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

#### **APPROVED MINUTES**

Advisory Council Regular Meeting 10:00 a.m., Wednesday, November 8, 2006

## **CALL TO ORDER**

Opening Comments: Chairperson Kurucz called the meeting to order at 10:00 a.m.

Roll Call: Present: Kraig Kurucz, Chair, Cassandra Adams, Sam Altshuler, P.E.,

Louise Bedsworth, Ph.D., Ken Blonski, Robert Bornstein, Ph.D., Jeffrey Bramlett, Harold Brazil (10:20 a.m.), Irvin Dawid, Fred Glueck, William Hanna, Stan Hayes, John Holtzclaw, Ph.D., Janice Kim, M.D., (10:10 A.M.), Steven Kmucha, M.D., Karen Licavoli-Farnkopf, MPA, Ed Proctor, Linda Weiner, Brian Zamora

Absent: Emily Drennen

**PUBLIC COMMENT PERIOD:** There were none.

Council Member Kim arrived at 10:10 a.m.

# PROCLAMATION/COMMENDATION

The Advisory Council presented a Resolution to Stan R. Hayes for his outstanding service on the Council and his dedicated service to the cause of air pollution control.

Chairperson Kurucz recognized Mr. Hayes for being an excellent role model for Council members and thanked him for his service. Mr. Hayes thanked the Advisory Council for its support and expressed his gratitude for having been part of the Council for 12 years. He applauded the Council for its dedication to the District and to the goal of achieving clean air.

Council Member Brazil arrived at 10:20 a.m.

## **CONSENT CALENDAR:**

1. Approval of Minutes of September 13, 2006. Mr. Altshuler requested that on Page No. 8, bulleted item No. 2, "Astrow" be changed to "Ostro"; and under Item No. 10, "Adjournment", time of adjournment should be changed from 12:31 a.m., to 12:38 p.m. Mr. Dawid requested that on Page No. 7, Item No. 8, under the first bulleted item, the word "Air" should be added before the word "District," and add the words "Environment and" before the word "Economic." Dr. Holtzclaw moved approval of the minutes, as corrected; seconded by Mr. Glueck; carried unanimously.

# **AIR DISTRICT OVERVIEW**

- **2. Report of the Executive Officer/APCO.** On behalf of Mr. Broadbent, Jean Roggenkamp, Deputy Air Pollution Control Officer, reported as follows:
  - (a) The upcoming Summit is scheduled for Friday, November 10, 2006, at the Yerba Buena Center for the Arts, San Francisco. Registration begins at 8:30 a.m. Approximately 500 people are expected to attend. Vice President Al Gore will be the keynote speaker. The District's Board of Directors' Chair and Executive Officer will also be providing comments. There will be a "Solutions" spotlight to be introduced by Mayor Gavin Newsom, and individuals from around the region will be providing information about their organizations' efforts to implement Climate Protection.

Locally elected officials, representatives from businesses throughout the region, non-governmental organizations, youths and foundations, as well as representatives from the Governor's administration will be in attendance. The Air District has specifically tried to attract a diverse group of people and organizations within the Bay Area to attend the Summit.

In response to Mr. Blonski's inquiry regarding follow-up actions to the Summit, Ms. Roggenkamp explained that one of the key components of the Summit is a session that will involve networking groups representing local government, business, transportation, non-governmental organizations, etc. Each group will have a facilitator who will lead discussions on what is currently being done, what can be done in the future, as well as defining next steps to be taken. The Summit will lead to future actions across the region. The District has its own initiatives that have been approved by the Board of Directors and staff will continue to work on these items.

(b) The Spare the Air Tonight is the Air District's winter time Spare the Air (STA) program, focused on reducing Particulate Matter (PM) because in the winter time there are higher PM levels during the night. The program will start on November 20, 2006 through mid-February, 2007. There will be radio and TV coverage throughout the duration of the program. The focus is on reducing wood burning, reduced driving, etc. It is important to note that there will not be a free transit component of the winter time program; and that the United States Environmental Protection Agency has lowered the PM<sub>2.5</sub> standard from 65 micrograms/cubic meter to 35 micrograms/cubic meter. The trigger level for calling the STA Tonight will be associated with this new standard. Therefore, it is very likely that there will be a number of STA Tonight call-outs. This will be a drastic change from previous years. The Advisory Council members can be of help by helping the public to understand that it does not necessarily mean that air quality in the winter time has become worse. It is related to the new standard and it is important to alert the public to do whatever they can to reduce pollutants on those evenings when the levels are expected to be high.

In response to Dr. Bedsworth's comments and concerns on ozone violations during this summer in the Bay Area, Ms. Roggenkamp explained that there were several days of exceedance. And, even though the trend is still downward, there is still a lot of work to be done in this area. As of now, through the last three years (2004, 2005 and 2006 summers),

the District has still been in attainment of the Federal standard. However, it is unpredictable with regard to the attainment status for the future.

Dr. Holtzclaw noted that on the STA messages, the PM from wood smoke tends to be a little more concentrated in suburban valleys. Dr. Holtzclaw inquired if the District's announcements will target these specific areas or make them general. Ms. Roggenkamp stated that it can be concentrated in certain areas on particular nights, depending on meteorological conditions, but for right now the messages are region-wide. The District will be looking at this issue with regard to wood smoke for the future. Mr. Altshuler stated that there are problems in the inland valleys (e.g., Napa, San Joaquin, Santa Clara, etc.); and it is more severe in those areas when there is an inversion and stagnation. He recommended targeting those specific areas uniquely, rather than the entire Bay Area, for more effective results. Dr. Bornstein stated that modeling could help target areas that are susceptible during those meteorological conditions. Staff noted the comments.

Ms. Weiner stated that AB 32 focused primarily on Kyoto pollutants; however, a number of different organizations are also trying to include contributory pollutants for AB 32's targets to reduce emissions. It is possible that, at some point, there may be a small percentage of ozone or PM that will be included in the implementation plans.

Mr. Dawid stated that, with reference to ozone, the region is split into five areas, and he inquired if particulates are treated in the same manner. Kelly Wee, Director of Compliance & Enforcement, explained that the same five areas within the region are used for forecasting the air quality index. At the present time, staff is reviewing PM<sub>2.5</sub> future curtailment programs to determine whether they should be region-wide or county-based. Some of the preliminary science indicates that PM<sub>2.5</sub> tends to be airborne for longer periods and can spread to areas other than those in which they are concentrated. The District is looking at a more regional approach to PM<sub>2.5</sub>, and staff is continuing the scientific studies, analysis and possibly future modeling to try and identify whether some of these "hot" spots exist. Mr. Dawid commented that he was very impressed with San Joaquin Valley Air District's approach, using the county-based approach.

## **COMMITTEE REPORTS**

3. Public Health Committee Meeting of October 10, 2006. Mr. Bramlett stated that the Committee discussed the draft recommendations regarding Wood Burning Control Strategies, and recommended that it be presented to the full Advisory Council for adoption. The recommendations will be presented to the full Council today for its adoption.

Mr. Bramlett reported that the Committee is also working on the issue of Indoor Air Quality and Asthma. Dr Kmucha had drafted a letter which was mailed to the city and county health officers in order to respond to a request from District staff that this matter be addressed by the Committee as a priority item. As of this date, no responses have been received to the letter. There is no further information to be reported at this time.

The next Committee meeting is scheduled for Tuesday, December 12, 2006, at 10 a.m.

**4. Air Quality Planning Committee Meeting of October 11, 2006.** Mr. Hayes stated that, at the last Committee meeting, the Committee discussed the implementation of the resolution

that the Advisory Council adopted at its last meeting, to become carbon neutral and to go beyond in an attempt to achieve the reductions, as adopted in AB 32. The first step the Committee took was to construct a Carbon Footprint Analysis of the Committee and, thereafter, of the full Council. Mr. Hayes distributed a template of the Carbon Footprint Analysis for the Year 2006: BAAQMD Advisory Council, which the Air Quality Planning Committee developed. Mr. Hayes pointed out that there are some placeholder entries on the Carbon Footprint Analysis for the present time. These will be replaced by accurate data from the individual Council members once received. Mr. Hayes requested that each member review the Carbon Footprint Analysis and, if any data is incorrect, submit the accurate data to him so that the correct figures could be incorporated for completion. Mr. Hayes also pointed out that the largest amount of the Council's carbon footprint is attributable to air travel needed to attend the Air & Waste Management Association's annual conference. The Committee is currently addressing the question as to how the footprint could be offset.

Mr. Hayes stated that the Committee felt it could identify an organization which would bundle contributions of money from organizations, such as the District, for the purpose of funding projects to reduce carbon emissions. The Committee will investigate this issue further. However, Mr. Hayes suggested that the Advisory Council review the Committee's future recommendations closely on this matter to ensure that the Council is convinced that the Committee is moving in the right direction proactively, and that it is accomplishing the goals of the resolution. Mr. Hayes explained details of the data required from Council members to complete the Carbon Footprint Analysis. Council members were requested to send their respective data, via email, to Mr. Hayes.

Mr. Hayes stated that the Committee heard a presentation at its last meeting on AB 32, its requirements and implementation schedule. The Committee discussed the possible implications of AB 32's passage for the Air District's Climate Protection Program and future Committee and full Advisory Council actions. Mr. Hayes distributed copies of the PowerPoint presentation to all Council members.

Mr. Hayes informed the Council that the next meeting of the Committee is scheduled for Wednesday, December 13, 2006. However, since some members had a conflict with this date, he requested staff to change the meeting to Thursday, December 14, 2006, starting at 9:30 a.m.

Chairperson Kurucz requested that Dr. Bornstein report briefly on the Technical Committee's plans, even though this item was not on the agenda. Dr. Bornstein stated that the Committee had arranged for a speaker from the South Coast AQMD to make a presentation to the Committee and spend a day meeting with District staff. At the last minute, the speaker was unable to come and it was too late to obtain another speaker. Dr. Bornstein is attempting to reschedule the speaker for the Committee's next meeting (subject to the speaker's availability), probably during the second part of January, 2007.

**5. Executive Committee Meeting of November 8, 2006.** Chairperson Kurucz stated that the Standing Committee Chairpersons reported on their respective Committee's work plans and noted that the Committee met and unanimously adopted the following slate of Officers for the Advisory Council Officers in 2007: Fred Glueck – Chairperson; Louise Bedsworth, Ph.D. – Vice-Chairperson; Harold Brazil - Secretary. In addition, the following Chairpersons

were selected for 2007: Technical Committee Chairperson: Sam Altshuler, P.E.; Public Health Committee: Jeffrey Bramlett; and Air Quality Planning Committee: Ken Blonski.

Chairperson Kurucz stated that an email will be sent to Advisory Council members in mid-December 2006, requesting their choices for Committee assignments during 2007.

**Speaker:** The following individual spoke on Agenda Item No. 6:

Jenny Bard American Lung Association of California Santa Rosa, CA 95404

## **COMMITTEE RECOMMENDATION**

6. The Public Health Committee Presented its Recommendations on Wood Burning Control Strategies. The Advisory Council considered the Public Health Committee's recommendation on Wood Burning control Strategies.

Mr. Bramlett presented the following draft recommendations to the full Advisory Council for its consideration:

# **Topic**

Recommendations that the Bay Area Air Quality Management District (District) can make to expand the wood smoke emissions reduction program in an effort to address wood smoke emissions in Bay Area communities and reduce particulate matter concentrations.

### **Importance/Implications**

Particle pollution is the most lethal of air pollutants. It can lodge deep in the lungs and trigger asthma attacks, increase hospital admissions and cause people to die early. More than 2,000 peer-reviewed studies link particle pollution to lung disease. These studies show that tens of thousands of Americans are dying before their time because of exposure to particle pollution. Both short-term and long-term exposure is harmful.

The United States Environmental Protection Agency (EPA) has proposed new fine Particulate Matter (PM) standards to better address particle pollution be effective December 2006. Continuing studies show that fine particles adversely impact public health. Research indicates that wood smoke is a significant contributor to PM levels. The District estimates wood smoke may contribute up to 23% of the District's PM inventory, and it is unlikely that the San Francisco Bay Area will meet the new standard for PM<sub>2.5</sub>.

#### Recommendations

The District should continue current efforts and immediately develop and implement a program to further reduce wood smoke emissions. This program should be a multi-pronged effort and be phased in over the next few years. Characteristic goals of this program should include:

- 1) Support of the existing Wood Smoke Program through completion of the following elements.
  - a) Continue promotion of the Model Wood Smoke Ordinance.
  - b) Continue studying wood smoke emissions related to PM levels.
  - c) Continue monitoring of localized and community PM levels.
  - d) Continue the use of public outreach techniques that use languages representative of our diverse community.
  - e) Expand the existing public outreach to increase awareness of wood smoke impacts on PM levels and the harmful effects of elevated PM.
  - f) Expand the existing use of incentives to accelerate elimination of conventional wood burning devices. Develop partnerships with Pacific Gas and Electric and the Hearth, Patio, & Barbecue Association for change-outs of older conventional wood burning devices with lower-emitting models.
  - g) Develop and include, as a part of the existing public outreach, a list of fuels that should not be burned in residences. This list should include garbage, plastics, and construction debris and scrap materials that may contain or be covered with hazardous materials. Consider adding to the list of prohibited fuels wood products having moisture content greater than 20%.
  - h) Consider a wood stove crushing program.
- 2) Adopt Two-Stage Wood Smoke Curtailment program to follow the District's existing voluntary curtailment "Spare the Air Tonight" program and include a mandatory curtailment program as the second-stage.
  - a) Reduce the current threshold for Spare the Air Tonight events so that more events are called per season.
  - b) Consider setting the mandatory curtailment threshold at 25 micrograms per cubic meter for PM<sub>2.5</sub>.
  - c) Create a rule to define and prohibit improper emissions from wood burning to provide enforcement officers a tool to prevent individuals creating emissions at the expense of public health.
  - d) Enact an opacity element applicable to residential wood burning emission to aid mandatory curtailment enforcement options.
- 3) Keep the Advisory Council informed as the wood smoke program reaches significant milestones in its development and implementation.

# **Key Issues**

PM is one of the six criteria pollutants for which national and state standards have been established. It is already regulated from stationary sources through emission limits and from mobile sources through lower-emission vehicles, incentive buy-back programs, transportation control measures and smart growth policies. In addition to PM, carbon monoxide and carbon dioxide, wood smoke emissions contain toxic air contaminants.

Control measures that are effective and reduce wood smoke have already been adopted by other state and regional air quality agencies, such as the Puget Sound Clean Air Agency. The District can benefit from their experience with programs, such as burning curtailment, regulatory standards on opacity and enforcement, increased public outreach, and incentives and grants implementation.

## **Information Considered**

Members considered reports to the Committee from:

Jack Colbourn, Director, Outreach and Incentives Division, BAAQMD

Janet Glasgow, Air Quality Program Manager, Compliance and Enforcement Division, BAAQMD

Jami Aggers, Compliance Manager, Compliance Division, San Joaquin Valley Unified Air Pollution Control District

Jim Nolan, Director of Compliance, Puget Sound Clean Air Agency Kathy Hayes, Government Affairs Director, North Bay Association of Realtors John Crouch, Director of Affairs, Hearth, Patio and Barbecue Association (HPBA) Judy Goldblatt, Public Information Officer, Outreach and Incentives Division, BAAQMD Jenny Bard, Communications Director, American Lung Association of California

#### **Deliberative Process**

The Public Health Committee was asked to consider this topic by the Council as part of its work starting in 2006. The Committee met on February 14, April 11, May 10, July 18 and September 6, 2006, to receive and discuss presentations on the issues. The Committee unanimously arrived at its recommendation for forwarding to and consideration by the full Advisory Council. A chronology of the Committee's deliberations, and the presentations received on this matter, is available upon request.

Mr. Bramlett stated that he would like changes made to the above recommendations as follows:

- a) Change No. 2, Item (c) to read: "Consider a process that defines improper emissions from wood burning and provides a tool for District staff to address emissions harmful to the public's health."
- b) In No. 2, add the word "a" after the word "Adopt."
- c) In No. 2, Item (d), <u>delete</u> the words "enforcement options", and replace them with "efforts by the District staff."

A motion was made by Ms. Adams to adopt the recommendations, with the altered language, as presented by Mr. Bramlett; seconded by Dr. Holtzclaw. A lengthy discussion followed. It was decided to discuss each of the three proposed changes made by Mr. Bramlett. Several Advisory Council members commented on the proposed changes.

The following changes to the proposed recommendations and the altered language were agreed upon:

- a) In the second paragraph, under "Importance/Implications," the first sentence should read "Particle pollution is a lethal air pollutant."
- Wherever "PM" is mentioned, it should be indicated as "PM<sub>2.5.</sub>"
- c) Under "Recommendations", Item No. 2, <u>add</u> the word "a" after "Adopt," and at the end of the sentence after the words "second-stage," <u>add</u> "and consider the following."
- d) In No. 2, Item (b), <u>delete</u> the words "Consider setting"; start the sentence with "Set the mandatory....." <u>Add</u> "(24-hour average) after PM<sub>2.5.</sub>"

e) In No. 2, Item (d), <u>delete</u> the word "mandatory" before "curtailment enforcement options."

Advisory Council members suggested the following supplemental changes to Mr. Bramlett's revised proposed recommendations:

- a) Under "Importance/Implications", second paragraph to read "The United States Environmental Protection Agency (EPA) has proposed lower new fine Particulate Matter....." (Sam Altshuler)
- b) Under "Importance/Implications", Paragraph No. 1, third sentence, <u>add</u> the words "and cardiovascular" before the word "disease" (Sam Altshuler).
- c) Under "Importance/Implications", in the last sentence, change "23%" to read "30% to 40% of peak winter  $PM_{2.5}$  levels;" <u>delete</u> the words "of the District's PM inventory" (Sam Altshuler).

A motion was made by Ms. Licavoli-Farnkropf to adopt the revised recommendations, as presented by Mr. Bramlett earlier, along with the above supplemental changes; seconded by Dr. Holtzclaw. A further lengthy discussion ensued on the changes that were proposed.

It was agreed to discuss additional, further changes proposed by the Advisory Council members, and to make a motion on each of the proposed further changes. The following motions were made:

- i) A motion was made by Mr. Altshuler to (1) remove the words "and carbon dioxide" under "Key Issues," last sentence. The revised sentence would read as "In addition to PM<sub>2.5</sub> and carbon monoxide, wood smoke emissions contain toxic air contaminants;" (2) Under "Importance/Implications," second paragraph, the first sentence to read "The United States Environmental Protection Agency (EPA) has adopted more stringent Particulate Matter (PM<sub>2.5</sub>) standards......;" and (3) Under "Importance/Implications," last sentence to read "The District estimates wood smoke may contribute up to 30% to 40% of peak winter PM<sub>2.5</sub> levels and it is unlikely that the San Francisco Bay Area will meet the new standard for PM<sub>2.5</sub>;." seconded by Mr. Hanna; unanimously carried.
- ii) A motion was made by Mr. Hanna to <u>add</u> the words, "or conversion" after the words "accelerate elimination" under "Recommendations," No. 1, Item (f); seconded by Ms. Weiner; unanimously carried.
- iii) A motion was made by Mr. Dawid to change Recommendation No. 2 to read as "Adopt a Two-Stage Wood Smoke Curtailment program to follow the District's existing voluntary curtailment "Spare the Air Tonight" program, e.g. declaration of "no-burn" days, as the second stage;" seconded by Dr. Holtzclaw. The motion failed.

Advisory Council's Final Action: A motion was made by Dr. Holtzclaw that the Advisory Council accepts and adopts the revised recommendations, along with the changes agreed to, and the motions that were unanimously carried, on the Wood Burning Control Strategies; seconded by Ms. Weiner; unanimously carried.

The attached revised recommendations, as amended by the Advisory Council at today's meeting, will be forwarded to District staff for presenting them to the Board of Directors' Executive Committee for its consideration.

## **OTHER BUSINESS**

- **7. Report of the Advisory Council Chair.** Chairperson Kurucz reported that he had presented his report under Agenda Item No. 5.
- 8. Council Member Comments/Other Business.
  - Mr. Altshuler stated that, as a result of his attendance at the Air & Waste Management Association's (AWMA) Annual Conference in June, 2006, he submitted comments to the Critical Review Committee that were, thereafter, published in AWMA's October, 2006 Journal under Particulate Matter. Mr. Althsuler suggested that if any of the Advisory Council members publish any articles as a result of their activity, it should be noted for the betterment of the Advisory Council and for the Board of Directors' review. Chairperson Kurucz stated that a number of Council members attended the AWMA's Annual Conference and had either presented papers or participated on panel discussions.
  - Mr. Dawid noted that the World Meeting on Climate Change is being held in Nairobi, when the Kyoto Plan will be reviewed.
  - Mr. Dawid noted that the Supreme Court discussion on Indirect Source Review had ended, and based on the Justice's comments, it does not appear to be very promising.
  - Mr. Dawid suggested that either the Technical Committee or the Planning Committee should be aware of the onslaught of diesel. Even though California presently has only ultra low sulfur diesel, it is expected that diesel cars are going to outnumber hybrid vehicles in the future. Chairperson Kurucz stated that this would be a good topic to address at the Council's January 2007 Retreat. One of the Committees could find out more details on the issue.
- **9. Time and Place of Next Meeting.** 10:00 a.m., Wednesday, January 10, 2007, 939 Ellis Street, San Francisco, CA 94109.
- **10. Adjournment.** The meeting was adjourned at 12:05 p.m.

/s/Neel Advaní Neel Advani Deputy Clerk of the Boards

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

November 8, 2006

To: Chair Uilkema and Members of the Executive Committee

From: Kraig Kurucz, Chairperson, Advisory Council

**Subject** Wood Burning Control Strategies

# Topic

Recommendations that the Bay Area Air Quality Management District (District) can make to expand the wood smoke emissions reduction program in an effort to address wood smoke emissions in Bay Area communities and reduce particulate matter concentrations ( $PM_{2.5}$ ).

# **Importance/Implications**

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## Recommendations

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  - e) Expand the existing public outreach to increase awareness of wood smoke impacts on  $PM_{2.5}$  levels and the harmful effects of elevated  $PM_{2.5}$ .
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- Electric and the Hearth, Patio, & Barbecue Association for change-outs of older conventional wood burning devices with lower-emitting models.
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## **Key Issues**

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As amended by the Advisory Council at its meeting on November 8, 2006.