

Amended Action Summary Minutes
San Joaquin Valley Unified Air Pollution Control District

CITIZENS ADVISORY COMMITTEE

Central Region Office, Governing Board Room
1990 E. Gettysburg Avenue, Fresno, CA

Tuesday, June 7, 2011
10:00 a.m.

The Citizens Advisory Committee Meeting was held via video teleconference (VTC): Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno, the Southern Region Office, VTC Room, 2700 M Street, Bakersfield and the Northern Region Office, VTC Room, 4800 Enterprise Way, Modesto. The CAC Meeting was webcast.

1. Call to Order - The Chair, Manuel Cunha, called the meeting to order at 10:03 a.m.
2. Roll Call - was taken and a quorum to hold a meeting was present. A quorum for voting was not reached until 10:07 a.m.

County	Member Name/Interest Group	Location
Fresno	Manuel Cunha/IAIG (P)	Central
	Kevin Hamilton/EIG (P)	Central
	Sarah Sharpe/EIG (A)*	Central
	Amarpreet Dhaliwal/CIG (P)	Central
Kern	Les Clark/IAIG (P)	South
	Brent Green/CIG (P)	South
Kings	Riley E. Jones/IAIG (P)	Central
	Kelly Deming/EIG (P)***	Central
	Dennis Tristao/CIG (P)	Central
Madera	Donald Horal/IAIG (P)	North
Merced	Tim Durham/IAIG (P)	North
	Mary-Michal Rawling/EIG (P)	Central
	Roger Hoffdahl/IAIG (P)	North
San Joaquin	Wade Broughton/CIG (P)	North
	Chris Savage/IAIG (P)	North
Stanislaus	Richard Gibson/EIG (P)	North
	Derek Williams/IAIG (P)	Central
Tulare	Christine Foster/EIG (P)**	Central

*Ms. Sharpe arrived at 10:07 a.m.

**Ms. Foster arrived at 10:07 a.m.

***Ms. Deming arrived at 10:12 a.m.

(P)=Primary, (A)=Alternate, IAIG=Industry/Ag Interest Group, EIG=Environmental Interest Group, CIG-City Interest Group

Staff Present in Central Region Office (Fresno) – Seyed Sadredin, Executive Director; George Heinen, Supervising Air Quality Engineer; Alex Krivobok, Network Systems Analyst; Michelle Franco, Deputy Clerk of the Boards; Jaime Holt, Chief Communications Officer ; Dave Warner, Director of Permits Services; Samir Sheikh, Director of Strategies and Incentives Program; Errol Villegas, Strategies and Incentives Program Manager; Carol Flores, Operations and Program Support Supervisor

Staff Present in the Northern Region Office (Modesto) – Theresa Haywood, Senior Office Assistant

Staff Present in the Southern Region Office (Bakersfield) –Emily Gonzalez-Demont, Office Services Manager II, Nannette Diaz, Senior Office Assistant

4. Public Comments – None

Ms. Sharpe and Ms. Foster arrived at 10:07 a.m.; quorum for voting reached.

3. Approve Minutes of May 3, 2011 – The CAC Amended Minutes were approved with no changes.

5. Chair Comments – Mr. Cunha thanked CAC members for attending and for filling vacancies.

6. Executive Director/APCO Comments – Seyed Sadredin, Executive Director, commented that this summer has been good for air quality. He reported Dr. Telles officially resigned, leaving a vacancy on the Governing Board and no District ARB representative. He stated he intends to send a letter to the Governor's office emphasizing the need for a Valley representative on the ARB Board. He also reported that Councilmember Lane resigned from the City of Visalia, leaving another vacancy on the Governing Board. Mr. Sadredin explained the terms will expire at the end of this year for all city representatives except for Mayor Vierra from Ceres. Mr. Sadredin noted there will be four City vacancies on the Governing Board in addition to Dr. Telles' seat. He explained staff plans to hold a meeting in the Fall of the 59-member Valleywide City Selection Committee to appoint four new City Seat Governing Board Members.

Mr. Sadredin reviewed the letter sent to EPA recommending a more strategic approach in which public health serves as the key factor in prioritizing control measures, regulated pollutants and sources of emissions. He explained the specific recommendations outlined for a risk-based strategy.

Mr. Sadredin reported the Washington, DC legislative trip went well. He thanked Les Clark, Independent Oil Producers of America and Elizabeth Jonasson, Coalition for Clean Air, for attending along with District staff and Board members.

Mr. Sadredin reviewed the Agenda for the Governing Board meeting on June 16, 2011. He noted a report on the epidemiological study funded by the District will be presented. He explained this report will give information on the relationship between air quality and emergency room visits in Fresno, Bakersfield and Modesto. Mr. Sadredin will recommend a follow-up to the epidemiological study, which will attempt to identify the relationship between ER visits and the specific constituents of PM2.5 in the air. Mr. Sadredin explained the Board will also consider a study by UC Davis to measure the trans-boundary ozone levels from overseas to the Valley and other regions. Mr. Sadredin reported the Board supported legislation for HR1582 which eliminates the nonattainment penalty fees and requires a group to be formed to evaluate the achievability of the new standard for areas deemed extreme according to the old standard, but does not affect the District's ongoing efforts to meet the 1997 Ozone Standard.

Mr. Tristao asked for a copy of the rotational schedule of the city members of the Governing Board. Mr. Sadredin explained the upcoming vacancies for two large cities are located in Fresno and Bakersfield and the two small city vacancies are from the counties of Tulare and Madera. Mr. Dhaliwal asked if the person filling Dr. Telles' vacant seat on the Governing Board must be an ARB member. Mr. Sadredin explained there are two appointments, a Board member for the District and a member from the Board of the District to the ARB. Mr. Williams asked how the Board can avoid having a vacancy and losing representation. Mr. Sadredin explained state legislation would have to change, as currently there are no alternates for Board members. Mr. Cunha thanked all those that attended the Washington, DC trip to advocate for Valley air quality.

Public Comment: None

7. Rules Under Development – George Heinen, Supervising Air Quality Engineer, reported the Board adopted amendments to Rule 3170 (Federally Mandated Ozone Nonattainment Fee), Rule 4307 (Boilers, Steam Generators, and Process Heaters – 2-5 MMBtu/hr) and Rule 4354 (Glass Melting Furnaces). Mr. Heinen explained the Board will be receiving the 2008 PM2.5 Plan Progress Report. He reported there are workshops scheduled for Rule 4566 (Composting and Related Operations), Rule 4702 (Internal Combustion Engines, Phase 2) and Rule 2020 (Exemptions).

Mr. Sadredin commented EPA is under a mandate to act on the PM2.5 Plan by September 2011, on Rule 4566 (Composting and Related Operations) and on Rule 4702 (Internal Combustion Engines, Phase 2). He explained these rules must be adopted by the Board to forward to EPA. Mr. Cunha thanked Mr. Heinen and staff for their work.

Public Comment: None

8. Verbal Report from California Air Resources Board (ARB – Patricia Velasco, Air Resources Board (ARB) representative, reported no action items were considered at the May ARB meeting. She explained staff presented an update on ozone air quality progress in California with the focus on the San Joaquin Valley and the South Coast air basin. Highlights included: one million of the three million residents in the Valley live in areas that meet the current Federal 8-Hour Ozone Standard and the remaining two million residents are breathing cleaner air than a few years ago. She also reported over the past decade, areas in the Northern Valley have transitioned to attainment, and although at a slower pace, in the Central and Southern regions, ozone and air quality continue to improve. She noted the Board Briefing also included an attainment outlook and challenges linked to the upcoming adoption of the tighter Ozone Standard.

Ms. Velasco reported staff also presented an update on the progress in analyzing the data collected during the CalNex 2010, a major climate and air quality study in California conducted by the National Oceanic and Atmospheric Administration (NOAA) and ARB with a participation of a large number of academic researchers. Ms. Velasco reported ARB announced an early action compliance credit for trucking fleets that install a particulate matter filter by July 1, 2011 or that have made a commitment to purchase a particulate filter by May 1, 2011. She explained the fleet may be able to delay compliance for a second truck until January 1, 2017 by installing a particulate filter in one truck. Ms. Velasco reported ARB launched a loan program to encourage early compliance with the state's off-road diesel vehicle regulations in May. She reported ARB is offering \$5 million from the Federal Government American Recovery and Reinvestment Act to assist California's small businesses to replace, repower or retrofit their off road diesel vehicles used in construction, agriculture, mining and industrial operations. Ms. Velasco reported upcoming ARB activities including the posting of the ARB staff report on proposed state implementation plan updates needed for USEPA to approve the South Coast and San Joaquin Valley 8-Hour Ozone Plan.

Public Comment: None

9. Consider Positions on Proposed Amendments to Rule 4401 (Steam Enhanced Crude Oil Production Wells); Rule 4684 (Polyester Resin Operations); Rule 4605 (Aerospace Assembly and Component Coating Operations); And New Rule 2410 (Prevention of Significant Deterioration) – Errol Villegas, Strategies and Incentives Program Manager, reported there are three rule amendments and one new rule going before the Governing Board for consideration for adoption. Mr. Villegas explained the proposed amendments to Rule 4401 (Steam Enhanced Crude Oil Production Wells). He explained EPA found a requirement in the rule requiring EPA to respond to requests for relief from testing requirements to be contrary to the Clean Air Act provisions and issued a limited disapproval of the rule. Mr. Villegas reported the District must amend the rule before August 25, 2011.

Mr. Villegas reported the proposed amendments for Rule 4684 (Polyester Resin Operations) would add new specialty coating categories, lower some VOC limits and raise control system effectiveness limits to match existing limits in other air districts. Mr. Villegas reported the District must amend the rule before August 25, 2011.

Mr. Villegas reported the proposed amendments to Rule 4605 (Aerospace Assembly and Component Coating Operations) would add new coating categories and lower two VOC limits to match the federal Control Techniques Guidelines. He explained EPA determined these changes necessary to demonstrate that the rule met Reasonably Available Control Technology (RACT) requirements. Mr. Villegas reported the District must amend the rule before August 25, 2011.

Mr. Villegas reported the District is proposing to administer the Prevention of Significant Deterioration (PSD) permitting program with new Rule 2410 (Prevention of Significant Deterioration). He explained PSD applies preconstruction review requirements from the federal Clean Air Act to pollutants for which the San Joaquin Valley is in attainment of the federal National Ambient Air Quality Standards. He commented currently, EPA, Region IX, administers the PSD program for major stationary sources in the District by reviewing applications, issuing PSD permits and performing inspections.

Mr. Clark requested clarification regarding Rule 4401 (Steam Enhanced Crude Oil Production Wells) and the significance of removing a 45-day response requirement. Mr. Villegas responded there is no EPA approval requirement with other rules and regulation that were identified so the requirement for EPA having 45-days to respond was removed.

Ms. Sharpe requested clarification on Rule 2410 (Prevention of Significant Deterioration) regarding obtaining more resources to cover additional costs. Mr. Sadredin explained there is a fee for service charge for permits.

Public Comments: None

Mr. Cunha requested a motion to recommend for adoption all the rules that were discussed to the Governing Board.

Moved: Williams
Seconded: None

Motion failed for lack of a second to recommend for adoption proposed amendments to Rule 4401 (Steam Enhanced Crude Oil Production Wells), 4684 (Polyester Resin Operations); Rule 4605 (Aerospace Assembly and Component Coating Operations); And New Rule 2410 (Prevention of Significant Deterioration) to the Governing Board.

Mr. Savage stated he wanted to ensure CAC members had an opportunity to review and comment on the rules and suggested each rule be separately considered for recommendation. Mr. Sadredin clarified that the time during the presentation of the rules is the opportunity for CAC members to voice their concerns and ask questions. Ms. Rawling stated she did not have any issues voting on the rules as a block instead of separately.

Mr. Cunha requested a motion to recommend for adoption proposed amendments Rule 4401 (Steam Enhanced Crude Oil Production Wells) to the Governing Board.

Moved: Deming
Seconded: Clark
Ayes: Cunha, Clark, Jones, Horal, Durham, Hoffdahl, Savage, Williams, Sharpe, Deming, Rawling, Gibson, Foster, Green, Tristao, Broughton
Nays: None

Motion unanimously carried to recommend for adoption proposed amendments to Rule 4401 (Steam Enhanced Crude Oil Production Wells) to the Governing Board.

Mr. Cunha requested a motion to recommend for adoption proposed amendments to Rule 4684 (Polyester Resin Operations) to the Governing Board.

Moved: Rawling
Seconded: Deming
Ayes: Cunha, Clark, Jones, Durham, Williams, Sharpe, Deming, Rawling, Gibson, Foster, Green, Tristao, Broughton
Nays: Horal
Abstain: Hoffdahl, Savage

Motion carried to recommend for adoption proposed amendments to Rule 4684 (Polyester Resin Operations) to the Governing Board.

Mr. Cunha requested a motion to recommend for adoption proposed amendments to Rule 4605 (Steam Enhanced Crude Oil Production Wells) to the Governing Board. Mr. Tristao requested clarification on the amendments being technical based on issues raised by EPA. Mr. Sadredin responded Reasonable Available Control technology is the lowest threshold available. Mr. Tristao asked if there were any concerns raised by industries affected. Mr. Villegas responded there were no concerns raised.

Moved: Tristao
Seconded: Foster
Ayes: Cunha, Clark, Jones, Horal, Durham, Williams, Deming, Rawling, Gibson, Foster, Green, Tristao, Broughton

Nays: None
Abstain: Hoffdahl, Savage, Sharpe

Motion carried to recommend for adoption proposed amendments to Rule 4605 (Aerospace Assembly and Component Coating Operations) to the Governing Board.

Mr. Cunha requested a motion to recommend for adoption proposed new Rule 2410 (Prevention of Significant Deterioration) to the Governing Board.

Moved: Tristao
Seconded: Savage
Ayes: Cunha, Clark, Jones, Horal, Durham, Savage, Williams, Sharpe, Deming, Gibson, Foster, Green, Tristao, Broughton
Nays: Hoffdahl, Rawling

Motion carried to recommend for adoption proposed new Rule 2410 (Prevention of Significant Deterioration) to the Governing Board.

Mr. Dahliwal left at 10:58 am

Mr. Hoffdahl left at 11:22 am

10. Environmental Justice Advisory Group (EJAG) Business – Sandra Celedón-Castro, Environmental Justice Advisory Group representative, reported members were nominated for appointment to the Grants Recommendation Subcommittee. Ms. Celedón-Castro commented the District will provide support to ensure the public has notice and opportunity for the subcommittee meetings. She reported the time limit for EJAG meetings has been changed to two hours while allowing time for public comment. Ms. Celedón-Castro reported current Chair Linda MacKay, has resigned and Melissa Kelly-Ortega is currently the Vice-Chair.

Mr. Williams commented the first meeting of the Grants Recommendation Subcommittee will be at 4:30pm on August 23, 2011, prior to the EJAG meeting.

Public Comments: None

Mr. Sadredin requested guidance from the CAC members in response to the CAC/EJAG Collaboration Ad-Hoc Committee meeting on March 18, 2011. Mr. Sadredin suggested the CAC Chair and himself attend the June EJAG meeting and restate the role of CAC and likewise the EJAG Chair would attend the next CAC meeting and provide an update. Mr. Sadredin requested the Action Plan be placed on the CAC's agenda to review how to facilitate the recommendations. Mr. Sadredin reported that a few EJAG members have requested to independently report their proposals to the Governing Board instead of through the CAC. Mr. Sadredin explained this request was rejected until there is a better relationship between EJAG and CAC.

Ms. Rawling asked for a list of EJAG communities. Mr. Sadredin explained an EJAG map is available on the website and has also been distributed. Mr. Clark commented the CAC Chair presenting an update to EJAG is acceptable as long as there is a report at the following CAC meeting.

Mr. Sadredin requested confirmation from Mr. Cunha for his attendance to the next EJAG meeting on June 28, 2011. Mr. Cunha stated he will verify his schedule will allow his attendance.

Public Comments: None

11. Outreach and Communications – Jaime Holt, Chief Communications Officer, reported the bicycle events that occurred in May were very successful. She reported there is still funding for the CGYM program in a few counties. Ms. Holt explained the submissions for the 4 Reel Video Contest were going to be reviewed. She reported there will be a ribbon cutting for a new Park and Ride facility in Kern County that the District helped fund. Ms. Holt reported an E-Trip deadline for Phase I is July 1, 2011 and the online materials will be available by the end of next week. She explained the Summer Outreach campaign will include Air Friendly Fridays and the Air Alert System. Ms. Holt reported a Lawn Care Conference is being planned for 2012. She commented Tune In/Tune up events are continuing. Ms. Holt reported staff is currently researching a possible re-launch of a partnership with CSU, Fresno for a certificate program.

Ms. Sharpe commented she has ideas and speaker recommendations for the Lawn Care Conference. Mr. Tristao commented he may have other resources available for the Conference. Mr. Sadredin clarified this conference will be both for residential and commercial residents. Mr. Cunha commented he also has information available for the Conference.

12. CAC member Comments and Suggestions to be included in the Presentation of the CAC Report During the Governing Board Meeting on June 16, 2011 - Mr. Cunha thanked all CAC members and acknowledged Mr. Clark for his continued support and work for over 16 years of obtaining funding.
13. Volunteer to Present Report During Governing Board Meeting – Mr. Cunha stated he will present the report.

Meeting adjourned at 11:40 a.m.

Next Meeting – The next meeting is scheduled on August 2, 2011. The meeting will be held via video teleconference (VTC), with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating.