applicants and other external stakeholders, and incorporated their feedback into the design of the System.

The objectives of the System are to simplify the application process, and to automate many of the Air District’s administrative grant processes. The System reduces the time staff had previously spent entering application data from paper forms into electronic databases, and serves as a central storage point for all CMP project data. The System also allows staff to automate its emissions calculation processes in order to increase efficiency, improve accuracy, and reduce the paper documentation previously generated.

The development of the System began in late 2007, and was finished in time for the recent CMP Year 12 project solicitation period which started on May 3, 2010. Initially the System will only accept applications for the CMP. However, once the System has been sufficiently tested and refined, staff will evaluate the potential for expanding its scope to include other Air District grant programs. Table 1 summarizes some of the System’s benefits to applicants, and Air District staff:

Table 1: Overview of CMP System features

Allows applicants to:	Allows Air District staff to:
Create an account for their organization	Manage projects without paper files
Authorize a third party access, and assist with their application	Calculate project cost-effectiveness
Attach the necessary supporting application documents	Generate inspection forms and contract documents
Sign and submit the proposal online	Track project and payment information

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None. Funding for the System was encumbered from the Fiscal Year 2007/ 2008 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Anthony Fournier
Reviewed by: Damian Breen

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 16, 2010

Re: Request to Approve Allocation of Up to \$5 Million in Transportation Fund for
Clean Air (TFCA) Funds for Electric Vehicle (EV) Charging Infrastructure

RECOMMENDED ACTION:

Recommend Board of Directors:

- Approve an allocation of up to \$5 million in Transportation Fund for Clean Air (TFCA) funds, including \$2.5 million from FY 10/11 and \$2.5 million from FY 11/12, to support a regional electric vehicle (EV) charging infrastructure deployment program.

BACKGROUND

In the Bay Area, the transportation sector accounts for more than 50% of criteria pollutants (ROG, NO_x, and PM), and more than 40% of greenhouse gas (GHG) emissions. Within the transportation sector, more than 50% of ROG, NO_x, and PM, and approximately 70% of GHG emissions are generated by on-road vehicles. Therefore, significant emission reductions from the on-road transportation sector are key to helping the Bay Area to attain State and Federal ambient air quality standards. Based on recent technological advances in EV technology, zero- and partial zero-emission vehicles are a promising solution to meeting local, State and Federal criteria and GHG emission reduction targets.

As part of this report, staff will present an overview of on-road EV technologies and their development, current regional efforts to support the deployment of these technologies, and a recommendation for a \$5 million allocation over a two-year period to support large-scale EV deployment in the Bay Area.

DISCUSSION

During the past two years, Bay Area Air Quality Management District (Air District) staff has collaborated with partner stakeholders to discuss and support the rapid introduction of EVs in the Bay Area. Stakeholders include local clean cities coalitions, government agencies and industry representatives. Through these discussions the Air District has identified a number of barriers that may potentially hinder mass public adoption of EVs. These issues include:

- High incremental costs associated with EVs and charging infrastructure;
- “Range anxiety” concerns due to lack of public charging infrastructure; and
- Non-standardized and slow local permitting process for home and public charging.

In order to address these issues, staff is proposing a two-phased program that maximizes our current partnerships and leverages Air District incentive funding in order to support region-wide EV-deployment. A description of each phase is as follows:

Phase #1 – Bay Area-wide EV Charging Incentive Program

This phase of the program would leverage up to \$5 million in TFCA funds (up to \$2.5 million from FY 10/11 and up to \$2.5 million from FY 11/12), to support EV charging infrastructure deployment throughout the Bay Area. Additionally, this deployment would target funding for locations in designated Priority Development Areas with the following infrastructure installation goals for the year 2015:

- 3,000 home chargers at single family and multi-family dwellings
- 2,000 public level 2 chargers at employer and high-density parking areas
- 50 “Fast Chargers”/Level 3 stations at approximately 30-mile intervals within close proximity to major roadways

TFCA funding for this program will maintain a cost-effectiveness of \$90,000/ton of criteria pollutants reduced and will achieve a reduction of an estimated 64 tons of criteria pollutants and 34,249 tons of GHG’s annually. However, should additional funding from other sources discussed below not be secured, the scale of this initiative would be reduced to half of the current scope.

In order accomplish the goals of this program, additional funding will be aggressively pursued by the Air District. Potential funding sources include the private sector, foundations, and other public agencies including the Department of Energy (DOE), California Energy Commission (CEC) and Metropolitan Transportation Commission (MTC). Funding for public Level II and Fast Chargers would be distributed via grants through the Air District’s TFCA Regional Fund program with funding for home charges distributed in the form of a voucher or rebate. Eligible entities for public Level II and Fast Chargers funding include Bay Area cities, counties, other public agencies, private fleet operators (taxis, shuttles, car sharing), businesses and local employers.

Phase #2 - Streamlined EV charging permitting process for home and public infrastructure

Staff proposes to engage key leaders and stakeholders within the Bay Area through a coordinated workshop process over the next 6 months in order to identify best practices that will inform the development of a streamlined EV charging permitting process.

By facilitating development of a streamlined permitting process, reducing the incremental cost of EVs and easing concerns regarding range; the Air District will help to eliminate barriers to mass deployment of EVs. In addition, the program will also provide local economic benefits by creating local "green" jobs associated with manufacturing, installation, and operation of EV charging infrastructure and vehicles.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None. The Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for the TFCA program is provided by the funding source.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Karen M. Schkolnick
Reviewed by: Damian Breen

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: June 14, 2010

Re: Request to Approve Contract for TFCA Program Review in the Amount of \$200,000

RECOMMENDED ACTION:

Recommend Board of Directors:

- Authorize the Executive Officer/APCO enter into a contract with Armanino McKenna, LLP, for an amount not to exceed \$200,000 to provide a review and modernization of the TFCA Regional Fund Program.

BACKGROUND

The Transportation Fund for Clean Air (TFCA) is a grant program funded by a \$4 surcharge on motor vehicles registered within the jurisdiction of the Bay Area Air Quality Management District (Air District). This generates approximately \$22 million per year in revenue, 60% of which is utilized by the Air District via its TFCA Regional Fund Program to provide grants to implement cost-effective projects in the Bay Area that will decrease motor vehicle emissions.

Since 1992, the TFCA program has processed approximately 900 TFCA Regional Fund grants for various businesses, governments, and agencies. In order to ensure that these projects meet the current standards for grant record keeping and accounting, a review and modernization of each of the approximately 700 TFCA Regional Fund grants funded during years 1992 through 2007 is necessary. This review and modernization process will reflect new standards that have been applied to all current grant programs (including current TFCA program grants) since 2008. Additionally, these new standards reflect suggested grant process improvements identified by the California Bureau of State Audits - 2006 audit and the California Air Resources Board - 2007 and 2008 audits of the Air District's Carl Moyer and Lower Emission School Bus grant programs.

The Air District issued an RFP for a contractor in December 2009. In this report, staff will present the results of the RFP process and a recommendation for Board action.

DISCUSSION

A Request for Proposal (RFP) was released on December 3, 2009 with responses due on December 23, 2009. Three responses were received from the following consultancy firms: CH2MHill, Inc., Armanino McKenna, LLP, and Clean Fuel Connections.

Evaluation

The Air District evaluated the proposals submitted based on the following criteria:

Technical Expertise: The size and structure of the firm and their ability to finish the review and modernization in a timely and professional manner.

Past Experience: The past experience the firm and its staff has reviewing and organizing governmental records projects of similar size and scope.

Responsiveness to Proposal: The responsiveness of the proposal by clearly stating an understanding of the work to be performed, as well as overall experience and accomplishments of the consultant team and project management staff.

Cost Proposal: Costs were evaluated for adequacy in relation to the outlined scope of the project.

Green Operating Practices and Local Businesses: The District gives preference to local businesses engaged in green business practices. Proposals were evaluated to determine the extent of bidder's commitment to environmentally sound operational practices.

The scoring and total points for each of the RFP's criteria is contained in the following table:

Table 1 - RFP Evaluation Criteria Scores for the TFCA Review Project

Evaluative Criteria	Armanino Mckenna	CH2MHill	Clean Fuel Connections
Technical Expertise (30 points)	26.25	21	20.5
Past Experience (20 points)	16.5	17.5	18
Responsiveness to Proposal (20 points)	16.5	14	14.5
Cost Proposal (20 points)	13.5	14.5	7
Green Operating Practices/ Local Businesses (10 points)	9.25	4.5	6.75
Total Points (100 points)	82	71.5	66.75

Based on their score and adherence to the evaluation criteria, staff is recommending Armanino McKenna, LLP for a contract not to exceed \$200,000 to review and modernize the TFCA Regional Fund Program.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Funding was approved in the amount of \$200,000 by the Board of Directors on September 16, 2009, and the current budget was amended to include the funds.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Matt Serier
Reviewed by: Jack M. Colbourn

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 26, 2010

Re: Report of the Public Outreach Committee Meeting of July 21, 2010

RECOMMENDED ACTION:

The Committee recommends Board of Directors' approval of IQAir to conduct a School Air Filtration project for an amount not to exceed \$300,000.

BACKGROUND

The Public Outreach Committee met on Wednesday, July 21, 2010. The Committee received the following reports:

- A) Update on 2010 Spare the Air Every Day Campaign
- B) Bayview Hunters Point School Air Filtration Contractor Selection

Attached are the staff reports presented in the Public Outreach Committee packet.

Chairperson Mark Ross will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) Funding for the campaign was included in the FY 2009-10 budget. Additional funding is included in the adopted FY 2010-11 budget. The campaign is funded primarily through the Congestion Mitigation Air Quality (CMAQ) program, supplemented by Transportation Fund for Clean Air and the District general fund.
- B) This one-time cost will come from the \$515,000 Lennar settlement monies.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Lisa Harper
Approved by: Jennifer Chicconi

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Mark Ross and Members
of the Public Outreach Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 14, 2010

Re: 2010 Spare the Air Every Day Campaign

RECOMMENDED ACTION:

For information only.

BACKGROUND

At the previous Public Outreach Committee meeting on June 9, 2010, members requested an update on the 2010 *Spare the Air Every Day* campaign.

Since 1991, the *Spare the Air* campaign has worked to persuade the public to adopt long-term behaviors that protect air quality. Past *Spare the Air* campaigns have typically targeted the general population, household decision-makers and solo drivers.

This year, the campaign will focus on a younger audience - specifically ages 17–35. Targeted outreach to a younger audience is a new approach for the campaign and offers the opportunity to reach a previously underserved demographic with a host of *Spare the Air* messages. Secondary research supports targeting of a younger demographic because of their more flexible lifestyles and social ideals.

The 2010 smog season runs from Monday, May 3 – September 30, 2010.

DISCUSSION

District staff and contractors have developed a comprehensive campaign geared to this audience, complete with new graphic design and innovative methods of outreach.

Air District staff is working with contractors O'Rorke Inc. and MS&L Public Relations, on the 2010 *Spare the Air Every Day* campaign. While main messages remain the same – take transit, share a ride, maintain your car, link your errands, walk or ride your bike instead of driving – the way these messages are presented will be adjusted to appeal to a younger audience.

At the Public Outreach Committee meeting, staff will present TV and print advertising for the 2010 *Spare the Air Every Day* Campaign and drafted contingency plan.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Funding for the campaign was included in the FY 2009-10 budget. Additional funding is included in the adopted FY 2010-11 budget. The campaign is funded primarily through the Congestion Mitigation Air Quality (CMAQ) program, supplemented by Transportation Fund for Clean Air and the District general fund.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/Air Pollution Control Officer

Prepared by: Kristine Roselius
Reviewed by: Lisa Fasano

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Mark Ross and Members
of the Public Outreach Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 14, 2010

Re: Contractor Selection for Bayview Hunters Point School Air Filtration Project

RECOMMENDED ACTION:

Request the Committee recommend Board of Directors approval of IQAir to conduct a School Air Filtration project for amount not to exceed \$300,000.

BACKGROUND

In 2008, the Bay Area Air District received a \$515,000 settlement from the Lennar Corporation for administrative violations surrounding the required air monitoring program at the Lennar Development.

The Air District committed to spend that money on air related projects in and around the Bayview Hunters Point community.

In 2009, after meeting with a core group of Bayview constituents, the Air District set out to gauge input from the broader community on projects the community envisioned would be beneficial to all residents in the Bayview neighborhood. The Air District learned of three major areas that Bayview residents felt were important to put resources into, 1) Air Filtration, 2) Public Education, and 3) Public Health.

After several follow-up meetings with the community, six (6) schools were identified and recommended for the installation of Air Filtration Systems.

DISCUSSION

IQAir submitted the sole proposal in response to the RFP. Staff recommends that the Air District approve a contract for \$300,000 to **IQAir** for the following reasons;

- Scored well based on Air District criteria,
- Strong recommendation by the South Coast Air Quality Management District for their professional expertise in installing and maintaining High-Performance Air Filtration in classrooms in a cost-efficient and on-time performance; and
- Contractor's ability to work on tight summer schedule and get equipment installed before the start of the school year

BUDGET CONSIDERATION / FINANCIAL IMPACT:

This one-time cost will come from the \$515,000 Lennar settlement monies.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/Air Pollution Control Officer

Prepared by: Lisa Fasano

Reviewed by: Lisa Fasano

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 26, 2010

Re: Report of the Stationary Source Committee Meeting of July 23, 2010

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

The Stationary Source Committee met on Friday, July 23, 2010 and considered and received the following reports and updates:

- A) Facility Update: Lehigh Cement
- B) Report on Additional Information on the Progress of Flare Minimization Trends under Regulation 12, Rule 12: Flares at Petroleum Refineries
- C) Proposed Cement Kiln Rule

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

Chairperson Gayle Uilkema will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Lisa Harper
Approved by: Jennifer Chicconi

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Uilkema and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 15, 2010

Re: Status Report on Lehigh Southwest Cement Plant

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

The Stationary Source Committee has requested periodic status updates on selected Bay Area facilities. The Lehigh Southwest Cement Plant, located at the west end of Stevens Creek Boulevard in unincorporated Cupertino, is the only Portland cement manufacturing plant in the Bay Area and is the subject of this report.

DISCUSSION

Staff has prepared the attached facility Fact Sheet that provides background information, and a status update covering permits, compliance, toxic air contaminants, air monitoring, and other activities. Staff will brief the committee with a status report that provides:

- Background information,
- An update on the facility's Title V permit renewal,
- An update on EPA and District rule development activities for cement plants, and the facility's efforts to comply with the resulting more stringent standards,
- An update on facility compliance,
- An update on the facility's toxic air contaminant emissions inventory and Health Risk Assessment,
- An update on ambient air monitoring, and
- The next steps.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Brian Bateman

Reviewed by: Jeff Mckay



LEHIGH SOUTHWEST CEMENT PLANT
BAAQMD Site #A0017
24001 Stevens Creek Boulevard
Cupertino, CA 94014

FACT SHEET

July 06, 2010

Background

- The Lehigh Southwest Cement Plant (formerly Hanson) is located in unincorporated Santa Clara County, west of Cupertino at the end of Stevens Creek Boulevard. Mining at 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 temperatures of about 2,800 degrees Fahrenheit. The material formed in the kiln, known as "clinker", is subsequently ground and blended with gypsum to form Portland cement. In addition to cement, the facility also produces and sells construction aggregates.
- Nitrogen oxides (NO_x), sulfur dioxide (SO₂), 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, and nickel. The kiln exhaust is equipped with NO_x and SO₂ 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 number 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 or mandatory risk reduction measures. This HRA is currently being updated to reflect a comprehensive TAC emissions inventory update (see page 5).

Public Comments/Issues

- Starting in November 2007, District staff has met with representatives of the West Valley Citizen Air Watch (WVCAW) and worked to answer questions from the group about the Quarry Reclamation Plan Amendment proposal, and other air quality

Lehigh Southwest Cement Plant Fact Sheet

July 06, 2010

issues associated with the facility. The Reclamation Plan Amendment entails modification of the existing Reclamation Plan, approved in 1985 under the requirements of the Surface Mining and Reclamation Act (California Public Resources Code, § 2710, et seq.), for activities at the facility's quarry. The proposed Reclamation Plan Amendment, which is being processed by Santa Clara County, would expand the existing Reclamation Plan area to include previously disturbed areas, add a new quarry pit, and extend the expected completion date of mining and reclamation activities, possibly by 25 years. 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 and June 11, 2009, District staff participated in community meetings organized by Santa Clara County to answer questions about the facility and the Reclamation Plan Amendment. A variety of concerns were expressed at these meetings including the potential location of a new quarry pit close to residential areas, the use of petroleum coke as a fuel, visible emissions from the kiln, general dust emissions and deposition, mercury emissions, hexavalent chromium emissions, emissions from truck traffic, and the facility's compliance history.
- Lehigh submitted an application to renew its 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 Permit renewals are required every five years, and the existing Title V Permit continues in force until the District takes final action on the renewal application. The District conducted a public hearing in Cupertino on September 17, 2009 to solicit comments on the draft Title V permit renewal for the Lehigh facility, and a written public comment period was also held. Approximately one hundred individuals or groups provided comments covering a wide variety of topics.
- Members of the public have raised concerns regarding an Notice of Violation (NOV) issued by the U.S. EPA to the Lehigh facility on March 9, 2010, for alleged violations of the Clean Air Act's Prevention of Significant Deterioration (PSD) permit program. The NOV was part of a national review of PSD applicability for the cement manufacturing industry.

Facility Status

A. Permits

- The Lehigh facility started using 100 percent 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 percent coal and 10 percent coke. Emissions data show that this fuel change has reduced SO₂ 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

Lehigh Southwest Cement Plant Fact Sheet

July 06, 2010

demonstration that the fuel change project did not trigger federal PSD permit requirements. The facility was also required by EPA to provide additional information on potential facility modifications as a part of the national EPA review of PSD applicability for the cement manufacturing industry. The NOV issued by EPA on March 9, 2010, for alleged violation of PSD permit requirements, did not include the coke switching project.

- 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.
- On January 5, 2010, the District withdrew the proposed Title V permit renewal for the Lehigh facility. This was done because EPA is expected to adopt significantly more stringent standards for mercury and other TACs from cement plants in amendments to 40 CFR 63, Subpart LLL, National Emission Standards for Hazardous Air Pollutants (NESHAP) from the Portland Cement Manufacturing Industry. The proposed EPA rule amendments were published on May 6, 2009, and the final rule had been scheduled for adoption no later than June 6, 2010. The deadline for final rule adoption, however, has recently been extended to August 6, 2010 (based on a settlement agreement between EPA and petitioners for reconsideration of the existing NESHAP). Since the requirements of this amended NESHAP will need to be incorporated into the Title V permit, the District will re-issue the draft Lehigh permit renewal after the requirements of the amended NESHAP have been incorporated. It is expected that this can be done within 45 days of promulgation of the amended NESHAP (i.e., on or around September 20, 2010).

B. Compliance

- Since July 2004, there have been twenty-five violations at the Lehigh facility that resulted in the issuance of twenty-three Notices of Violation by the District. The violations can be characterized as emissions-related, administrative, or permit-related in nature. There were fifteen emissions-related violations; most were issued for excessive visible emissions of dust or smoke from various facility sources. The facility expeditiously took corrective action and brought these violations into compliance. There were eight administrative violations, which included various record keeping deficiencies and late reporting of required reports. Lehigh took corrective action on these violations and brought them into compliance. The two permit-related violations documented unpermitted material stockpiles. Lehigh has obtained the necessary permits and is currently in compliance with District permit requirements. Lehigh has been in intermittent compliance, similar to other Title V facilities; there is currently no ongoing violation, or pattern of recurrent violation, that represents ongoing noncompliance.

Lehigh Southwest Cement Plant Fact Sheet

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- The NOV issued by EPA to Lehigh on March 9, 2010, concerns a series of physical modifications made to the facility between 1996 and 1999. EPA alleges that these modifications should have undergone pre-construction PSD permit review, but the owners of the facility at the time failed to apply for a PSD permit, which would have required additional emissions controls for NO_x and SO₂. The NOV issued by EPA does not contain a detailed listing of the specific projects involved, as these were all claimed confidential by Lehigh. This NOV is similar to other EPA enforcement actions against various cement plants in other states. The Lehigh NOV remains an active enforcement case by EPA without final resolution.
- EPA did not include in its NOV any projects at the Lehigh facility that occurred after EPA adopted major reforms to the PSD regulations on December 31, 2002. According to EPA, “[t]hese reforms were aimed at providing much needed flexibility and regulatory certainty, and at removing barriers and creating incentives for sources to improve environmental performance through emissions reductions, pollution prevention, and improved energy efficiency” (*Supplemental Analysis of the Environmental Impact of the 2002 Final NSR Improvement Rule*, U.S. EPA, Nov. 21, 2002). The reforms modified PSD applicability tests which, in some cases, had resulted in projects being identified as a major modification even though the project decreased emissions (because of the program’s “actual-to-potential” applicability test and “last two years” baseline emissions procedure, both of which were eliminated with the reforms). In addition, the reforms added to the clarity and certainty of the scope of the program’s routine maintenance exclusion to reduce the unintended consequences of discouraging worthwhile projects that are in fact outside the scope of the program.

C. Toxic Air Contaminants

- District staff has conferred with staff of Monterey Bay Unified Air Pollution Control District (MBUAPCD) and South Coast Air Quality Management District (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 uses a naturally occurring iron ore that has much lower chromium levels than steel slag, and also utilizes enclosed silos rather than open storage piles for clinker storage.
- 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 were determined to be 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.

- The District required that Lehigh collect additional data regarding hexavalent chromium, 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. Lehigh also subsequently revised mercury emission estimates from the kiln, upward to 581 lb/yr, based on the use of a more conservative mass balance approach (the prior approach for estimating emissions had been based on stack testing). The District has performed preliminary air dispersion modeling analyses based on the updated emissions inventory. These preliminary analyses indicate that, although the risk levels resulting from the facility's TAC emissions are higher than the results of the previous HRA, the Air Toxics Hot Spots Program action levels are still likely not exceeded. One possible exception to this that was identified is a narrow band of nearby receptor locations at which the mercury air concentrations appear to be very close to levels that would require public notification. The District has required that Lehigh prepare and submit a more refined update to their HRA in order to determine if public notification requirements have been triggered. This updated HRA is expected to be submitted for District review by September 1, 2010.
- In a letter to the District dated December 2, 2009, Lehigh outlined the actions that the company is taking to upgrade its emission control system in order to comply with the upcoming NESHAP amendments. The District issued permits in 2010 that allow for the initial phase of this control system upgrade. The initial phase involves injecting a sorbent material (hydrated lime) into the flue gases, filtering out the sorbent/pollutant complex, and incorporating the captured pollutants into the finished cement. This technology reduces emissions of several pollutants including hydrochloric acid, sulfur dioxide, and mercury (the latter of which is reduced by approximately 25 percent). On June 23, 2010 Lehigh held a press conference announcing the installation of these new emission controls. The second phase of the emission control system upgrade, which involves activated carbon injection, is expected to increase control of mercury emissions to about 90 percent.

D. Ambient Air Monitoring

- Because of concerns about elevated hexavalent chromium air concentrations found near some cement plants, the U.S. EPA and the District installed ambient air monitoring equipment at Stevens Creek Elementary School, located approximately two miles from Lehigh, to measure hexavalent chromium as part of EPA's School Air Toxics Monitoring Initiative. The EPA provided the instruments and initial laboratory analysis, and the District installed and is operating the monitoring equipment (and

now is paying for the analysis). The monitoring commenced on July 30, 2009, and will continue for at least one year. As of May 26, 2010, there were 56 daily samples taken at this site on a once every 6th day sampling schedule. The hexavalent chromium concentration was below the method detection limit in about 40 percent of these samples, and very small amounts were detected in the other samples. The average hexavalent chromium air concentration (using the convention that non-detects equal one-half the method detection limit) was 0.000014 $\mu\text{g}/\text{m}^3$. This is 0.007 percent of the 0.2 $\mu\text{g}/\text{m}^3$ chronic REL adopted by OEHHA for non-cancer health effects (a short-term acute REL has not been adopted for hexavalent chromium). Based on the OEHHA cancer potency factor and age-sensitivity factors, the lifetime cancer risk resulting from exposure to this level of hexavalent chromium is approximately 4 in-a-million. Although hexavalent chromium ambient air monitoring is no longer routinely done at other Bay Area sites, based on comparisons with historical monitoring data, air concentrations observed at the Stevens Creek Elementary School are considered to be typical of background levels present in urban areas.

- On October 28, 2008, the District began operating an ambient air monitor in the vicinity of the Lehigh facility adjacent to Stevens Creek Boulevard (near the intersection of Prado Vista Drive) to determine if truck traffic and dust associated with the facility were having an adverse impact on PM levels in the nearby community. This monitor continuously records particulate matter of 10 microns or less (PM₁₀) in the air. The maximum daily and average daily PM₁₀ concentrations recorded at this site (from Oct. 29, 2008 through June 30, 2010) were 55.5 $\mu\text{g}/\text{m}^3$ and 16.2 $\mu\text{g}/\text{m}^3$, respectively. A comparison of the PM₁₀ concentrations at this Cupertino site with PM₁₀ concentrations at the District's San Jose monitoring site (located about 10 miles east of the Cupertino site) is presented in the following table for common sampling days. The relevant PM₁₀ National Ambient Air Quality Standards (NAAQS), and California Ambient Air Quality Standards (CAAQS), are also listed.

Comparison of PM₁₀Air Concentrations at Cupertino and San Jose Monitoring Sites, and PM₁₀Ambient Air Quality Standards (Oct. 29, 2008 to Jun. 30, 2010)

	Cupertino ($\mu\text{g}/\text{m}^3$)	San Jose ($\mu\text{g}/\text{m}^3$)	NAAQS ($\mu\text{g}/\text{m}^3$)	CAAQS ($\mu\text{g}/\text{m}^3$)
Average Daily	16.5	19.9	n/a	20
Maximum Daily	51.9	46.8	150	50

Table Notes:

- Figures are for common sampling days at the Cupertino and San Jose sites (the San Jose site is a filter-based PM₁₀ site that operates once every 6th day, and the Cupertino site is a Beta Attenuation Monitor that operates continuously). The overall maximum daily concentration at the Cupertino site (i.e., 55.5 $\mu\text{g}/\text{m}^3$) occurred on a day on which the San Jose sampler was not operating.
- The Average Daily CAAQS is an annual arithmetic mean.

The PM₁₀ concentrations at the Cupertino site were, on average, 17 percent lower than the San Jose site. The maximum daily PM₁₀ concentration at the Cupertino site was, however, about 11 percent higher than at the San Jose site. It should be noted that these comparisons are for common sampling days only, and the San Jose monitoring site has historically seen maximum daily PM₁₀ levels higher than the maximum levels seen at the Cupertino site (e.g., the maximum daily PM₁₀ levels at the San Jose site were 73.2 µg/m³, 69.1 µg/m³, and 57.3 µg/m³ for the years 2006, 2007, and 2008, respectively).

The Cupertino site had PM₁₀ concentrations that were below the annual arithmetic mean CAAQS, and the daily maximum NAAQS. The site had a total of 3 days (approximately 0.5 percent of all monitoring days) during which the daily PM₁₀ concentrations were slightly over the stringent daily maximum CAAQS. Each of these days also had elevated particulate matter (PM) measurements in San Jose, and occurred in the wintertime PM season when wood burning has been identified as the most significant source of PM air concentrations in the Bay Area. Occasional PM₁₀ air concentrations over the daily maximum PM₁₀ CAAQS are common at monitoring sites throughout the Bay Area in the winter season.

The District is working on establishing a comprehensive air monitoring site located about three quarters of a mile from the Lehigh facility at Monta Vista Park near the intersection of South Foothill Boulevard and Voss Avenue in Cupertino. The City of Cupertino approved a lease for this site on May 18, 2010, and District staff expects to have the monitoring equipment operational by the end of July 2010. The site will operate for a period of at least one year and will measure a broad array of criteria air pollutants (e.g., PM_{2.5}, PM₁₀, CO, NO₂, SO₂, and ozone), TACs (e.g., a variety of metals including mercury, and a variety of organic gases including benzene), and meteorological conditions (e.g., wind speed, wind direction, and temperature). (Benzene and mercury have been identified by the District as being the primary contributors to health risk resulting from TAC emissions from the Lehigh facility). District staff participated in a community meeting to discuss the new monitoring site held at the Monta Vista Community Center on April 28, 2010.

E. Other Activities

- District staff participated in a Study Session held by the Cupertino City Council to discuss issues associated with the Lehigh facility. Staff has also been invited to provide an update to the City Council at a follow-up Study Session scheduled for July 20, 2010.
- Santa Clara County has indicated that the overall Lehigh Quarry Reclamation Plan Amendment requires additional geologic studies. Preparation of an Environmental Impact Report (EIR) for the project has been put on hold pending completion of these studies. A revised Reclamation Plan Amendment application was submitted by

Lehigh Southwest Cement Plant Fact Sheet

July 06, 2010

Lehigh to the County on May 28, 2010, and the County has initiated a 60-day review period to determine its completeness. The revised application includes a new South Quarry Pit, which is located due south of the existing quarry pit approximately the same distance from the nearby residential areas to the east as the existing North Quarry Pit.

- In response to a Notice of Violation to the mine operator issued by Santa Clara County, Lehigh has submitted a separate Reclamation Plan Amendment to address stockpiling of material from the quarry in an unauthorized location, the East Materials Storage Area. This separate amendment is being processed by the County, and the process of preparing an EIR for the project has begun. A Public Scoping Session to solicit comments for the Notice of Preparation for this EIR was held on April 28, 2010.
- District staff has begun rule development on Stationary Source Measure 9: Cement Kilns, from the District's 2010 Clean Air Plan (CAP), which was issued in draft form on March 11, 2010. This rule development project is evaluating more stringent standards for NO_x (and potentially SO₂) emissions for the Lehigh cement kiln. The draft CAP control measure states that NO_x reductions of 90 percent are potentially feasible. Staff is also tracking the EPA rulemaking on the NESHAP amendments for cement plants, and will harmonize the proposed District rule with the EPA rule. Staff expects that a draft District rule and workshop notice will be issued by the 3rd quarter of 2010, and that a proposed rule can be considered for adoption by the District's Board of Directors by the winter of 2010/2011.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Uilkema and Members of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 23, 2010

Re: Additional Information On The Progress of Flare Minimization Trends Under Regulation 12, Rule 12: Flares at Petroleum Refineries

RECOMMENDED ACTION:

Informational Report. Receive and file.

BACKGROUND

In order to minimize the frequency and magnitude of flaring at petroleum refineries, the District Board of Directors adopted Regulation 12, Rule 12: Flares at Petroleum Refineries on July 20, 2005. The regulation recognizes that refinery flares are first and foremost a safety device and it allows refineries to develop plans to continuously minimize flaring without compromising safety. The regulation prohibits the non-emergency use of a refinery flare unless that use is consistent with an approved Flare Minimization Plan (FMP).

The flare control regulation is structured to account for the variability of petroleum refinery designs, to ensure continuous improvement by identifying flaring prevention measures specific to each refinery's design and operation, and to provide an opportunity to consider public input in developing the most effective Flare Minimization Plan. The last annual updates were approved by the District on December 29, 2009.

DISCUSSION

District staff has presented periodic updates to the Board, the Stationary Source Committee, other regulatory agencies and the public on the success of implementing the Bay Area flare regulations and the trends in flaring volumes and calculated emission reductions. At the May 13, 2010 meeting of the Stationary Source Committee staff presented a summary of the progress made in reducing petroleum refining flaring and the 2nd Annual Flare Minimization Plan Updates. The metrics used to measure that progress include, but are not limited to the volume of vent gas flared and the emissions of non-methane hydrocarbon, methane and sulfur dioxide from flaring.

After hearing staff's presentation, the Committee asked for additional information on flare data going back to 2001, and for more specific information on each refinery. Staff will present this additional information including refinery specific graphics of vent gas

volume flared and the emissions of non-methane hydrocarbon, methane and sulfur dioxide since 2001. In addition, staff will present a summary of the prevention measures that were indentified as a result of investigations into the reasons for flaring.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Alex Ezersky
Reviewed by: Kelly Wee

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Uilkema and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 7, 2010

Re: Proposed Cement Kiln Rule

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

Lehigh Southwest Cement Plant, located in unincorporated Santa Clara County, west of Cupertino, is the only cement manufacturing facility in the District. It is the Bay Area's largest source of nitrogen oxides (NOx), and is the subject of control measure SSM-9 in the draft 2010 Clean Air Plan. This facility emitted 1,788 tons of NOx and 181 tons of sulfur dioxide (SO2) in 2008. This plant has been in operation since 1939, and is subject to a variety of District, State, and federal air quality rules and regulations. Staff has initiated rule development on a proposed cement kiln rule and is evaluating more stringent standards for NOx and, potentially, SO2. In addition, U.S. EPA has proposed amendments to several federal rules that would affect this facility, but these rules are not yet finalized. Staff is evaluating the standards and compliance deadlines of these proposed federal rules to ascertain their application to this facility and to determine what technologies and/or methodologies could be employed to reduce emissions of air pollutants in a cost effective manner.

DISCUSSION

In this report, staff will provide the Committee with information on:

- Background on Portland cement manufacturing;
- Regulations currently affecting cement kilns, and proposed amendments to federal rules;
- Emissions from and mitigation options available to cement kilns;
- Summary of rule development efforts; and next steps in that process.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Robert Cave
Reviewed by: Henry Hilken

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 14, 2010

Re: Overview of the Bay Area 2010 Clean Air Plan

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

The California Health & Safety Code requires air districts to revise their plans for attaining state ozone standards on a triennial basis. Staff is preparing the Bay Area 2010 Clean Air Plan (CAP) to update the District's current ozone plan, known as the 2005 Ozone Strategy. Under the terms of the Health & Safety Code, ozone plans must include "all feasible control measures" to attain State standards as expeditiously as practicable and to reduce transport of precursor emissions to neighboring air basins.

In response to state and federal requirements and guidelines, air quality planning to date has been performed on a pollutant by pollutant basis, with an emphasis on ozone planning. However, in recent years, there has been growing interest in the concept of multi-pollutant air quality planning. In January 2004, the National Research Council issued recommendations calling for air quality agencies to pursue a multi-pollutant, risk-based, "one atmosphere" approach for air quality planning. US EPA has been moving to gradually embrace the concept of planning on a multi-pollutant basis.

DISCUSSION

Although there are no requirements to do so at this time, the Air District has chosen to pursue a multi-pollutant approach in preparing the 2010 CAP. The 2010 CAP addresses ozone, particulate matter, air toxics, and greenhouse gases via an integrated control strategy that identifies co-benefits and disbenefits of the control measures across these various pollutants. The three key goals of the CAP are to protect air quality, to protect public health, and to protect the climate. This broader scope of the CAP allows us to highlight a variety of District initiatives such as the Clean Air Communities Initiative, the Climate Protection Program, the wood smoke program, and more.

Staff has hosted numerous public workshops to solicit input on the CAP. Based on the input received at these workshops, and from meetings with our regional agency partners, staff has developed a multi-pollutant control strategy containing 55 measures which are the heart of the plan. Staff released the draft 2010 Clean Air Plan, the Draft Environmental Impact Report (DEIR) on the CAP, and a draft Socio-Economic Analysis

in March, and held three public workshops in April. Staff is currently preparing the final versions of these documents, and anticipates a public hearing before the Board of Directors in September 2010.

Staff will provide a presentation on the draft 2010 Clean Air Plan.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Resources to develop the 2010 Clean Air Plan are included in the FY 2009/2010 and 2010/2011 budgets.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: David Burch
Reviewed by: Henry Hilken