

Bay Area Air Quality Management District  
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San Francisco, California 94105  
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## **APPROVED MINUTES**

Summary of Board of Directors  
Stationary Source Committee Meeting  
Monday, September 19, 2016

### **1. CALL TO ORDER – ROLL CALL**

Stationary Source Committee (Committee) Chairperson John Gioia called the meeting to order at 10:33 a.m.

Present: Committee Chairperson John Gioia; Vice-Chairperson James Spering; and Directors John Avalos, Scott Haggerty, David Hudson, and Rod Sinks.

Absent: Directors Carole Groom, Liz Kniss, and Jan Pepper.

Also Present: Board Chairperson Eric Mar.

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

Cupertino resident, Cathy Helgerson, advocated for stronger enforcement at the Stevens Creek Quarry in Sunnyvale, and requested the collaboration between water and air agencies to mitigate dust.

Dr. Raymond Tompkins, Clean Air Health Alliance, addressed the Committee regarding the fugitive radioactive dust from the US naval shipyard in the San Francisco neighborhood of Hunters Point. Dr. Tompkins said that the District has no standards for fugitive radioactive dust but needs to implement them to protect the health of people in the area. Dr. Tomkins also complained of the radioactive dust from the stadium demolition in Candlestick Point, adjacent to Bayview-Hunters Point. Chair Mar requested a staff report on radioactive dust monitoring efforts at Candlestick Point in conjunction with Lennar Urban.

### **3. APPROVAL OF THE MINUTES OF JUNE 1, 2016**

#### Public Comments:

No requests received.

#### Committee Comments:

None.

Committee Action:

Director Hudson made a motion, seconded by Director Haggerty, to approve the Minutes of June 1, 2016; and the motion carried by the following vote of the Committee:

AYES: Avalos, Gioia, Haggerty, Hudson, Mar, Sinks, and Sperling.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Groom, Kniss, and Pepper.

**4. UPCOMING CHANGES TO REGULATION 9, RULE 13: CEMENT KILNS**

Jean Roggenkamp, Deputy Executive Officer, introduced Robert Cave, Senior Air Quality Specialist, who gave the staff presentation *Upcoming Changes to Regulation 9, Rule 13: Cement Kilns*, including: overview; regulatory background and purpose; results of rule adoption; technical issues of ammonia standard; ammonia standard solution; proposed rule amendments; and continuing issues of concern.

Public Comments:

Cupertino resident, Cathy Helgerson, disputed points taken from the District's *Regulation 9, Rule 13: Nitrogen Oxides, Particulate Matter, And Toxic Air Contaminants from Portland Cement Manufacturing Preliminary Staff Report*, released in July 2016. Ms. Helgerson said that the Title V Permit should not incorporate Rule 9-13 until federal requirements are adhered to in order to protect the public from further harm.

Committee Comments:

The Committee and staff discussed testing methods to measure condensable PM from refineries; conclusions from District discussions with Lehigh Cement Plant; the adoption schedule for the proposed rules in the presentation; staff's outreach to the Environmental Protection Agency regarding these amendments; and the Committee's appreciation of staff's action to make ammonia adaptive, proactively reach out to stakeholders, and mitigate dust.

Committee Action:

None; receive and file

**5. AMENDMENTS TO REGULATION 2, RULE 5: NEW SOURCE REVIEW OF TOXIC AIR CONTAMINANTS**

Damian Breen, Deputy Air Pollution Control Officer, introduced Sanjeev Kamboj, Air Quality Engineering Manager, who gave the staff presentation *Amendments to Regulation 2, Rule 5 – New Source Review of Toxic Air Contaminants (TAC)*, including: outline; effectiveness of control programs; stationary source programs; Rule 2-5 new source review for TAC; summary of Rule 2-5; proposed Rule 2-5 changes; impacts of Rule 2-5 revisions; California Environmental Quality Act (CEQA) analysis; socioeconomic analysis; public outreach; comments and responses; and next steps.

### Public Comments:

Cupertino resident, Cathy Helgerson, disputed Sections 2-5-110 (Exemption, Low Emissions Levels) and 2-5-112 (Limited Exemption, Modified Source with No Increase in Toxicity Weighted Emissions) of *Proposed Amendments to: Air District Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants Workshop Report*, which was released in January 2016, saying that exemptions are not needed and that the proposed language contained errors. Ms. Helgerson questioned the source of the cancer statistics in the report and requested that the contaminants pertaining to this rule be listed in the rule's title in detail.

### Committee Comments:

The Committee and staff discussed TAC trigger levels; the proposed revised definition of a "project"; the total number of health risk assessments (HRA) currently performed each year; types of facilities that have not been subjected to HRAs previously but would be after Rule 2-5 is amended; tables that were going to be removed from the rule but will remain for transparency purposes; and whether or not synthetic crumb rubber athletic fields are permitted by the District.

### Committee Action:

None; receive and file.

## **6. UPDATE ON WOOD SMOKE REDUCTION INCENTIVE PROGRAM**

Mr. Breen introduced Karen Schkolnick, Acting Director of the Strategic Incentives Division, who gave the staff presentation *Update on Wood Smoke Reduction Incentive Program*, including: background; Air District's Wood Smoke Reduction Incentive Program; program funding, outreach, launch, timeline, statistics; and next steps.

### Public Comments:

Jed Holtzman, 350 Bay Area, thanked the District for providing summary data that 350 Bay Area requested in order to better understand the program, and said that he would have liked to see more of the funding used to replace stoves and fireplaces with electric heat pumps, rather than replacing them with natural gas or propane-fuels devices, which emit greenhouse gases. Mr. Holtzman also noticed that 74% of the applications submitted came from residences in areas that were not identified by the District as "highly-impacted", despite specific outreach to those areas prior to the program's launch. He wondered if there was an organized effort by a particular organization or social media that generated an influx of applications from areas that did not receive special outreach in only 5 hours of the program launching.

Cupertino resident, Cathy Helgerson, addressed the Committee regarding her belief that this program will have little impact in reducing pollution and that the District should be focusing on regulating the Lehigh Cement Plant, rather than on pollution from vehicles and fireplaces.

Committee Comments:

The Committee and staff discussed the source of the funding for this program and on what programs the funds would have been spent if this program did not exist; the possibility of leading legislative efforts to generate additional funding for this program; the status of the awards process; specialized outreach to areas identified as “high-impact”; the lack of clarification of geographical equity; staff’s forthcoming analyzation of applications, including waitlisted applications; the Committee’s concern that, if funds are added to the program, they should be allocated solely for high-impacted areas, rather than be an equal opportunity for all applicants; the fact that certain high-impacted areas are not low-income areas; how human behavior will not change if the public does not stop blaming stationary sources for pollution, when choices we make also generate pollution; and how the community’s response to the program is good start and makes others sensitive to the change that needs to happen.

Committee Action:

None; receive and file.

**7. COMMITTEE MEMBER COMMENTS**

None.

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

Monday, October 17, 2016, Bay Area Air Quality Management District Office, 375 Beale Street, San Francisco, California 94105 at 10:30 a.m.

**9. ADJOURNMENT**

The meeting adjourned at 12:09 p.m.

*/s/ Marcy Hiratzka*

Marcy Hiratzka  
Clerk of the Boards