



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS  
REGULAR MEETING  
SEPTEMBER 1, 2010

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

**Questions About  
an Agenda Item**

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

**Meeting Procedures**

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

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

# BOARD OF DIRECTORS REGULAR MEETING

## A G E N D A

WEDNESDAY  
SEPTEMBER 1, 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)*

### CONSENT CALENDAR (ITEMS 1 – 5)

Staff/Phone (415) 749-

1. Minutes of August 4, 2010

L. Harper/5073  
[lharp@baaqmd.gov](mailto:lharp@baaqmd.gov)

2. Communications

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*Information only.*

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

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto: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. Request to Issue Additional Credit Card for the Information Technology (IT) Division

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider approval to obtain and issue a new credit card for the Information Technology (IT) Division with a \$5,000 credit limit.*

5. Set a Public Hearing for September 15, 2010 to Consider Adoption of the 2010 Clean Air Plan (CAP) and Certification of a Final Environmental Impact Report (FEIR) on the CAP

**H. Hilken/4642**  
[hhilken@baaqmd.gov](mailto:hhilken@baaqmd.gov)

*The Board of Directors will consider testimony on the 2010 Clean Air Plan which will update the Bay Area 2005 Ozone Strategy, provide a multi-pollutant control strategy to reduce ozone, particulate matter (PM), air toxics, and greenhouse gases, and establish emission control measures to be adopted or implemented in the 2010-2012 timeframe.*

### **COMMITTEE REPORTS AND RECOMMENDATIONS**

6. Report of the **Executive Committee** Meeting of August 5, 2010

**CHAIR: B. WAGENKNECHT**

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

7. Report of the **Personnel Committee** Meeting of August 25, 2010

**CHAIR: H. BROWN**

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

### **PRESENTATION**

8. Production System Update

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will receive an update on the Production System.*

9. Update on the 2010 Clean Air Plan

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will receive an update on the 2010 Clean Air Plan, including revisions to the Draft Plan and responses to questions raised at the August 4, 2010 Board of Directors meeting.*

## **OTHER BUSINESS**

10. Report of the Executive Officer/APCO
11. Chairperson's Report
12. Time and Place of Next Meeting – 9:45 A.M. Wednesday, September 15, 2010 – 939 Ellis Street, San Francisco, CA 94109
13. Adjournment

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

**(415) 749-5130**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities. Notification to the Executive Office should be given at least 3 working days prior to the date of the meeting so that arrangements can be made accordingly.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the Air District's headquarters at 939 Ellis Street, San Francisco, CA 94109, at the time such writing is made available to all, or a majority of all, members of that body. Such writing(s) may also be posted on the Air District's website ([www.baaqmd.gov](http://www.baaqmd.gov)) at that time.

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

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

**SEPTEMBER 2010**

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	1	9:45 a.m.	Board Room
<b>Advisory Council Regular Meeting</b>	Wednesday	8	9:00 a.m.	Board Room
<b>Joint Policy Committee Special Meeting</b>	Friday	10	10:00 a.m.	MTC Auditorium 101 – 8 <sup>th</sup> Street Oakland, CA 94607
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	15	9:45 a.m.	Board Room
<b>Joint Policy Committee Special Meeting</b> – RESCHEDULED TO SEPTEMBER 10, 2010	Friday	17	10:00 a.m.	MTC Auditorium 101 – 8 <sup>th</sup> Street Oakland, CA 94607
<b>Board of Directors Strategic Facilities Planning Ad Hoc Committee</b> <i>(At the Call of the Chair) – RESCHEDULED TO SEPTEMBER 23, 2010 AT 11:00 A.M.</i>	Tuesday	21	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Mobile Source Committee</b> <i>(Meets 4<sup>th</sup> Thursday each Month)</i>	Thursday	23	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Strategic Facilities Planning Ad Hoc Committee</b> <i>(At the Call of the Chair)</i>	Thursday	23	11:00 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Stationary Source Committee</b> <i>(At the Call of the Chair)</i>	Monday	27	9:30 a.m.	Board Room
<b>Board of Directors Maritime Sources &amp; Ports Committee</b> <i>(At the Call of the Chair)</i>	Wednesday	29	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

**OCTOBER 2010**

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Legislative Committee</b> <i>(At the Call of the Chair)</i>	Monday	4	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	6	9:45 a.m.	Board Room
<b>Advisory Council Regular Meeting</b>	Wednesday	13	9:00 a.m.	Board Room

## OCTOBER 2010

<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	Board Room
<b>Board of Directors Public Outreach Committee</b> <i>(At the Call of the Chair)</i>	Monday	25	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Mobile Source Committee</b> <i>(Meets 4<sup>th</sup> Thursday each Month)</i>	Thursday	28	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

## NOVEMBER 2010

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	3	9:45 a.m.	Board Room
<b>Advisory Council Regular Meeting</b>	Wednesday	10	9:00 a.m.	Board Room
<b>Joint Policy Committee Special Meeting</b>	Friday	12	10:00 a.m.	MTC Auditorium 101 – 8 <sup>th</sup> Street Oakland, CA 94607
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	17	9:45 a.m.	Board Room
<b>Board of Directors Mobile Source Committee</b> <i>(Meets 4<sup>th</sup> Thursday each Month)</i> - CANCELLED	Thursday	25	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

HL – 8/25/10 (3:45 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: August 24, 2010

Re: Board of Directors Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Board of Directors Regular Meeting of August 4, 2010.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Regular Meeting of August 4, 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  
August 4, 2010

**DRAFT MINUTES**

**CALL TO ORDER:** Chairperson Brad Wagenknecht called the meeting to order at 9:50 a.m.

Roll Call: Chairperson Brad Wagenknecht; Vice Chairperson Tom Bates; Secretary John Gioia; and Directors Harold Brown, Chris Daly, Susan Garner, Carole Groom, David Hudson, Jennifer Hosterman, Liz Kniss, Carol Klatt, Eric Mar, Mark Ross, Pamela Torliatt, and Gayle B. Uilkema, Ken Yeager

Absent: Director Dan Dunnigan, Scott Haggerty, Ash Kalra, Nate Miley, James Spering, and Shirlee Zane

**PLEDGE OF ALLEGIANCE:** Chairperson Wagenknecht led the Pledge of Allegiance.

**Public Comments:**

Jill Ratner, Rose Foundation, *New Voices Are Rising* Project, introduced 15 students from high schools throughout Oakland who have participated in their Summer Advocacy Institute and studied global climate change, environmental justice and air quality issues.

Program Coordinator, Maesha Williams, introduced students who gave a PowerPoint presentation and individually spoke about climate change, environmental justice, health disparities, proximity to diesel pollutants, rates of asthma, refineries and air quality, AC Transit bus fares, service, conditions, and barriers to using transit, chemicals and toxics created from refineries, and Bayview's Eco-Center, which serves as a model for water and energy efficiencies and technologies.

Chairperson Wagenknecht and Directors thanked students for their presentation and suggested that students also consider making similar presentations to AC Transit, MTC, and others.

The following speakers provided public comment regarding Grissom Mortuary in San Lorenzo. They opposed the facility's proximity to homes and schools, questioned proper District noticing, permitting, water studies and CEQA review, and requested the District take a position on Alameda County's ordinance relating to proximities of the facility to homes and schools. They also requested the District rescind its permit which they said violates the County's ordinance, cited 17 toxins and discussed pollution from the facility.

- Rachael Steller, Greenaction
- Doris Marciel, San Lorenzo Community Action
- Wafaa Aborashed, BAEHC and Healthy San Lorenzo Community Action



- Kathy Bossley, San Lorenzo Community Action
- Lois Moser, San Lorenzo Community Action
- Rosina Roibal, BAEHC
- Bradley Angel, Green Action and Environmental Justice Air Quality Coalition

Vanessa Logan, Mothers Committee of Bayview Hunters Point, asked to speed up processes towards cleaner air.

Vinetta Logan, Mothers Committee of Bayview Hunters Point, asked that the District clean up the air faster for Bayview Hunters Point, Richmond, Oakland and other communities, and cited on-going illnesses.

Leaois Martin, Bayview Hunters Point Mothers and Fathers Committee and BAEHC, asked that the District accept and take serious all of their proposals, cited several odors daily, and said they care about their children and their health.

Vendell White, Bayview Hunters Point Mothers Committee, questioned when something will be done about the raw sewage situation and voiced asthma issues.

Chairperson Wagenknecht discussed the possibility of agendizing the mortuary issue on an upcoming Stationary Source Committee meeting. Mr. Broadbent replied that the topic of the September 27, 2010 meeting is an update on Bayview Hunters Point. However, an update could be added as time permits. Regarding the Alameda County ordinance being reviewed by the Board of Supervisors, he said the District does not take positions on ordinances.

Director Hosterman questioned and confirmed with Mr. Broadbent that the District issued the authority to construct permit for the facility over a year ago. Subsequent to this, the County discovered that an ordinance is in effect which prohibits crematories to be cited within so many feet of a residence. The County is reviewing the ordinance and it will not be close to starting construction prior to September 27. Therefore, he suggested that an update would be appropriate.

Director Brown questioned if the District had any authority to stop construction of the facility. District Counsel, Brian Bunger, responded that the County serves as lead agency which has not yet approved the project and must issue a use permit, as well as other permits, prior to the facility being constructed. Mr. Broadbent suggested that both Bayview Hunters Point and the Grissom Mortuary items be agendized for the September 27, 2010 Stationary Source Committee meeting.

Director Daly questioned whether staff could send a letter to clarify that the District takes no position on the ordinance. Mr. Broadbent agreed to further clarify the situation with staff.

### **BOARD MEMBER COMMENTS**

Vice Chair Bates announced his planned absence at the August 18, 2010 Board meeting.

### **PROCLAMATION(S)/AWARDS**

Nicolas Torres, Special Agent in Charge, Criminal Investigation Division, San Francisco Region IX Office, introduced Amy Adair, Senior Special Agent who led the investigation into Valero, which is now called Shore Terminals in Contra Costa County. He said in 2006, Agent Adair and District

Enforcement staff initiated a criminal investigation into the facility that recently resulted in a significant fine and conviction of the company and associated individuals.

Amy Adair highlighted that, as settlement negotiations proceeded, an environmental compliance plan was developed as a condition of the company's probation as well as oversight of the plan. She said that part of the criminal penalty was a community service payment, which will be used to fund projects to address health impacts associated with air pollution in Contra Costa County.

Director Uilkema questioned and confirmed that the case was a federal prosecution, specific projects have not been developed to date, but monies must be spent for specific goals as stated in the settlement document, which is overseen by the U.S. District Court. She requested a copy of the settlement agreement be provided to herself and the APCO.

Mr. Torres said the matter is resolved and the court oversees compliance and follow-through with the settlement and fines. He recognized the following District staff instrumental in the investigation, and the Board of Directors congratulated them:

- Bill Guy, Assistant Counsel
- Linda Carpenter, Air Quality Inspector
- Chuck McClure, Supervising Air Quality Engineer
- Marco Hernandez, Air Quality Engineer
- Ken Kunaniec, Air Quality Engineering Manager
- Thu Bui, Air Quality Engineer
- Ron Pilkington, Supervising Air Quality Inspector

**CONSENT CALENDAR (Items 1-7):**

1. **Minutes of June 16, 2010 Regular Meeting;**
2. **Communications;**
3. **District Personnel on Out-of-State Business Travel;**
4. **Quarterly Report of Air Resources Board Representative – Honorable Ken Yeager**
5. **Quarterly Report of Executive Office and Division Activities;**
6. **Consider Authorization of Contract to Complete Updated Cost Recovery Study;**
7. **Consider Authorization of Contract for Computer Workstations**

**Board Action:** Director Brown made a motion to approve Consent Calendar Items 1 through 7; Director Hosterman seconded the motion; unanimously approved without objection.

**COMMITTEE REPORTS AND RECOMMENDATIONS**

8. **Report of the Mobile Source Committee Meeting of June 30, 2010**  
Vice Chair: C. Groom

The Mobile Source Committee met on Wednesday, June 30, 2010 and approved the minutes of May 27, 2010.

The Committee discussed and considered recommending Board of Director's approval of one Carl Moyer Program Year 12 project and one Transportation Fund for Clean Air FY 09/10 project with proposed grant awards over \$100,000. The Carl Moyer project involves the replacement of off-road construction equipment and the TFCA project would provide funds for an advanced electric vehicle

battery switch station. Based on its review, the Committee recommends the Board of Directors approve funding for these projects and that the Executive Officer/APCO be authorized to enter into agreements to execute them.

The Committee then received an informational update on the Strategic Incentives Division's new Database System. This update included a demonstration of the new system and a description of the benefits it provides to the Air District. Those benefits include: the ability for grantees to apply online for funding, the ability to manage projects without paper files, automatic calculation of project cost-effectiveness, automatic generation of inspection forms and contract documents; and the ability to track project and payment information in one central location.

The Committee then discussed and considered recommending Board of Director's approval of the allocation of up to \$5 million in Transportation Fund for Clean Air funds, (\$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. The Committee discussed infrastructure monetization, location, use scenarios and technologies, and provided direction to staff on program composition. Based on this discussion, the Committee is recommending the Board of Directors allocate \$5 million to EV charging deployment over the next two fiscal years.

The Committee also discussed and considered the result of an RFP process to select a consultant to review and modernize Transportation Fund for Clean Air Regional Fund Program files. The Committee reviewed the need for this expenditure based on past grant program audits, the results of the RFP process and made suggestions regarding the RFP process itself. Based on this discussion the Committee is requesting the Board of Directors approve the Executive Officer to enter into a contract with Armanino McKenna, LLP, for an amount not to exceed \$200,000 for this program review.

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

**Board Action:** Director Groom made a motion to approve the report and recommendations of the Mobile Source Committee; Director Hosterman seconded the motion; unanimously approved without objection.

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

Chair: M. Ross

The Public Outreach Committee met on Wednesday, July 21, 2010 and approved the minutes of June 9, 2010.

The Committee received an update on the 2010 Spare the Air Every Day Campaign which is targeted to young adults between the ages of 17-35. A new database has been developed for Spare the Air alerts, via Text to Win sign-ups, as well as posters and postcards. Those signing up on [sparetheairnation.org](http://sparetheairnation.org) for text alerts have the chance to win a Live Nation VIP concert experience and also download a free song. Responses have been positive; there has been good feedback about the commercial, with over 5 million impressions on Facebook, 135 text-ins, and 738 views on [www.Sparetheairnation.org](http://www.Sparetheairnation.org). Staff is providing media training, has developed a contingency plan with communication tips, key messages and potential questions and answers for those providing outreach. Staff will continue to monitor responses throughout the campaign and provide an update in September.

The Committee received an update on the Bayview Hunters Point Request for Proposal (RFP). Community dialogue meetings were held, and community members asked for funds to be spent in three areas; 1) air filtration in schools; 2) a public education campaign; and, 3) a health study. A total of six schools were identified in the process; however, staff learned that one school was being decommissioned and removed from the project.

Committee members discussed system requirements, asked that consideration be given for remaining settlement funds to be used for energy reduction projects geared to offset energy costs, and recommended Board of Directors' approval of IQAir to conduct a School Air Filtration project for amount not to exceed \$300,000.

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 and recommendation of the Public Outreach Committee; Director Uilkema seconded the motion; unanimously approved without objection.

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

Chair: G. Uilkema

The Committee met on Friday, July 23, 2010 and approved the minutes of May 13, 2010.

The Committee received an update on the Lehigh Southwest Cement Plant, plant operations, Title V Permit renewal status, and reviewed rule development activities affecting the plant, which included:

- EPA National Emission Standards for hazardous air pollutants;
- The Districts 2010 Clean Air Plan Stationary Source Measure 9;
- CARB truck and bus and off-road diesel regulations; and
- CARB's Greenhouse Gas Cap-and-Trade Rule

Public comment was received from speakers voicing concerns about emissions of mercury and health risks from the plant, Notice of Violations issued, and public comment from Lehigh Southwest Cement Plant representatives regarding more stringent and additional control equipment and their work in reducing mercury emissions by 25%.

The Committee received an update on compliance, new emission controls and monitors, updated TAC emissions inventory and Health Risk Assessment, and discussed three new air monitoring sites and the Quarry Reclamation Plan Amendment.

The Committee then received a report on additional information on progress of refinery flare minimization and reviewed achievements in reductions since the rule's adoption. The Committee also discussed specific refinery flaring trends, prevention, minimization and continuous improvement. Public comment was received from speakers regarding mercury emissions and a request for more stringent monitor calibration.

The Committee then received an update on the District's proposed rule for cement kilns, and reviewed cement plants' manufacturing processes, applicable federal, state and District regulations, and possible emissions reductions. The Committee discussed the rule development process which will include

stakeholder consultation, draft rule and a workshop in the Cupertino area, socioeconomic and environmental analyses, and a public hearing on the final proposal.

The next meeting of the Committee is scheduled for Monday, September 27, 2010 at 9:30 a.m.

**Board Action:** Director Uilkema made a motion to approve the report of the Stationary Source Committee; Director Hudson seconded the motion; unanimously approved without objection.

Director Uilkema thanked Mr. McKay and Mr. Bateman for their thoroughness on the meeting topic and professionalism with the tone of the meeting.

## **PRESENTATION**

### **11. Overview of the 2010 Clean Air Plan**

Mr. Broadbent introduced the report, stating staff has been working on the Clean Air Plan update and the plan represents comprehensive update efforts. He said the plan is a blueprint and framework for regulatory activities moving forward. All rules considered through the Stationary Source Committee and Board of Directors ultimately comes from this plan. It is the first of its kind in the sense staff took a multi-pollutant approach in terms of achieving federal and state standards that puts all pollutants under one umbrella.

David Burch, Principal Planner, gave a presentation on the 2010 Clean Air Plan, stating that a good public process is needed for the success of any plan. He said staff has conducted significant outreach over the last two years, conducted a total of 18 workshops in 7 cycles, solicited public comment which was folded into the plan, collaborated with stakeholders and regional agency partners, issued a Draft Control Strategy one year ago and held workshops on those, and in March, staff issued the Draft Clean Air Plan and Draft EIR. Additional workshops were then held, the plan was refined based upon input received, and a socio-economic analysis was prepared. The overall input on the plan's multi-pollutant focus has been positive.

Mr. Burch explained that the purpose of the plan is to update the State ozone plan. Two key requirements are that a control strategy needs to be proposed that includes all feasible control measures and reduces transport of ozone and its precursors to neighboring air basins. He said the plan is a state and not federal plan, and staff saw this as a good opportunity to develop a multi-pollutant approach to address ozone, ROG and NOx precursors, particulate matter (both direct emissions and precursors), key air toxics; and key greenhouse gases. He noted three key goals of the plan include improving air quality, protecting public health, and protecting the climate.

Mr. Burch said that what is different with this multi-pollutant plan is that it addresses multiple pollutants in a single strategy and also looks at the outcomes in terms of public health and protecting the climate. He said staff also thought it beneficial to develop a multi-pollutant evaluation method which enables staff to evaluate control measures on a multi-pollutant level, look at co-benefits, analyze any potential trade-off's, see what this means in terms of health and climate outcomes in the plan, and to be able to express benefits in monetary terms to the region.

From key findings that compare Bay Area health burden from air pollution past versus present, emissions, concentrations and exposure to ozone has been reduced significantly. Health effects related to pollution have been reduced significantly, which includes premature mortality, cancer risk and others. Life expectancy in the region has increased by about 5 years over the last decade. He stated that improvement in air quality has contributed to six months of live span, or 10% of the overall

improvement. Altogether, health benefits are worth multiple billions of dollars a year to the region, but, at the same time air pollutants still have negative health impacts, and PM<sub>2.5</sub> is the most hazardous.

Mr. Burch displayed a chart of 7 key health outcomes related to air pollutions, which include mortality, cancer onset, respiratory hospital admissions, cardiovascular hospital admissions, chronic bronchitis, nonfatal heart attacks, and asthma emergency room visits. The number of cases is reflective on the chart's bars. The data goes back as far as the District had reliable data; 1980 for ozone and 1990 for PM and other toxics. The chart shows quite a bit of improvement, however, the largest contributors are diesel PM<sub>2.5</sub> and other manmade types of PM<sub>2.5</sub>.

Mr. Burch discussed policy implications, stating there is a need to focus on reducing PM<sub>2.5</sub> emissions and population exposure from all sources, and that there may also be health impacts related to PM exposure even outside of the winter peak season. As staff was developing the strategy, they built upon programs developed in recent years such as CARE and climate program, made use of all tools and resources, identified strategies to provide the greatest health and climate protection benefits, enhanced traditional types of control measures, developed new measures to address climate, toxics, and focused on measures relating to land use and energy. And, based on the analysis, measures which would reduce emissions and exposures related to PM<sub>2.5</sub> are most health protective.

Mr. Burch stated that the control strategy is comprehensive and includes 55 control measures divided into five categories, which he briefly described:

- 18 Stationary sources measures
- 10 Mobile sources measures
- 17 Transportation control measures
- 6 Land use and local impact measures
- 4 Energy and climate measures

He said the CAP also includes 17 further study measures. Staff is also aware of the need to integrate CAP efforts with the Sustainable Community Strategy (SCS). The plans will reinforce and complement one another. Staff will also work with local governments and utilize Community Risk Reduction Plans (CRRPs) in protecting impacted communities. Mr. Burch reviewed CAP benefits, as:

- CAP measures will avoid an estimated 85 premature deaths per year;
- Reduce the number cases of bronchitis, asthma emergency room visits, cardiovascular hospital admissions
- Reduce 15,000 metric tons of GHS/day
- Estimated dollar value of CAP benefits: \$770 million/year
- Reductions in PM<sub>2.5</sub> and diesel PM account for 80% of estimated dollar benefit of CAP

Socio-economic analysis was performed by consultants, and key findings reveal that control measures will result in costs and benefits. The CAP control strategy as a whole will provide net economic benefit to the Bay Area through improved health and investment in transportation projects. Stationary source measures compliance costs will not impose a significant burden on any regulated industry, and CAP measures will not impose significant costs or unfunded mandates on local government.

In summary, Mr. Burch said staff believes the 2010 CAP breaks new ground in air quality planning. It integrates air toxics and GHGs with criteria pollutants. It protects public health, and the analysis of health risk highlights the need to reduce PM 2.5 from all sources.

Mr. Burch described next steps as:

1. Release proposed final CAP, final EIR and Final Socio-Economic Analysis by August 31, 2010
2. Propose adoption by the Board of Directors at a public hearing on September 15, 2010.

Public Comment:

Greg Karras, Communities for a Better Environment (CBE), stated that air pollution has a worse health impact than thought, and environmental groups believe a more accurate indicator of all pollutants is a cumulative impact analysis. Staff estimates there are thousands of pollution-related deaths in the Bay Area every year and proposed measures do not do enough to prevent this pollution. While additional measures may be hard, they are feasible, and CBE proposes some of them to reduce more pollution and protect health. He requested the Board add all feasible measures to the proposal.

Director Ross cited the District's work as a vanguard effort, and discussed the Bay Area's health care costs and impacts from pollutants, which equals 20% of California's \$25 billion costs and suggested education and outreach be conveyed to the public regarding such impacts.

Director Gioia suggested that cumulative numbers, or the dollar value of health effects, be included in Appendix A. He questioned what is the basis used was for premature death, and Mr. Burch said it is based on risk factors from epidemiological studies developed by the U.S. EPA. However, staff believes this is a conservative analysis. Staff tries to rely on existing methodologies and there are fairly large, uncertain ranges, and staff's analysis assumes there are health effects even below attaining the current state and federal standards. If those standards were used as the basis, the outcomes would be significantly lower. Director Gioia suggested a breakdown of this analysis by region to better identify disparities.

Director Torliatt questioned when the Board would be provided with an opportunity to discuss this information, and discuss whether there are feasible or infeasible measures. Mr. Burch discussed staff's in depth analysis of control measures early on in the process, and the information is contained on the District's website. Staff continues to receive public input through written comments. He discussed the accounting for the exercise as far as what is feasible and what is not, and noted that 55 control measures recommended in the plan have multiple implementation actions.

Director Torliatt questioned how cumulative impact and reduction of premature death is looked at in the graph, and Mr. Burch said premature mortality is its own outcome. There could be health effects that could result in premature mortality, but most are chronic conditions that may impact someone's quality of life, but may not result in mortality. He agreed each has a dollar value associated with it, with the highest number assigned to premature mortality. Director Torliatt noted when the District is approving air quality regulation, it is for the entire Bay Area, and she asked that the associated costs be better communicated to the public.

Vice Chair Bates discussed a recent Berkeley longevity study which found people live 5 years longer due to several factors which included non-smoking, eating good foods and exercise. He suggested identifying the top 20 strategies, and Mr. Broadbent replied that some suggestions were incorporated in further study measures in the plan as listed on page 2.

Vice Chair Bates questioned how the District was doing with the wood burning regulation and compliance. Mr. Broadbent noted an overview would be provided to the Board in October just prior to the season kick-off in November.

Director Mar requested if Mr. Karras could provide what feasible measures CBE and other groups are looking at and provide those prior to the September 15, 2010 Board meeting for discussion purposes.

Mr. Karras agreed to provide the letter which identifies five feasible measures, as follows:

1. Adopt a measure to reduce cumulative impacts of methane emissions from multiple sources.
2. Adopt a measure to reduce fossil fuel combustion by 20% at oil refineries by 2020 through improved efficiency.
3. Adopt a measure to require *and* fund a 20% reduction in fossil fuel combustion by mobile and power generation sources by 2020.
4. Adopt a measure to require fuel substitution analysis and implementation.
5. Adopt a measure to require all “grandfathered” and “non-new source review” sources at each facility where BAAQMD permits air pollutant emissions to apply the best available emission control technology (BACT/BARCT) upon permit review.

Director Uilkema discussed her attendance to the National Association of County Officers in Reno, Nevada. She learned that many disparities relate to the transport issue, and she suggested targeting in the Clean Air Plan what can be done legislatively or cooperatively with other areas to temper air quality impacts in the Bay Area.

Director Garner questioned how staff was correlating specific health events to a toxin on the mortality chart. Mr. Burch explained that staff relies on epidemiology studies conducted over the years to analyze health impacts related to mortality and different pollutants. Staff looks at how concentrations have changed and apply those to arrive at estimates. Director Garner said she was concerned that representations are being made that may not be accurate, such as respiratory hospital admissions or asthma. She thinks it is great we believe we are reducing risk to certain health effects based on air quality, but she cautioned staff to show such fine detail in terms of attributing specific toxins with an outcome.

Secretary Gioia noted that annual health and social costs have declined from \$50 billion to \$24 billion a year as shown in the Appendix, and it states that the numbers are estimates only and should not be seen as precise values. The issues that get to rates of asthma issues are different from hospitalization asthma. Therefore, to the extent the numbers show a decrease, he suggested more detail in getting to the numbers and separating the disparities by region.

Mr. Broadbent concluded by stating that as staff delves further into rule making, comments will be addressed, and staff will restate key points and focus on PM in terms of regulatory efforts.

## **OTHER BUSINESS**

### **12. Report of the Executive Officer/APCO:**

Mr. Broadbent presented 2009 versus 2010 ozone seasons, stating it has been a cool summer and the District has not violated national or state standards.

He reported that the District has been involved in organizing the CAPCO Climate Forum, *Continuing the Legacy of Climate Leadership*, which is being held at the Marriott in San Francisco on August 30 and 31. There will be a number of key speakers and sponsors, and local, state and federal efforts will be presented.

He then introduced the new Finance Manager, David Glasser.



**13. Chairperson's Report:**

Chairperson Wagenknecht recognized Director Daly for his guidance and leadership as the Budget and Finance Committee Chairperson over the last four years. He has built a great deal of trust from staff and Directors, and he voiced appreciation for his efforts. Director Daly said it has been a team effort of the Committee and a great staff. He noted he will be leaving the Board in January and the Chair has asked Carole Groom to take over as Chair of the Budget and Finance Committee.

Chairperson Wagenknecht and Directors Ross and Hudson reported out on their attendance to the Air and Waste Management Conference held in Calgary June 22-25, 2010 and provided highlights on sessions.

Chairperson Wagenknecht announced cancellation of the August 18, 2010 Board Meeting.

**14. Time and Place of Next Meeting:** Regular Meeting - Wednesday, September 1, 2010, 9:45 a.m., Board Room, 939 Ellis Street, San Francisco, CA 94109

**15. Adjournment:** The Board of Directors meeting adjourned at 12:13 p.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: August 25, 2010

Re: Board Communications Received from August 4, 2010 through August 31, 2010

RECOMMENDED ACTION:

Receive and file.

DISCUSSION

A list of Communications directed to the Board of Directors received by the Air District from August 4, 2010 through August 31, 2010, if any, will be at each Board Member's place at the September 1, 2010 Board meeting.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

BAY AREA AIR QUALITY MANGEMENT DISTRICT  
Memorandum

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

From: Jack P. Broadbent  
Executive Officer/APCO

Date: August 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 July 24-August 23, 2010. Out-of-state travel is reported in the month following travel completion.

DISCUSSION

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

Jack Colbourn, Administration Division Director, meeting with company A Better Place, a technology demonstration in Tel Aviv, Israel July 6 – July 7, 2010

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

Jack Broadbent, Executive Office/APCO, meeting with company A Better Place, a technology demonstration in Tel Aviv, Israel July 6 – July 7, 2010

Jack Broadbent, Executive Office/APCO, attended NACAA Air Monitoring Steering Committee Meeting in Research Triangle Park, NC July 13 – 15, 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

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: August 23, 2010

Subject: Request to Issue Additional Card for the Information Technology (IT) Division

RECOMMENDED ACTION:

Consider approval of request to obtain and issue a new credit card for the IT Division with a \$5,000 credit limit.

BACKGROUND

The District currently has six credit cards. In order to enhance the operational efficiency of the District, staff is recommending one additional credit card for the IT Division with \$5,000 credit limit.

The table below shows the District's current credit card structure.

<b>CARD HOLDERS</b>	<b>CURRENT CREDIT LIMIT</b>	<b>PROPOSED CREDIT LIMIT</b>
Executive Officer/Air Pollution Control Officer	\$10,000	\$10,000
Manager, Executive Operations	\$10,000	\$10,000
District Counsel	\$10,000	\$10,000
Deputy Air Pollution Control Officer	\$5,000	\$5,000
Deputy Air Pollution Control Officer	\$5,000	\$5,000
Administrative Services Director	\$5,000	\$5,000
Technical Services Director	\$5,000	\$5,000
Information Technology Division	\$5,000	\$5,000
<b>TOTAL CREDIT LIMIT</b>	<b>\$50,000</b>	<b>\$55,000</b>

BUDGET CONSIDERATIONS/FINANCIAL IMPACTS:

Issuing additional credit card will have no impact on the District's budget.

Respectfully Submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Satnam Hundel  
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: August 16, 2010

Re: Set Public Hearing to Consider Adoption of the Bay Area 2010 Clean Air  
Plan and to certify the Final Environmental Impact Report

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RECOMMENDED ACTION:

Set a public hearing for September 15, 2010 to consider adoption of the Bay Area 2010 Clean Air Plan (CAP), and certification of a Final Environmental Impact Report on the CAP pursuant to the California Environmental Quality Act (CEQA).

BACKGROUND

The California Health & Safety Code requires air districts to revise their plans for attaining state ozone standards on a triennial basis. Staff has prepared 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 preparing the 2010 CAP, the District has developed its first-ever multi-pollutant plan. The 2010 CAP provides an integrated control strategy to protect public health and the climate by reducing emissions and ambient concentrations of ozone precursors, fine particulate matter (PM<sub>2.5</sub>), key air toxics, and key greenhouse gases.

DISCUSSION

To prepare the 2010 CAP, staff engaged in an extensive public process over the past two years. Staff conducted 18 public workshops on the CAP. Staff also cooperated with MTC and ABAG in preparing the CAP, and coordinated with neighboring air districts and the Air Resources Board. The CAP incorporates input from a wide range of stakeholders, including government agencies, business groups, and environmental and community groups. Staff performed a rigorous review of potential control measures to ensure that all feasible measures are included in the proposed control strategy, pursuant to the California Health and Safety Code. Staff analyzed 844 potential measures from a variety of sources, including ideas submitted by the public and Air District staff, control measures contained in recently-adopted air quality plans adopted by other California air district in recent years, as well as measures in air quality plans from metropolitan areas outside of California.

The proposed CAP control strategy includes 55 control measures in five categories: Stationary Sources Measures, Mobile Source Measures, Transportation Control Measures, Land Use and Local Impacts Measures, and Energy and Climate Measures. In addition, the CAP identifies 18 further study measures. Consulting firms have prepared a socio-economic analysis of the proposed CAP and a CEQA Environmental Impact Report of the proposed control measures.

At the September 15 public hearing, staff will present the proposed final 2010 CAP and the Final Environmental Impact Report for Board consideration, adoption and certification.

BUDGET CONSIDERATIONS/FINANCIAL IMPACTS:

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/Air Pollution Control Officer

Prepared by: David Burch  
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: August 25, 2010

Re: Report of the Executive Committee Meeting of August 5, 2010

RECOMMENDED ACTION

Receive and file

BACKGROUND

The Executive Committee met on Thursday, August, 2010. The Committee received the following reports and updates:

- A) Quarterly Report of the Hearing Board – April 2010 – June 2010;
- B) Production System Project Update;
- C) Update of Strategic Facilities Planning Process;
- D) Update of Video Conferencing and Webcasting Capabilities

Attached are the staff reports presented in the Executive Committee packet of August 5, 2010.

Chairperson Brad Wagenknecht will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) None;
- C) Commercial Real Estate Broker and Advisory services funding for this project has been budgeted and is included in Program 702 of the approved FY 2010/2011 budget. However, the work of the Strategic Facilities Planning Ad Hoc Committee may have significant implications for spending on capital facilities;



D) Video Conferencing: Room rental and technical support fees are approximately \$500 per meeting based on the current site selection.

Webcasting: Cost for webcasting a single meeting is approximately \$5000. In addition, there is a \$660 monthly fee for the District's license.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Lisa Harper  
Reviewed by: Jennifer C. Cooper

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
 Memorandum

TO: Chairperson Brad Wagenknecht and Members  
 of the Executive Committee

FROM: Chairperson Thomas M. Dailey, M.D., and Members of the Hearing Board

DATE: July 12, 2010

RE: Hearing Board Quarterly Report – April 2010 – June 2010

**RECOMMENDED ACTION:**

This report is provided for information only.

**DISCUSSION:**

COUNTY/CITY	PARTY/PROCEEDING	REGULATION(S)	STATUS	PERIOD OF VARIANCE	ESTIMATED EXCESS EMISSIONS
Alameda/Livermore	APCO vs. KEN CHOI, individually, aka JAE KYUNG CHOI, and d/b/a GREENVILLE GAS & FOOD MART and d/b/a SKYHOPPER INVESTMENTS; SKY HOPPER INVESTMENT, INC., a California corporation, and d/b/a SKY HOPPER INVESTMENTS, INC.; and GREENVILLE GAS & FOOD MART, a/k/a SKY HOPPER INVESTMENTS, Site No. D 1174 (LIVERMORE) – <i>Accusation – Docket No. 3575 – Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Held June 3, 2010 Issued Conditional Order for Abatement	===	===
Alameda/Newark	APCO vs. JOE DANGTRAN individually, and d/b/a CHEVRON STEVENSON, Site No. C0733- (NEWARK) – <i>Accusation – Docket No. 3576 – Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Held June 3, 2010 Issued Conditional Order for Abatement	===	===

COUNTY/CITY	PARTY/PROCEEDING	REGULATION(S)	STATUS	PERIOD OF VARIANCE	ESTIMATED EXCESS EMISSIONS
Alameda/Newark	APCO vs. LIDO AUTO CARE INC., a California corporation, and d/b/a LIDO 76; SATWANT SINGH, individually, a/k/a SAT SINGH AND SATWAT SINGH, and d/b/a LIDO 76; MICHAEL LODWIG, individually, and d/b/a AUTOPIA EXPRESS and AUTOPIA CAR WASH; Site No. C9280, a/k/a LIDO AUTO CARE, INC. and LIDO 76 (NEWARK) – Accusation – Docket No. 3579 – <i>Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Held June 10, 2010 Issued Conditional Order for Abatement	===	===
Contra Costa/ Brentwood, Moraga (2), Walnut Creek	APCO vs. Kang Property, Inc.; Ameri Oil Company, Inc.; Ameri Mgmt Company, Inc.; Sarbjit S. Kang; Azad Amiri; Ali Amiri; Haleh Amiri; Abolghassem (“Gus”) Shahidi; Moraga Partnership; San Francisco-Moraga Partnership; Brentwood American Partnership; a Gasoline Dispensing Facility located at 2329 N. Main Street, (WALNUT CREEK); Site No. C1719 a/k/a Main Street Chevron, North Main St Chevron, and/or North Main Chevron; a Gasoline Dispensing Facility located at 398 Rheem Boulevard (MORAGA), Site No. C8950 a/k/a/ Moraga Star, Stars, Moraga 76 and/or Unocal Service Station #3937; a Gasoline Dispensing Facility located at 7920 Brentwood Boulevard (BRENTWOOD), Site No. C1164 a/k/a/ Brentwood American Station; a Gasoline Dispensing Facility located at 425 Moraga Road (MORAGA), Site No. D0504 a/k/a American Gas, Moraga 76, and/or Moraga American – Accusation – Docket No. 3580 - <i>Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Held June 10, 2010 Issued Conditional Order for Abatement	===	===
Contra Costa/Danville	APCO vs. S P G GROUP, INC., a California corporation, and d/b/a TOSCO FACILITY #11142 a/k/a DIABLO GAS AND MART; SAEED GHAFORI, individually, a/k/a PAUL GHAFORI, and d/b/a TOSCO FACILITY #11142 a/k/a DIABLO GAS AND MART (DANVILLE) – Accusation – Docket No. 3582 - <i>Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Scheduled for July 29, 2010	===	===
Contra Costa/Martinez	APCO vs. SHA CAPITAL INC., a California corporation, d/b/a AUTOPIA EXPRESS; SATWANT SINGH, a/k/a SAT SINGH, individually; MICHAEL LODWIG, individually; a GASOLINE DISPENSING FACILITY LOCATED AT 3950 ALHAMBRA AVENUE, MARTINEZ, CONTRA COSTA COUNTY, CALIFORNIA, a/k/a MARTINEZ GAS & CAR WASH, Site No. C9730 (MARTINEZ) – Accusation – Docket No. 3578 – <i>Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Held June 10, 2010 Issued Conditional Order for Abatement	===	===

COUNTY/CITY	PARTY/PROCEEDING	REGULATION(S)	STATUS	PERIOD OF VARIANCE	ESTIMATED EXCESS EMISSIONS
Marin/Sausalito	<b>APCO vs. S&amp;O GROUP, INC., a corporation; and KAMBIZ SEPEHR, individually and d/b/a GATEWAY CLEANERS, Site. B1023 (SAUSALITO) – Accusation – Docket No. 3573 - Accusation and Request for Order for Abatement from regulation requiring an orderly procedure for the review of new sources of air pollution and of the modification and operation of existing sources, and of associated air pollution control devices, through the issuance of authorities to construct and permits to operate.</b>	<b>2-1-302 Request for Order for Abatement</b>	<b>Hearing Held May 6, 2010 Issued Conditional Order for Abatement</b>	===	===
Solano/Fairfield	<b>ASHLAND, INC., (FAIRFIELD) - Emergency Variance – Docket No. 3574 – Emergency Variance from Regulation 8, Rule 18, Section 301, Permit Condition No. 11; emissions of organic compounds and methane from leaking equipment.</b>	<b>8-18-301</b>	<b>Emergency Variance Denied</b>	===	===
Solano/Benicia	<b>CHEMICAL COATING SUPPLY, INC. (BENICIA) - Product Variance – Docket 3583 – Product Variance from Regulation 8, Rule 32, Section 302, 303, 304, 307, insofar as it requires limiting emissions of volatile organic compounds from the application of coatings to, and surface preparation of, any wood products, including furniture, cabinets and custom architectural millwork for commercial operations.</b>	<b>8-32-302, 303, 304, 307</b>	<b>Hearing Scheduled for August 5, 2010</b>	<b>7/22/2010 To 7/22/2012</b>	===
Solano/Vallejo	<b>APCO vs. 80 MAGAZINE CORP., a California corporation, and d/b/a MAGAZINE GAS a/k/a BPG FUEL &amp; MART – MAGAZINE a/k/a VALLEJO CONVENIENCE CENTER; BPG PACIFIC, LLC, a California limited liability corporation, and d/b/a MAGAZINE GAS a/k/a BPG FUEL &amp; MART – MAGAZINE a/k/a VALLEJO CONVENIENCE CENTER; SAEED GHAFORI, individually, a/k/a PAUL GHAFORI, and d/b/a MAGAZINE GAS a/k/a BPG FUEL &amp; MART – MAGAZINE a/k/a VALLEJO CONVENIENCE CENTER; Manouchehr Shahab, individually, and d/b/a MAGAZINE GAS a/k/a BPG FUEL &amp; MART – MAGAZINE a/k/a VALLEJO CONVENIENCE CENTER (VALLEJO) – Accusation – Docket No. 3581 - Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</b>	<b>8-7-302</b>	<b>Hearing Scheduled for July 29, 2010</b>	===	===

COUNTY/CITY	PARTY/PROCEEDING	REGULATION(S)	STATUS	PERIOD OF VARIANCE	ESTIMATED EXCESS EMISSIONS
Sonoma/Kenwood	APCO vs. ALI KAZEMINI, DAVOOD MOLLAI, and FERDOUS MOLLAI a.k.a. FERDOUS MOLLAI MEHRJERDI, each individually and d/b/a KENWOOD GAS; ALI KAZEMINI, as Trustee of the ALI KAZEMINI AND FERDOUS MOLLAI TRUST; FERDOUS MOLLAI a.k.a. FERDOUS MOLLAI MEHRJERDI as Trustee of the ALI KAZEMINI AND FERDOUS MOLLAI TRUST; KENWOOD GAS, Site No. C8355 (KENWOOD) - Accusation – Docket No. 3577- Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.	8-7-302	Hearing Scheduled for June 10, 2010; Request filed by Respondent granted for Continuance to July 22, 2010	===	===

**NOTE:** During the second quarter of 2010, Hearing Board Chairperson Thomas M. Dailey, M.D., presented the Hearing Board’s first Quarter Report at the Executive Committee’s May 24, 2010 meeting. The Hearing Board received seven (7) Accusations and Requests for Order for Abatement, one (1) Emergency Variance application and one (1) Product Variance application. Six (6) hearings were held, one hearing was rescheduled from June 10, 2010 to the next quarter, and one Emergency Variance application was received and ruled upon by Hearing Board Member Julio Magalhães. The Hearing Board invited written comments to the Hearing Board Rules on May 13, 2010, discussed comments received on June 3 and June 10, 2010, and scheduled a public Workshop for August 12, 2010 to review proposed updates to the Hearing Board Rules. The Hearing Board collected \$572 (Emergency Variance application) during the second quarter of 2010.

**EXCESS EMISSION DETAILS**

COMPANY NAME	DOCKET NO.	TOTAL EMISSIONS	TYPES OF EMISSIONS	PER UNIT COST	TOTAL AMT COLLECTED
					\$ 0
				<b>TOTAL COLLECTED:</b>	<b><u>\$ 0</u></b>

Respectfully submitted,

Thomas M. Dailey, M.D.  
Chair, Hearing Board

Prepared by: Lisa Harper  
Reviewed by: Jennifer Chicconi

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Brad Wagenknecht and Members  
of the Executive Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: July 28, 2010

Re: Production System Project Update

RECOMMENDED ACTION:

None. Receive and File.

DISCUSSION:

Staff will present the current status for this multi-year project, and a brief description of the next milestones. In December of 2006, staff presented the plan for implementation of the new production system. At that time, staff indicated that execution of the plan would be accompanied by detailed reports on the status of actual costs as compared to projected costs, and by detailed reports on the status of actual accomplishments.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None.

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 Executive Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: July 20, 2010

Re: Update of Strategic Facilities Planning Process

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

On May 24, 2010, the Executive Committee received a status report on the Strategic Facilities Planning process which included an overview of a Request for Information for Commercial Real Estate Broker and Advisory Services and a Request for Proposal for Commercial Real Estate Broker Services; a sample purchase scenario and a recommendation to establish a Strategic Facilities Planning Ad Hoc Committee. Staff will report back on the selection of a Commercial Real Estate Broker.

The Committee voted unanimously to recommend that that Board of Directors establish a Strategic Facilities Planning Ad Hoc Committee comprised of the Chair, Vice-Chair, and Executive Officer/Directors of the Air District, Metropolitan Transportation Commission (MTC), and the Association of Bay Area Governments (ABAG). The Board of Directors' approved the recommendation at its June 2, 2010 meeting. Letters were sent to MTC and ABAG notifying the Commissioners of their appointments.

DISCUSSION

The primary objective of Phase II of the strategic facilities planning process is to explore alternative headquarter solutions and develop a real estate headquarter strategy that best aligns with the Air District, MTC and ABAG's business and financial objectives as well as operational needs. After a very competitive selection process including consultation with MTC and ABAG a contract has been awarded.

On August 5, 2010, the Executive Committee will receive an overview of the selection process and introduction to CB Richard Ellis the successful bidder. CB Richard Ellis will brief the Executive Committee on its consolidation strategy; including the project organization/core team members, objectives, scope of work, and process.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Commercial Real Estate Broker and Advisory services funding for this project has been budgeted and is included in Program 702 of the approved FY 2010/2011 budget. However, the work of the Strategic Facilities Planning Ad Hoc Committee may have significant implications for spending on capital facilities.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Mary Ann Okpalaugo  
Approved by: Jack Colbourn



BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Brad Wagenknecht and Members  
of the Executive Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: July 26, 2010

Re: Update of Video Conferencing and Webcasting Capabilities

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

As a continuation of the presentation on May 24, 2010, staff will demonstrate video conferencing for Committee meetings and webcasting for the Board of Directors meetings.

VIDEO CONFERENCING FOR COMMITTEE MEETINGS

District staff located two suitable locations for these meetings.

They are as follows:

North Bay: Santa Rosa Junior College  
South Bay: County of Santa Clara Building (San Jose)

The District has successfully tested the capabilities in each location, and found no further investment is required.

WEBCASTING FOR BOARD OF DIRECTORS MEETINGS

The District now has the capability to webcast its Board of Directors meetings on the District's website. The District successfully webcast its Board of Director's meeting on June 16, 2010 and is schedule to webcast the September 15<sup>th</sup> Board of Directors meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Video Conferencing: Room rental and technical support fees are approximately \$500 per meeting based on the current site selection.

Webcasting: Cost for webcasting a single meeting is approximately \$5000. In addition, there is a \$660 monthly fee for the District's license.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Satnam Hundel  
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: August 25, 2010

Re: Report of the Personnel Committee Meeting of August 25, 2010

RECOMMENDED ACTION

Receive and File

BACKGROUND

The Personnel Committee met on August 25, 2010 in Closed Session on Public Employee Performance Evaluation, Pursuant to Government Code Section 54957 and 54957.6.

There is no staff report for the Closed Session item in the Personnel Committee packet.

Chairperson Hal Brown will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACTS:

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Lisa Harper  
Reviewed by: Jennifer C. Cooper

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: August 24, 2010

Re: Production System Project Update

RECOMMENDED ACTION:

None. Receive and File.

DISCUSSION:

Staff will present the current status for this multi-year project, and a brief description of the next milestones. In December of 2006, staff presented the plan for implementation of the new production system. At that time, staff indicated that execution of the plan would be accompanied by detailed reports on the status of actual costs as compared to projected costs, and by detailed reports on the status of actual accomplishments.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Jaime Williams  
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: August 26, 2010

Re: Update on 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.

DISCUSSION

Staff presented an overview of the 2010 CAP as an informational item at the August 4 Board meeting. Board members requested further information on several issues. Staff will provide responses to the issues raised at the August 4 Board meeting, and provide an update on recent revisions to the CAP.

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

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