



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
EXECUTIVE COMMITTEE MEETING

COMMITTEE MEMBERS

DAVE HUDSON – CHAIR
CINDY CHAVEZ
CAROLE GROOM
NATE MILEY
ROD SINKS
BRAD WAGENKNECHT

KATIE RICE – VICE CHAIR
JOHN GIOIA
SCOTT HAGGERTY
MARK ROSS
JIM SPERING

MONDAY
NOVEMBER 19, 2018
9:00 A.M.

1ST FLOOR BOARD ROOM
375 BEALE STREET
SAN FRANCISCO, CA 94105

AGENDA

1. **CALL TO ORDER - ROLL CALL**
PLEDGE OF ALLEGIANCE
PUBLIC MEETING PROCEDURE

The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members. The Committee Chair shall lead the Pledge of Allegiance.

This meeting will be webcast. To see the webcast, please visit www.baaqmd.gov/bodagendas at the time of the meeting. Closed captioning may contain errors and omissions, and are not certified for their content or form.

Public Comment on Agenda Items: *The public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.*

2. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3 *For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have two minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.*

Staff/Phone (415) 749-

3. **APPROVAL OF THE MINUTES OF JULY 23, 2018**

Clerk of the Boards/5073

The Committee will consider approving the draft minutes of the Executive Committee meeting of July 23, 2018.

4. **HEARING BOARD QUARTERLY REPORT: JULY – SEPTEMBER 2018**

V. Armento/5053
valeriearmento@yahoo.com

The Hearing Board Chair will present the Hearing Board Quarterly Report for the period of July through September 2018.

5. **BAY AREA REGIONAL COLLABORATIVE (BARC) UPDATE**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive an update by BARC Director, Allison Brooks, on the activities of the Bay Area Regional Collaborative.

6. **UPDATE ON PRODUCTION SYSTEM OFFICE AND AUTHORIZATION TO EXECUTE CONTRACT AMENDMENTS FOR PRODUCTION SYSTEM OFFICE**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will consider authorizing the Executive Officer/APCO to execute contract amendments for Production System Office.

7. **UPDATE ON AIR DISTRICT IMPLEMENTATION OF ASSEMBLY BILL 617 (AB 617)**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive an update regarding the implementation of AB 617.

8. **COMMITTEE CHAIR REPORTS ON BOARD OF DIRECTORS MEETING AGENDAS**

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Committee will consider and provide direction to staff, regarding placement of committee Chair Reports on Board of Directors Meeting agendas.

9. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed two minutes each to address the Board on non-agenda matters.

10. **COMMITTEE MEMBER COMMENTS / OTHER BUSINESS**

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2).

11. **TIME AND PLACE OF NEXT MEETING**

At the Call of the Chair.

12. **ADJOURNMENT**

The Committee meeting shall be adjourned by the Committee Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Members of the Executive Committee” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- 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 District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at rsanders@baaqmd.gov

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT
375 BEALE STREET, SAN FRANCISCO, CALIFORNIA 94105
FOR QUESTIONS PLEASE CALL (415) 749-4941**

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

NOVEMBER 2018

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Climate Protection Committee <i>(Meets on the 3rd Thursday of every other Month)</i> - CANCELLED	Thursday	15	9:30 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of every other Month)</i> - CANCELLED	Monday	19	9:30 a.m.	1 st Floor Board Room
Board of Directors Nominating Committee <i>(At the Call of the Chair)</i> - CANCELLED AND RESCHEDULED TO WEDNESDAY, NOVEMBER 7, 2018	Monday	19	9:00 a.m.	1 st Floor Board Room
Board of Directors Executive Committee <i>(At the Call of the Chair)</i>	Monday	19	9:00 a.m.	1 st Floor Board Room
Board of Directors Special Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Monday	19	10:00 a.m.	1 st Floor Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i> - CANCELLED	Wednesday	21	9:30 a.m.	1 st Floor Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i> - CANCELLED	Thursday	22	9:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i> -CANCELLED	Wednesday	28	9:30 a.m.	1 st Floor, Yerba Buena Room #109

DECEMBER 2018

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i> - CANCELLED	Wednesday	5	9:30 a.m.	1 st Floor Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Monday	17	9:30 a.m.	1 st Floor Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	19	9:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i> - CANCELLED	Wednesday	26	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i> - CANCELLED AND RESCHEDULED TO MONDAY, DECEMBER 17, 2018 AT 9:30 A.M.	Thursday	27	9:30 a.m.	1 st Floor Board Room

JANUARY 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	2	9:30 a.m.	1 st Floor Board Room
Board of Directors Special Meeting/Retreat <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	16	9:30 a.m.	TBD
Board of Directors Climate Protection Committee <i>(Meets on the 3rd Thursday of every other Month)</i>	Thursday	17	9:30 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of every other Month)</i>	Monday	21	9:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	23	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	24	9:30 a.m.	1 st Floor Board Room

HL – 11/8/18 – 2:35 p.m.

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson David Hudson and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 7, 2018

Re: Approval of the Minutes of July 23, 2018

RECOMMENDED ACTION

Approve the attached draft minutes of the meeting of the Executive Committee of July 23, 2018.

DISCUSSION

Attached for your review and approval are the draft minutes of the Executive Committee meeting of July 23, 2018.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 3A: Draft Minutes of the meeting of the Executive Committee of July 23, 2018

AGENDA 3A – ATTACHMENT

Draft Minutes – Executive Committee Meeting of July 23, 2018

Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, California 94105
(415) 749-5073

DRAFT MINUTES

Summary of Board of Directors
Executive Committee Meeting
Monday, July 23, 2018

1. CALL TO ORDER – ROLL CALL

Executive Committee (Committee) Chairperson, David Hudson, called the meeting to order at 9:32 a.m.

Roll Call:

Present: Committee Chairperson David Hudson; Committee Vice Chair Katie Rice; and Directors Carole Groom, Scott Haggerty, Rod Sinks, and Brad Wagenknecht.

Absent: Directors Cindy Chavez, John Gioia, Nate Miley, Mark Ross, and Jim Spring.

Also Present: None.

2. APPROVAL OF THE MINUTES OF APRIL 16, 2018

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Wagenknecht made a motion, seconded by Director Haggerty, to approve the minutes of April 16, 2018; and the motion carried by the following vote of the Committee:

AYES: Groom, Haggerty, Hudson, Sinks, and Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Chavez, Gioia, Miley, Rice, Ross, and Spring.

3. **HEARING BOARD QUARTERLY REPORT: APRIL – JUNE 2018**

Hearing Board Chairperson, Valerie J. Armento, Esq., presented this report.

Public Comments

No requests received.

Committee Comments

None.

Committee Action

None; receive and file.

4. **RECOMMENDED ASSEMBLY BILL (AB) 617 COMMUNITIES FOR COMMUNITY PLANS**

Jack Broadbent, Executive Officer/Air Pollution Control Officer, introduced Elizabeth Yura, Community Health Protection Officer, who gave the staff presentation *Improving Neighborhood Air Quality*, including: overview; what is AB 617; spring workshops; community recommendations; West Oakland; Richmond; other large source communities; wood smoke communities; landfill/organics communities; what's next; and recommended action.

NOTED PRESENT: Vice Chair Rice was noted present at 9:38 a.m.

Public Comments

Bob Brown, Western States Petroleum Association; and Carlos Zambrano, Michelle Arango, Ngan Ly, Qin Yi He, Jada Delaney, and Umali Horne, New Voices are Rising.

Committee Comments

The Committee and staff discussed the Air District's (District's) required implementation of Best Available Retrofit Control Technology (BARCT) on industrial sources subject to the Cap and Trade program, pursuant to the requirements of AB 617, and the District's authority to require BARCT implementation at sources outside of the Cap and Trade program; funding sources and projected allocation and availability; whether school districts are included in AB 617 outreach and partnering with the District, whether mitigation strategies will include the retrofitting of filtration systems in schools, and the request that staff maps the geographic distribution of schools in the Bay Area; whether County Health Officers and Public Health Departments are included in AB 617 outreach and partnering with the District; the deadline by which the California Air Resources Board (CARB) is to prepare a monitoring plan regarding technologies for monitoring criteria air pollutants and toxic air contaminants and the need for and benefits of additional community air monitoring systems, and select, based on the monitoring plan, the highest priority locations in the state for the deployment of community air monitoring systems; which types of stakeholders will sit on (selected) community steering committees; the request that staff tracks the progress of

District Regulation 12, Rule 15: Petroleum Refining Emissions Tracking, and District Regulation 11, Rule 18: Reduction of Risk From Air Toxic Emissions at Existing Facilities; and the concern that the Tri-Valley area is being overlooked as a candidate for a recommended community as part of the State’s Community Air Protection Program.

Committee Action

Based on Director Haggerty’s comments, staff revised its community recommendations during the item to include the Tri-Valley area in *Years 2-5 Communities* in the State’s AB 617 program. The maker of the motion agreed to add that language to his motion to recommend that the Board approve staff recommendations.

Director Sinks made a motion, seconded by Vice Chair Rice, to recommend that the Board of Directors (Board) approve staff recommendations for community air monitoring and Community Emission Reduction Plans under the State’s Community Air Protection Program **as revised**; and the motion carried by the following vote of the Committee:

- AYES: Groom, Haggerty, Hudson, Rice, Sinks, and Wagenknecht.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Chavez, Gioia, Miley, Ross, and Spering.

5. UPDATE ON GOVERNOR’S GLOBAL CLIMATE ACTION SUMMIT

Mr. Broadbent introduced Lisa Fasano, Communications Officer, who gave the staff presentation *Update on the Governor’s Global Climate Action Summit*, including: Diesel Free by ’33 summit update; contractor effort; Statement of Purpose; recruiting signatories; status of the event; event agenda; and recommend the Board of Directors.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Committee Comments

The Committee and staff discussed whether the District prefers individual politicians or governing bodies as a whole to sign the “Diesel Free by ’33” pledge, and the request that promotional language specifies that preference.

Committee Action

None; receive and file.

6. TECHNOLOGY IMPLEMENTATION OFFICE (TIO) UPDATE AND SUMMARY OF STEERING COMMITTEE MEETING

Damien Breen, Deputy Air Pollution Control Officer of Technology, introduced Derrick Tang, Manager of the TIO, who gave the staff presentation *TIO Update and Summary of Steering*

Committee Meeting, including: Stationary Incentive Program – connecting technologies and customers; technology assessment goal; eight example cooling and heating technologies; example project - Ohmic heating for food processing plant; facilities’ needs and wants; proposed agreement with California Infrastructure Economic Development Bank (IBank); key financing terms of proposed Revolving Loan Program; Revolving Loan Program guidelines; proposed financing process; TIO next steps; and staff recommendation.

At this time, Tania Barnes, Executive Director of IBank, explained the history of IBank and its evaluation process of municipalities, universities, schools and hospitals (MUSH) projects.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Committee Comments

The Committee and staff discussed the difference between the IBank’s and the District’s portion of participation in a given loan; District liability in the event of loan default; the difference between private and public sector lenders; eligible applicants for the two existing IBank programs whose funds will be enhanced with the addition of District funds; sources of the District funds that are to be transferred to the IBank; and what is entailed in the oversight role of the Board for the District’s agreement with the IBank, the Committee’s concern that the Board lacks financing authority and the ability to give input on the selection of project applications, but would nevertheless be in a position of risk, the request that the Board receives lists of projects as applications are being considered, and staff’s plan to bring to the Board a discussion of the Board’s role and explicit type of decision-making regarding the District’s agreement with the IBank.

Committee Action

Director Wagenknecht made a motion, seconded by Director Sinks, to recommend that the Board authorizes the Executive Officer/Air Pollution Control Officer to execute an agreement with the IBank not to exceed \$4,185,000 to fund a loan program for Bay Area industrial facilities; and the motion carried by the following vote of the Committee:

AYES:	Hudson, Rice, Sinks, and Wagenknecht.
NOES:	Groom.
ABSTAIN:	None.
ABSENT:	Chavez, Gioia, Haggerty, Miley, Ross, and Spering.

7. STATUS UPDATE ON THE AIR DISTRICT’S (DISTRICT’S) ADVISORY COUNCIL

Dr. Jeff McKay, Chief Financial Officer, gave the staff presentation *Advisory Council New Members*, introducing Drs. Linda Rudolph and Gina Solomon to the Advisory Council. Stan Hayes, Chairperson of the Advisory Council, thanked the Board members for hosting a joint meeting of the Board and Advisory Council in March and for reappointing the incumbent members, and gave a Council Report containing the Council’s deliberations regarding Diesel Particulate Matter.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the potential for the public health perspective to be accentuated with the addition of two medical professionals to the Council; and the request for more joint meetings of the Board and Council.

Committee Action

None; receive and file.

8. AMENDMENTS TO AIR DISTRICT ADMINISTRATIVE CODE ADDRESSING RESOLUTIONS

Brian Bunker, District Counsel, explained that staff had promised to bring to the Executive Committee proposed language amending Section 1.6 of the Air District’s Administrative Code to address introduction and amendment of resolutions. He noted that this item is to be noticed in an upcoming Board of Directors meeting agenda, and then placed on the agenda for adoption at a subsequent meeting.

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Groom made a motion, seconded by Director Sinks, to recommend that the Board adopts amendments to the Air District’s Administrative Code to address introduction and amendment of resolutions to be adopted by the Board; and the motion carried by the following vote of the Committee:

- AYES: Groom, Hudson, Rice, Sinks, and Wagenknecht.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Chavez, Gioia, Haggerty, Miley, Ross, and Spering.

9. DISCUSSION OF PROCEDURES FOR RECEIVING PUBLIC COMMENT ON NON-AGENDA TOPICS

Mr. Bunger discussed the Board’s varying historical sequencing of receiving public comments on non-agenda matters and said that staff acknowledges the public’s general dissatisfaction with past procedures.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Committee Comments

The Committee and staff discussed the suggestion of doing away with the reading of Committee Chair Reports, to allow for more time for public comments; the possibility of extending the allotted time for public comments at Board meetings at which a high volume of public comments is anticipated; Board members’ individual preferences of how to allocate time for public comments; the suggestion that those who wish to give public comment be given more than two minutes for any given item; the request that Board members remain cognizant of limiting their comments to give equal time to everyone; whether the Executive Officer/Air Pollution Control Officer should respond directly to public comments, or wait until his or her report to do so; the suggestion that Board members reserve the entire day for District Board meetings; and at what point comment cards will no longer be accepted for a given item.

Committee Action

None; receive and file.

10. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

11. COMMITTEE MEMBER COMMENTS / OTHER BUSINESS

None.

12. TIME AND PLACE OF NEXT MEETING

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

13. ADJOURNMENT

The meeting adjourned at 12:00 p.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson David Hudson and Members
of the Executive Committee

From: Chairperson Valerie J. Armento, Esq., and
Members of the Hearing Board

Date: November 7, 2018

Re: Hearing Board Quarterly Report: July – September 2018

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

During the second calendar quarter of 2018 (July - September), the Hearing Board:

- Held no hearings (four were scheduled but cancelled);
- Processed a total of four orders; and
- Collected a total of \$11,119.00 in filing fees.

Below is a detail of Hearing Board activity during the same period:

Location: Contra Costa County; City of Martinez

Docket: 3709 – Chevron Products Company – Request for Emergency Variance

Regulation(s): Regulation 8, Rule 5, Section 322.1 (Organic Compounds, Storage of Organic Liquids, Secondary Seal Requirements)

Synopsis: The Chevron Avon Terminal is a petroleum marketing and distribution terminal and receives petroleum products by pipeline and tanker truck. The Terminal operates petroleum storage tanks and blending equipment to provide fuel products to retail gasoline facilities. Tank 104 is the only tank used to store denatured ethanol at the Terminal. On June 27, 2018, Terminal personnel discovered defects on the secondary seal on Tank 104 while performing a semiannual tank seal inspection through the rooftop hatch. The Applicant identified tears on five feet of the secondary seal which is approximately 103 feet long and is installed around the circumference of the floating roof. The Applicant worked expeditiously to resolve this matter. The incident was unexpected and unforeseen because in January of 2015, a new secondary seal was installed in Tank 104 following an inspection. Tank 104 has been properly maintained in accordance with industry standards, so the new secondary seal on Tank 104 should have remained in service for many years without the need for repairs. The Applicant attempted to have the seal repaired while Tank 104 was in service. In the past, contractors would perform such repairs. Due to safety concerns, however, the

contractors are no longer willing to make repairs to tanks while in service. Instead, the Tank needed to be drained and degassed before the contractors would perform the work. The Terminal pursued approvals for another contractor that was willing to perform in-service repairs to tanks in the future but anticipated a waiting period to obtain the proper approvals for any new contractors to ensure that the contractor could meet Chevron standards.

Status: Application for Emergency Variance filed by Applicant on July 2, 2018; District staff response received on July 5; Hearing Board response received on July 9, 2018; Order Denying Emergency Variance filed on July 9.

Period of Variance: June 28, 2018 to July 28, 2018

Estimated Excess Emissions: 0.26 lbs. per day of Volatile Organic Compound, or 8.06 lbs total

Fees collected this quarter: \$1,149.00

Location: Contra Costa County; City of Richmond

Docket: 3710 – West Contra Costa Sanitary Landfill, Inc. – Request for Interim and Regular Variances

Regulation(s): Regulation 8, Rule 34, Section 301 (Organic Compounds, Solid Waste Disposal Sites, Landfill Gas Collection and Emissions Control System Requirements); and Regulation 8, Rule 34, Section 219 (Organic Compounds, Solid Waste Disposal Sites, Continuous Operation)

Synopsis: The facility's internal combustion (IC) engines (S-5, S-6, and S-37) were in need of start-up and break in to ensure they were operating at optimum before a source test could be performed as required. The landfill gas being extracted was not of a quality that could initiate the start-up of the engine(s) without them shutting down before completely warming up. The applicant requested a variance from the permit conditions cited above to allow the utilization of propane or compressed natural gas (CNG) to be injected into the engines' pre-combustion chambers along with landfill gas for the initial start-up of the engine(s). This requirement of the engine was unforeseen when it was being rebuilt; the issue was discovered once the engine had been re-installed onsite and initial operation was attempted. It is assumed that the other IC Engines will have the same issue if/when they are rebuilt.

Status: Application filed on July 6, 2018; interim and regular variance hearings scheduled for August 14 and October 30; applicant requested to withdraw application on August 2; Order for Dismissal filed on August 2.

Period of Variance Requested: July 6, 2018 to July 6, 2019

Estimated Excess Emissions: 0.40 lbs of nitrogen oxide per day, or 146 lbs total

Fees collected this quarter: \$7,942.00

Location: Contra Costa County; City of Martinez

Docket: 3711 – Chevron Products Company – Request for Short-Term Variance

Regulation(s): Regulation 8, Rule 5, Section 322.1 (Organic Compounds, Storage of Organic Liquids, Secondary Seal Requirements)

Synopsis: Chevron filed this application following the denial of its application for Emergency Variance (see Docket No. 3709) regarding the same matter on July 10, 2018. The Chevron Avon Terminal is a petroleum marketing and distribution terminal and receives petroleum products by pipeline and tanker truck. The Terminal blends products and distributes the blended products to retail gasoline facilities and operates petroleum storage tanks and blending equipment. Tank 104 is the only tank used to store denatured ethanol at the Terminal. On June 27, 2018, Terminal personnel discovered defects on the secondary seal on Tank 104 while performing a semiannual tank seal inspection through the rooftop hatch. The Applicant identified tears on five feet of the secondary seal which is approximately 103 feet long and is installed around the circumference of the floating roof. The Applicant worked expeditiously to resolve this unexpected and unforeseen incident. In January of 2015, a new secondary seal was installed in the subject tank following an inspection and Tank 104 has been properly maintained in accordance with industry standards.. The Applicant attempted to have the seal repaired while Tank 104 was in service. Due to safety concerns, however, the contractors are no longer willing to make repairs to tanks while in service. Instead, the Tank needed to be drained and degassed before the contractors would perform the work. The Terminal pursued approvals for another contractor that was willing to perform in-service repairs to tanks in the future but anticipated a waiting period to obtain the proper approvals for any new contractors to ensure that the contractor could meet Chevron standards.

Status: Applicant submitted application on July 13, 2018; Hearing scheduled for August 21; hearing continued to September 11 on August 20; Applicant requested to withdraw application on September 7; Order for Dismissal filed on September 10.

Period of Variance Requested: June 28, 2018 to July 21, 2018

Estimated Excess Emissions: 0.26 lbs. per day of Volatile Organic Compound, or 5.98 lbs total

Fees collected this quarter: \$2,028.00

Location: Alameda County, City of Piedmont

Docket: 3712 - APCO vs. City Gateline, LLC., et al – Accusation

Regulation(s): Regulation 2, Rule 1 (Permits, General Requirements)

Synopsis: Respondents have owned or operated a gasoline dispensing facility in Piedmont, California, for which they must hold a District permit to operate pursuant to District Regulation 2, Rule 1. District records indicated they have owned or operated the facility since at least March 2011 but had not had a current or valid permit to operate the facility since May 1, 2011. The District was informed and believed and alleged that Respondents knew they must hold a permit to conduct auto body coating operations, since at least April 1, 2010, but that despite knowledge, had been operating it without one since at least May 1, 2011. Complainant sought an order that Respondents cease conducting these operations unless and until they obtain a District permit to do so.

Status: Accusation filed on August 6, 2018; hearing scheduled for September 11; hearing continued to October 21 on August 28; request to dismiss action filed by Complainant on September 18; Order for Dismissal filed on September 19.

Respectfully submitted,

Valerie J. Armento, Esq.
Chair, Hearing Board

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson David Hudson and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 7, 2018

Re: Bay Area Regional Collaborative (BARC) Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Bay Area Regional Collaborative (BARC) consists of Board/Commission representatives of the four regional agencies and provides a forum for discussing issues of regional importance.

DISCUSSION

At the upcoming Executive Committee meeting, the BARC Director, Allison Brooks, will provide an update on the activities of BARC.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Justine Buenaflor

Reviewed by: Vanessa Johnson

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson David Hudson and Members
of the Executive Committee

From: Jack P. Broadbent,
Executive Officer/APCO

Date: November 7, 2018

Re: Update on Production System Office and Authorization to Execute Contract
Amendments for Production System Office

RECOMMENDED ACTION

Recommend the Board of Directors authorize the Executive Officer/APCO to execute contract amendments with the following vendors in the amounts listed in Table 1.

Table 1		
Vendor	Amount	Service Description
C&G Technology Services	\$244,285	Software testing services for the permitting and compliance system.
Clearsparc	\$461,953	Software architecture, design, development, build and release management services for the permitting and compliance system.
Cylogy	\$250,341	Backend website content management system integration, customization and infrastructure support.
IdeaBlade	\$303,874	Software architecture, design, development, build and release management services for the major facility portal.
ITDependz	\$244,618	Business analysis and user experience services for the permitting and compliance system.
Malinda Lai	\$25,704	Website content management and infrastructure support.
Trinity Technology Group	\$328,664	Legacy data management and transfer services. Business analysis, database rules and logic implementation.
TOTAL	\$1,859,439	

BACKGROUND

Air District staff will provide an update and demonstration of the My Air Online permitting and compliance system progress for the third calendar quarter 2018 and discuss the goals for the remainder of the year.

Also, Air District staff is recommending contract amendments for existing vendors assisting with software development and website management support to meet 2019 Fiscal Year (FY) goals.

DISCUSSION

The Production System Office is composed of the Permitting and Compliance System, Data Services and Online Services. These systems and services abide by a continuous improvement process whereby existing functionality is maintained while new features are implemented extending functionality to match evolving business requirements. These efforts include expanding permitting and compliance system functionality, extending the availability of tools for website content management, and expanding our web presence.

To continue supporting the Air District's content management infrastructure and enhance current programs, staff plans to focus on the following activities for the remainder of the 2019 FY:

- Code overhaul to support upgrading the Air District's web content management system
- Development to support the redesign and new data visualization for air quality data
- New website templates to support specialized programs
- Continuation of website language translation
- Issuance of refinery renewals
- Health Risk Assessments
- Permit Applications for Non-Title V sources
- Enforcement actions
- Complaint processing

Staff recommends the continued use of vendors proven familiar with the production system office for the remainder of the 2019 FY. The Air District has successfully collaborated with Cylogy and Malinda Lai in the design, development and testing of the language translation system and website content management system in prior engagements. The Air District has also successfully collaborated with C&G Technology Services, Clearsparc, Inc., IdeaBlade, ITDependz, and Trinity Technology Group in prior design, software development and quality assurance engagements.

Vendor	Type of Services	Initial Contract	Procurement Method
C&G Technology Services	Software testing services for the permitting and compliance system.	FYE 2013*	Selected the firm and resources through an informal bid process.

Clearsparc	Software architecture, design, development, build and release management services.	FYE 2015*	Request for Qualifications (RFQ). One of three firms to respond. Had staff expertise and availability to perform the required scope of work.
Cylogy	Backend website content management system integration, customization and infrastructure support.	FYE 2013	Request for Proposal (RFP) rebid in FYE 2014. One of four firms to respond that had appropriate staff, expertise, and availability to perform the required scope of work.
IdeaBlade	Software development for the major facility portal.	FYE 2018	New Request for Quotation (RFQ) was done in FYE 2018.
ITDependz	Business analysis and user experience services for the permitting and compliance system.	FYE 2012*	Selected the firm and resources through an informal bid process.
Malinda Lai	Website content management system and infrastructure support.	FYE 2006	Procurement occurred prior to the tenure of the web current team.
Trinity Technology Group	Legacy data management and transfer services. Business analysis, database rules and logic implementation.	FYE 2015*	New Request for Qualifications (RFQ) was done in FYE 2018.
* Contractors requalified via December 2017 Request for Qualification process.			

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for the vendor contract recommendations is included in 309 and 125 program budgets for Fiscal Year Ending 2019.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Blair Adams
Reviewed by: Damian Breen

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson David Hudson and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 7, 2018

Re: Update on Air District Implementation of Assembly Bill 617 (AB 617)

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

On September 27, 2018, the California Air Resources Board (CARB) approved the Bay Area Air Management District's (Air District) recommended communities for development of a community monitoring plan and a community emission reduction plan for the state's Community Air Protection Program. The Community Air Protection Program was established by the state to implement Assembly Bill 617 (AB 617).

West Oakland was approved for an emission reduction plan and the Richmond area was selected for a monitoring plan in year one of the state's program. The West Oakland Environmental Indicators Project (WOEIP) will be our co-lead in the West Oakland effort. WOEIP has a long history of community planning and advocacy to reduce residents' exposure to diesel particulate matter and toxic air contaminants. In Richmond, we have an opportunity to leverage many historic and current monitoring studies. There are a complex mix of emission sources in the Richmond area. Our primary goal of the Richmond monitoring effort will be to better characterize the area's mix of sources and to more fully understand the associated air quality and pollution impacts before initiating an emissions reduction plan for that community.

The Air District included in its recommendations to CARB a list of communities for years two through five of the state's program. These communities included East Oakland/San Leandro, Eastern San Francisco, the Pittsburg-Bay Point area, San Jose, the Tri-Valley area, and Vallejo. Like Richmond and West Oakland, current data shows that these communities have higher levels of environmental exposures and more significant health burdens compared to the rest of the Bay Area. These health burdens increase vulnerability to environmental exposures. The recommended list of high priority communities for monitoring and/or emission reduction plans will be revisited and re-submitted to CARB every year. The CARB board makes the final decision about which communities will be selected for community plans for that year.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared By: Greg Nudd

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson David Hudson and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: November 7, 2018

Re: Committee Chair Reports on Board of Directors Meeting Agendas

RECOMMENDED ACTION

Provide direction to staff regarding placement of Committee Chair reports on Board of Directors meeting agendas.

BACKGROUND

Historically, reports out of Board of Directors' committee meetings have been placed on Board of Directors' meeting agendas as separate agenda items after the Consent Calendar, and before presentations, hearings, etc. Each of these agenda items commences with the reading by the Committee Chair, or, in their absence, Vice Chair or other Committee Member of a brief report on the committee meeting being considered. If there are action items, the member reading the report moves that the Board take action on the committee's recommendations. Chairperson David Hudson has suggested that the Executive Committee consider changing this practice and instead, place committee reports on the agenda as part of the Consent Calendar.

DISCUSSION

The current practice for handling committee reports to the Board of Directors is not dictated by the Air District's Administrative Code or any other legal requirement. Accordingly, it is entirely at the Board's discretion on how it wishes to proceed with placing committee reports on the Board of Directors meeting agendas. If the decision is to place committee reports on the Consent Calendar, staff will prepare a cover memo for each committee meeting report item that briefly describes the topics covered at the committee meeting and identifies any recommendations approved by the committee.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Brian C. Bunger