



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

ADVISORY COUNCIL EXECUTIVE COMMITTEE

COMMITTEE MEMBERS

ELINOR BLAKE, CHAIRPERSON
LOUISE BEDSWORTH, PH.D.
WILLIAM HANNA

BRIAN ZAMORA, VICE-CHAIRPERSON
HARDOLD BRAZIL
KRAIG KURUCZ
LINDA WEINER

WEDNESDAY
MARCH 10, 2004
9:00 A.M.

ROOM 716

AGENDA

1. Call to Order – Roll Call
2. Public Comment Period

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3. The public has the opportunity to speak on any agenda item. All agendas for Advisory Council Committee meetings are posted at the District, 939 Ellis Street, San Francisco, at least 72 hours before a meeting. At the beginning of the meeting, an opportunity is also provided for the public to speak on any subject within the Committee's purview. Speakers are limited to five minutes each.

3. Approval of Minutes of November 12, 2003
4. Standing Committee Chair Reports on Committee Work Plans

The Committee will discuss the work plans of the Standing Committees for 2004.

5. Discussion of Follow-up on Council Recommendations

The Committee will discuss establishing a process for tracking the development and implementation of Council recommendations.

6. Discussion of Scheduling a Tour of the District Facility for New Council Members

7. Committee Member Comments/Other Business

Committee or staff members on their own initiative, or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on their own activities, provide a reference to staff about 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.

8. Time and Place of Next Meeting

9:00 a.m., Wednesday, March 10, 2004, 939 Ellis Street San Francisco, California 94109.

9. Adjournment

EB:jc

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

(415) 749-4965
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities notification to the Clerk's Office should be given in a timely manner, so that arrangements can be made accordingly.

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

CLERK OF THE BOARDS OFFICE:
MONTHLY CALENDAR OF DISTRICT MEETINGS

MARCH 2004

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting (<i>Meets 1st & 3rd Wednesdays each Month</i>)	Wednesday	3	9:00 a.m.	BART Board Room 800 Madison, 1 st Floor Oakland, CA 94607
Board of Directors Personnel Committee (<i>Meets as needed</i>)	Thursday	4	9:30 a.m.	4th Floor Conf. Room
Advisory Council Executive Committee	Wednesday	10	9:00 a.m.	Room 716
Advisory Council Regular Meeting	Wednesday	10	10:00 a.m.	Board Room
Advisory Council Public Health Committee	Wednesday	10	12:30 p.m.	Room 716
Board of Directors Mobile Source Committee (<i>Meets 2nd Thursday each Month</i>) – CANCELLED -	Thursday	11	9:30 a.m.	4th Floor Conf. Room
Board of Directors Regular Meeting (<i>Meets 1st & 3rd Wednesday each Month</i>) - CANCELLED -	Wednesday	17	9:45 a.m.	Board Room
Regional Agency Coordinating Committee (RACC)	Friday	19	1:30 p.m.	MTC 101 8 th Street Oakland, CA 94607
Board of Directors Stationary Source Committee (<i>Meets 4th Monday every other Month</i>)	Monday	22	9:30 a.m.	Board Room
Board of Directors Budget & Finance Committee (<i>Meets 4th Wednesday each Month</i>) – CANCELLED -	Wednesday	24	9:45 a.m.	4th Floor Conf. Room
Board of Directors Executive Committee (<i>Meets 5th Wednesday of Months that have 5 Wednesdays</i>)	Monday	29	9:30 a.m.	4th Floor Conf. Room

APRIL 2004

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Advisory Council Joint Air Quality Planning & Technical Committees	Tuesday	6	9:30 a.m.	Board Room
Board of Directors Regular Meeting (Meets 1 st & 3 rd Wednesdays each Month)	Wednesday	7	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee (Meets 2 nd Thursday each Month)	Thursday	8	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Public Outreach Committee (Meets 2 nd Monday every other Month)	Monday	12	9:45 a.m.	4 th Floor Conf. Room
Advisory Council Public Health Committee	Monday	19	1:30 p.m.	Board Room
Board of Directors Regular Meeting (Meets 1 st & 3 rd Wednesday each Month)	Wednesday	21	9:45 a.m.	Board Room
Board of Directors Budget & Finance Committee (Meets 4 th Wednesday each Month)	Wednesday	28	9:45 a.m.	4 th Floor Conf. Room

MAY 2004

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting (Meets 1 st & 3 rd Wednesdays each Month)	Wednesday	5	9:45 a.m.	Board Room
Advisory Council Executive Committee	Wednesday	12	9:00 a.m.	Room 716
Advisory Council Regular Meeting	Wednesday	12	10:00 a.m.	Board Room
Advisory Council Public Health Committee	Monday	12	12:30 p.m.	Room 716
Board of Directors Mobile Source Committee (Meets 2 nd Thursday each Month)	Thursday	13	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Regular Meeting (Meets 1 st & 3 rd Wednesdays each Month)	Wednesday	19	9:45 a.m.	Board Room
Board of Directors Stationary Source Committee	Monday	24	9:30 a.m.	Board Room
Board of Directors Budget & Finance Committee (Meets 4 th Wednesday each Month)	Wednesday	26	9:45 a.m.	4 th Floor Conf. Room

MR:hl
3/3/04 (2:35 p.m.)
P/Library/Calendar/Moncal

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109

DRAFT MINUTES

Advisory Council Executive Committee Meeting
9:00 a.m., Wednesday, November 12, 2003

1. **Call to Order – Roll Call.** 9:10 a.m. Quorum Present: William Hanna, Chairperson, Elinor Blake, Robert Harley, Ph.D., Kraig Kurucz, Brian Zamora. Also present: Sam Altshuler, P.E.
2. **Public Comment Period.** None.
3. **Approval of Minutes of July 9, 2003.** Mr. Zamora moved adoption of the minutes; seconded by Dr. Harley; carried unanimously.
4. **Standing Committee Chair Reports on Committee Work Plans and Recommendations.** Mr. Kurucz stated that the Air Quality Planning Committee (AQPC) met on September 30, 2003 and received two presentations. The first was an update from Networkcar on the use of remote sensing technology in high use vehicles such as taxicabs. The second was provided by the staff of the Metropolitan Transportation Commission (MTC) on its Long-Range Transportation Plan.

Dr. Harley stated that after five meetings on the subject, the Technical Committee will present recommendations on refinery flaring at the Council meeting today. The Committee will meet in December 2003 to receive a staff presentation on fine particulate and ozone trends in the Bay Area.

Mr. Zamora stated the Public Health Committee is reviewing optical monitoring technology at refinery fence lines. At its October 2003 meeting, staff from the ConocoPhillips refinery in Rodeo and the Western States Petroleum Association (WSPA) presented industry perspectives. Industry has greater confidence in data from ground level monitors than from optical monitors. It also considers the latter to be expensive and lacking in any statutory mandate. The Committee will develop recommendations on this technology from a public health perspective at its next meeting.
5. **Discussion and Adoption of Recommendation of a Slate of Officers for 2004.** Chairperson Hanna stated that, by past practice, Vice-Chairperson Blake would be nominated for Chairperson, and Secretary Zamora for Vice-Chairperson. Noting that the nominee for Secretary is drawn from Standing Committee Chairs, he inquired of Mr. Kurucz if he would accept nomination as Council Secretary. Mr. Kurucz replied affirmatively. Ms. Blake moved the Committee endorse the aforementioned slate of officers for 2004; seconded by Dr. Harley; carried unanimously.
6. **Discussion of January 14, 2004 Retreat and Regular Meeting.** Ms. Blake indicated that she is considering holding this meeting off-site and is exploring sites that are free and BART accessible. She added that she is considering inviting a keynote speaker. The Council's task will be to discuss the key air quality issues facing the District and to develop a work plan for the year.

Peter Hess, Deputy Air Pollution Control Officer, stated that the Council has done a fine job in reviewing key issues and developing sound recommendations. Staff is pleased with the collaborative process that it has with the Council. He distributed a document entitled, “Candidate Assignments for the Advisory Council,” containing seven topics for possible review by the Council:

1. Review the control measures for volatile organic compounds (VOCs), nitric oxide (NO_x) and particulate matter (PM) in the South Coast AQMD attainment plan recently approved by the Air Resources Board (ARB); make recommendations to the Air Pollution Control Officer (APCO) for implementing them in the Bay Area.
2. Review and provide comments to the APCO on the draft Bay Area AQMD State and Federal Air Quality Attainment and Maintenance Plans. Continue participation on the Modeling Advisory Committee and the Ozone Working Group.
3. Review and provide comments to the APCO on the ARB mobile source emission calculation models.
4. Review and provide comments to the APCO on the impact of State policy to reduce both VOC and NO_x from mobile and stationary sources as aggressively as possible on attainment of the National Ozone standards in coastal areas and in all California air basins.
5. Review and provide comments to the APCO on the Toxic New Source Review (NSR) Rule amendments.
6. Review and provide comments to the APCO on the draft California Environmental Protection Agency (Cal-EPA)/ARB Environmental Justice implementation protocols.
7. Review and provide comments to the APCO on the impact of daylight savings times on peak 1-hour and 8-hour ozone concentrations.

In discussion of these topics, Ms. Blake inquired as to the “cumulative risk” issue that is under discussion at the state level. William C. Norton, Executive Officer/APCO noted that this would be included in No. 6, to which the “precautionary principle” issue should be added. Mr. Hess noted that staff and guest speakers could address specific aspects of the topics at the Retreat and suggest ways to review them. Dr. Harley requested that Executive Management and the Division Directors attend the Retreat and participate in the Committee breakout sessions.

Mr. Kurucz stated that the AQPC completed review of its work plan topics earlier than expected. The Committee met for many consecutive months to develop its Smog Check II recommendations and would like an update on their implementation. Ms. Blake suggested that in mid-2004 the Council’s Executive Committee evaluate the progress made on the standing Committee work plans, since efficiency is unpredictable. Dr. Harley added that the Council may also serve as an early warning system for issues that are not yet, but likely to be, on the regulatory calendar.

Mr. Norton, stated that Topics 1 and 2 have the highest priority. The ARB is recommending the District be declared in attainment for the one-hour federal ozone standard. It is unclear whether the District must submit an Attainment or Maintenance Plan after the Notice of Attainment is filed by the EPA. However, additional pollution control measures will be necessary in either scenario. Jack Broadbent, newly appointed Executive Officer/APCO, added that the 30-day comment period on this Federal Register notice concludes at the end of November 2003. The EPA will very likely finalize its federal recommendations at the end of this year.

Mr. Norton observed that for the federal one-hour ozone standard for the last three years, the District had one year with no exceedances, another with two and the third with one. Therefore, there can be no exceedances next year if this attainment record is to be sustained. The District's air quality plans must also address pollutant transport to adjacent air basins. This issue should be included in No. 2. The due date for review of Nos. 1 and 2 is mid-year 2004. Mr. Kurucz stated the AQPC has a role to play in reviewing Nos. 1-6. Dr. Harley stated the Technical Committee has a role in reviewing Nos. 1-5, but if a cumulative risk model is developed next year, the Committee can review it under No. 6.

Ms. Blake noted that it would be helpful to have a due date for completing review of each topic. Mr. Kurucz observed that these topics are broad and may contain certain portions with a higher priority than others. Dr. Harley added that since the Plans identified in the topics are probably voluminous, the Committees should focus on the specific areas in these Plans that are either controversial or contain uncertainties in data. Mr. Altshuler suggested that the Council review secondary formation of PM_{2.5} from nitrate. Mr. Kurucz suggested that the Council review the implementation of the Smog Check II program, including the efficacy of the diagnostic equipment and the cost of the test. Mr. Norton urged the Council to invite a speaker from the Bureau of Automotive Repair (BAR) to address these issues. Chairperson Hanna stated that the topics suggested by staff and the Committee members would be further discussed at the Council Retreat.

Mr. Kurucz inquired about the role of the Council in reviewing the District's legislative agenda. He noted that the AQPC has reviewed certain bills and could act as a screening committee for review of legislation. Ms. Blake stated the Council would benefit from having a perspective on the legislative context in which the District is operating. The Committee members requested that staff apprise the Council of the bills that it is tracking and report on them as they move toward the point of passage. They also requested that executive staff ask the Board Legislative Committee if there are specific areas in which it wishes to receive Council input on pending legislation.

Mr. Norton replied that he would so inquire and invited the Committee members to attend the Legislative Committee meeting scheduled for Monday, November 17, 2003. He suggested that in the future a legislative report be added to the Council's Regular meeting agenda. Ms. Blake replied that an attachment of key bills for information would suffice, and if review of an important bill arises, it could be assigned to a Committee. Mr. Norton indicated staff would forward to the Council the Legislative Committee's agendas, reports and official actions, and also summarize its actions at the Council Regular meeting. If the Legislative Committee seeks input from the Council on a specific bill, a Council Committee could review it with the District's Legislative Analyst.

7. **Committee Member Comments/Other Business.** Ms. Blake thanked Mr. Norton for his fine work during the interim period that he has worked at the District as Executive Officer and Air Pollution Control Officer. Mr. Norton replied that he has greatly enjoyed his work with the Air District staff and has found the Advisory Council to be both supportive and helpful.
8. **Time and Place of Next Meeting.** At the call of the Chair.
9. **Adjournment.** 9:57 a.m.

James N. Corazza
Deputy Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Advisory Council Executive Committee

From: Elinor Blake, Advisory Council Chairperson

Date: February 10, 2004

Re: Advisory Council Work Plan for 2004

Set forth below for your information is the Advisory Council work plan for 2004 as developed at the January 14, 2004 Retreat:

- 1) Review the control measures for volatile organic compounds (VOCs), nitrogen oxides (NO_x) and particulate matter (PM) in the South Coast AQMD attainment plan recently approved by the Air Resources Board (ARB) and make recommendations to the Air Pollution Control Officer (APCO) for implementing them in the Bay Area. *Assigned jointly to the Air Quality Planning and Technical Committees. Comments due in the spring.*
- 2) Review and provide comments to the APCO on the draft Bay Area AQMD State and Federal Air Quality Attainment and Maintenance Plans. Continue participation on the Modeling Advisory Committee and the Ozone Working Group. *Assigned to the Air Quality Planning and Technical Committees. Comments due in the Spring.*
- 3) Review and provide comments to the APCO on the ARB mobile source emission calculation model and its impact on the development of Bay Area attainment plans for ozone. *In addition to hydrocarbons (HC) and nitrogen oxide (NO_x), nitrogen dioxide (NO₂) and other reactive organics such as formaldehyde may be evaluated to better assess relative reactivity. Assigned to the Technical Committee with a long-range time frame for study and use in future plan development.*
- 4) Review studies and provide comments to the APCO on the impact of further NO_x emission reductions on the attainment of the National and State ozone standards in the Bay Area. *Assigned to the Technical Committee with a long-range time frame for use in air quality management planning.*
- 5) Review and provide comments to the APCO on the Toxic New Source Review (NSR) Rule amendments. *Assigned to the Public Health Committee. Recommendations to the full Council due in May.* Review and provide comments to the APCO on the draft California Environmental Protection Agency (Cal-EPA)/ARB Environmental Justice implementation protocols. *Assigned to the Public Health Committee. Comments due during the first half of 2004.*

- 6) Review the role of fuel cells, hydrogen, liquid natural gas (LNG) and compressed natural gas (CNG) in fueling the transportation sector of California and the Bay Area. Make recommendations pertaining to the benefits and disadvantages of each technology. *Assigned to the Air Quality Planning and Technical Committees for longer-term analysis.*
- 7) Consider the role of the District in evaluating indoor air quality. What does regulatory authority provide, or is the District's role advisory? *Assigned to the Public Health Committee for long-term review.*
- 9) Complete the review of whether the optical fence line monitoring technology in operation at the ConocoPhillips Refinery in Rodeo should be applied to other refineries and chemical plants in the Bay Area. *Public Health Committee assignment continued from 2003, due mid-year or during the second half of 2004.*
- 10) Identify communities disproportionately impacted by air pollution, and evaluate the air pollution impacts of construction site activities on communities. *Assigned to the Public Health Committee for review in the second half of 2004.*
- 11) Receive an update on Smog Check II and on the implementation of Advisory Council recommendations adopted in 2003 to improve the state's vehicle inspection and maintenance program. *Assigned to the Air Quality Planning Committee for review at mid-year or thereafter.*
- 12) Review Smart Growth implementation and its connection with transit mode shift and regional transportation planning. *Assigned to the Air Quality Planning Committee for review at or after mid-2004.*
- 13) Review and provide comments to the APCO on the impact of daylight savings time on peak ozone concentrations with respect to the one hour and eight hour ozone standards. This topic will be deferred to later in the year pending completion of other topics.

EB:jc

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Blake and Members of the Executive Committee

From: James N. Corazza, Deputy Clerk of the Boards

Date: March 3, 2003

Re: Proposed Procedure to Track Council Deliberations and Recommendations

RECOMMENDED ACTION

The Advisory Council collaborate with the Clerk's Office in developing a comprehensive procedure for tracking the development, adoption and outcome of recommendations issued by the Advisory Council.

BACKGROUND

During the discussion in my recent performance evaluation, I observed that there is a need to establish a process for tracking recommendations issued by the Advisory Council to the Board of Directors, District staff and/or outside agencies. To date, these have not been tracked through a formal procedure with accompanying documentation. For example, the outcome of the recommendations issued last year by the Advisory Council on flare combustion efficiency, particulate matter abatement, and vehicle inspection and maintenance have not been tracked. This gap could be solved if the progress of the development of Advisory Council recommendations were documented comprehensively and a mechanism created for reporting back to the Council on final action taken. This establishment of such a procedure is one of my performance goals for 2004.

DISCUSSION

Tracking the development of Council recommendations from initial discussion in Committee through the Council and to the staff, Board and/or outside agencies would provide a continuing overview of the Council's work. Possible reporting categories would include, but not be limited to, the topic studied, citation of written documents and electronic presentations, presenters and other referenced experts and scholars, as well as conferences at which topical information has been, or would be, provided.

This procedure would not only more accurately keep track of the progress in developing recommendations but also provide a useful reference index for presentations and deliberations held at Advisory Council Regular and Committee meetings. One possible approach would be to develop a template in which this type of information would be logged.

The following are suggested reporting categories:

Topic of Study

Date(s) of Discussion in Committee

Guest Speaker(s)/Staff Member(s) Presenting

Presentation Title(s)/Document(s) Submitted

Outcome of Discussion (continued; recommendations issued)

Date(s) of Discussions by the Full Council

Council Direction to Committee

Outcome of Discussion (continued; remanded; recommendations;
referred to another Committee, etc.)

Date of Presentation to Board Executive Committee

Committee Discussion of Council presentation (with transcript of discussion)

Council Member(s) in Attendance to Present Council Report

Outcome of Discussion (remanded to Council or adopted and forwarded to full Board)

Date of Adoption or other action by the full Board

Board discussion of Council presentation (with transcript of discussion)

Council Member(s) in Attendance to Present Council Report

Outcome of Board discussion

Remanded for further review

Adopted and presented to staff for action

Adopted and presented to outside agency

Follow-up on Board Action

Staff member(s) responsible for forwarding Council recommendations

Staff member(s) responsible for liaison with outside agencies that receive
the recommendations

Establishment of date for reporting back to Council

Oversight: Council Executive Committee

Documentation: Principal staff associated with recommendation works with the
Clerk's Office to provide data on the progress of adoption

The comments, guidance and direction of Advisory Council on the foregoing is appreciated.

Respectfully submitted,

James N. Corazza

Deputy Clerk of the Boards

Prepared by: James N. Corazza

Reviewed by: Mary Romaidis

FORWARDED BY: _____