

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

February 5, 2013
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, Amarpreet Dhaliwal, called the meeting to order at 10:00 a.m.
2. Roll Call – was taken and a quorum was present

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Location</u>
Fresno	Manuel Cunha/IAIG (P)	Central
	Amarpreet Dhaliwal/CIG (P)	Central
	Kevin Hamilton/EIG (A)	Central
	Sarah Sharpe/EIG (P)***	Central
Kern	Nicholas Ortiz/IAIG (A)	South
	Carolyn Temple/EIG (P)	South
	Les Clark/IAIG (P)	South
	Brent Green/CIG (P)	South
Kings	Dennis Tristao/CIG (P)**	Central
	Riley E. Jones/IAIG (P)	Central
	Alene Taylor/EIG (A)	Central
Madera	David Randall/CIG (A)	Central
	Donald Horal/IAIG (P)	Central
San Joaquin	Roger Hoffdahl/IAIG (P)	North
Stanislaus	David Geer/CIG (A)	North
	Richard Gibson/EIG (P)	North
Tulare	Derek Williams/IAIG (P)	Central

***Mr. Tristao arrived at 10:05 a.m.*

****Ms. Sharpe arrived at 10:10 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) – Rick McVaigh, Deputy APCO; Cathy Blevins, Network Systems Analyst; Michelle Franco, Deputy Clerk of the Boards; David Lighthall, Health Science Advisor; Errol Villegas, Strategies and Incentives Program Manager; Maricela Velasquez, Senior Air Quality Education Representative; 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) –Nannette Diaz, Senior Office Assistant

3. Approve Minutes of January 8, 2013 –CAC Minutes for January 8, 2013 were approved, with no changes.
4. Public Comments – None
5. Chair Comments – Mr. Dhaliwal thanked Mr. Tristao for acting as Chair at the meeting on January 8, 2013.
6. Executive Director/APCO Comments – Rick McVaigh, Deputy APCO reported the Air Resources Board unanimously approved the District's 2012 PM2.5 Plan on January 17, 2013. He thanked everyone who was involved in the development process for the Plan. He explained the Plan will be submitted to EPA for their review and approval. Mr. McVaigh stated District staff is coordinating the Plan control measures into the rule development schedule.

Mr. McVaigh reported the Special City Selection Committee appointed Mayor Dennis Brazil to the Governing Board on January 17, 2013.

Mr. McVaigh briefly reviewed items to be heard at the February 21st Governing Board meeting including an update on Transboundary Ozone research and the 2012 Annual Report to the community. He added the Board will also be considering amendments to District Rule 1020 (Definitions).

Public Comments: None

7. Rule Updates – Errol Villegas, Strategies and Incentives Program Manager, reported Rule 1020 (Definitions) will be presented for consideration and adoption by the Governing Board. He added a meeting with EPA went well regarding New Rule 9610 (SIP-Creditability of Incentives). Mr. Villegas explained Rules 4621 and 4622 (Gasoline Dispensing Facilities) will contain amendments to incorporate an exemption from requiring Phase II vapor recovery systems for facilities dispensing E85 fuel (85% ethanol and 15%

gasoline), as all vehicles that use E85 are also equipped with Onboard Refueling Vapor Recovery (ORVR).

Mr. Villegas stated commitments from the 2012 PM2.5 Plan include Rule 4308 (Boilers, Steam Generators, and Process Heaters 0.075 to <2 MMBtu/hr) to consider lowering the NO_x emission limit for instantaneous water heaters. He added the process to amend Rule 4901 (Wood Burning Fire Places and Wood Burning Heaters) has already begun due to the Rule being instrumental in attainment of the PM2.5 standards. He also briefly explained Rule 4692 (Charbroiling) to include proposed amendments for under-fired charbroilers which would achieve further PM2.5 emissions reductions. Mr. Villegas reported the 2013 1-hour Ozone Plan workshop is tentatively scheduled for April 2013.

Mr. Cunha thanked Mr. Villegas for the presentation. He commented Rule 9610 (SIP-Creditability of Incentives) is the first in the country and has the support of EPA. He commended the District for their efforts.

Public Comment: None

8. Verbal Report from California Air Resources Board (ARB)

- a. Update on Implementation Efforts for Heavy Duty Diesel Regulations – Judy Friedman, ARB Representative – Bruce Tuter, ARB representative, stated he would provide an update on the implementation side of Heavy Duty Diesel Regulations.

Mr. Tuter explained the Regulations are driven by the Diesel Risk Reduction Plan that is the biggest public health initiative that ARB has undertaken to date. He said he will briefly discuss three major regulations that affect the majority of persons and an overview of the outreach and compliance assistance efforts which are critical to the success of the measures. He stated the regulations are the Truck and Bus Regulation, Tractor/Trailer Greenhouse Gas Regulation and the In-Use Off-Road Regulation.

Mr. Tuter reported the Truck and Bus Regulation affects more parties than any other regulation. He added the regulation by itself is expected to reduce soot, diesel PM and emissions by 50% in 2014 and 85% by 2016. He noted by 2016 nearly all trucks operating in California will be equipped with a Diesel Soot filter. He commented a recent study out of UC Berkley that found the diesel emissions out of the port of Oakland were reduced by 50% due to the Clean Diesel Regulations. Mr. Tuter reported the regulation primarily applies to on-road trucks and busses over 14,000 lbs. gross vehicle weight

(GVWR) and operating in California. He noted the regulation was adopted in 2008 and amended it in 2010 to provide economic flexibility to fleets. He explained lighter trucks and busses covered by the regulation are those between 14,001 lb and 26,000 lb GVWR. He added they don't have any near-term PM filter reporting requirements; however engines that are 20 years old or older will need to be replaced with a 2010 year model engine or a used truck with a future compliance date. Mr. Tuter stated heavier trucks have the most immediate regulatory requirements which are defined as greater than 26,000 lbs. GVWR. He explained there are two ways they can comply with the regulation; first the owner can comply with the standard basic model year schedule which requires retrofit with a PM filter or purchase a newer truck that already had a PM filter, or there is a number of flexibility options built into the regulation fleets can use to comply in the short term.

Mr. Tuter reported the Tractor/Trailer Greenhouse Regulation is a measure covering heavy duty diesel vehicles that is not in the diesel risk reduction plan. He explained it came about as part of California's comprehensive plan to reduce gasses under AB32. He added the premise of the regulation is that reducing fuel use by vehicles will reduce CO₂ emissions. He explained to reduce emissions certain truck and trailers, trailers being large box type trailers over 53 feet, are required to use technology such as aerodynamics, low rolling resistance tires and so forth. He noted this affects any vehicle in California. He commented ARB estimates there are 835,000 trailers subject to the regulation.

Mr. Tuter reported the In-Use Off-Road regulation was adopted in 2007 with major revisions in 2010. He noted Off-Road vehicles include vehicles used in construction, mining, and industrial operations. He commented since June of 2008 there have been reporting requirements for In-Use Off-Road vehicles and ARB has received data from 9,000 fleets which covers 140,000 vehicles. He explained emission reduction requirements based on fleet turnover, repowering or retrofitting will be phased in over the next ten years beginning next year.

Mr. Tuter explained the compliance assistance and outreach efforts and how they have been used along with enforcement efforts to educate the public on what they have to do. He commented ARB is dealing with a large and diverse community of regulated parties and the bulk of the affected entities have never been previously regulated by ARB. He stated they may be small businesses, have fiscal restraints, many have language barriers and often they have

little technical expertise to be able to understand the complicated regulations. Mr. Tuter reported ARB has been implementing a broad and extensive compliance assistance and outreach program. He commented to ensure persons know how to comply with regulations a multi-pronged approach is being pursued. He noted ARB considers education and assistance along with enforcement is key. He said with that in mind, there is much information created in multiple formats and employing a variety of outreach and education strategies. Mr. Tuter reported in August a campaign was held called Clean Truck Month which is an example of collaborative efforts between the mobile source control division, outreach program and a number of other division within ARB as well as a number of other agencies.

Mr. Tuter stated they have an outreach and information strategy contract with an outside contractor which will assist with the design and implementation of an outreach plan based on the goals of high compliance rate. He noted another item ARB uses is a live help, real time hotline. He explained the call center is personalized and representatives are able to walk through the regulations. He commented as deadlines near the call volume spike so resources were added to answer the calls. Mr. Tuter reported ARB encourages people to use the Truck Stop Website which is constantly being improved including being in English and Spanish. He added another item ARB offers are trainings, develop courses for rule changes and incorporate new regulations.

Mr. Tuter reported ARB is looking to improve and make new partnerships, continue extensive compliance assistance, outreach and enforcement activities and call center resources.

Ms. Temple asked what the average fine for non-compliance and how long owners are allowed to get into compliance. Mr. Tuter explained the fines vary considerably. He commented a reporting violation may be in the hundreds of dollar range and an air quality violation may start at \$1,000 per month. Amy Ng, ARB representative, explained an individual normally has about 30 days from when they receive the notice of citation to show proof of correction.

Mr. Geer asked what the process is for trucks that are not used commercially and older than 20 years old. Mr. Tuter explained owners of older vehicles must demonstrate a filter can't be placed on their vehicle to obtain an exemption. Ms. Ng explained owners of some older vehicles may register them as historical vehicles which

are exempt. She added there is no limit or age definition of the requirement for engine replacement. Ms. Ng noted the purpose of the regulation is to ensure the achievement of particulate matter and NO_x reductions. She added if the vehicle is operating more than 1,000 miles and the GVWR is over 14,000 lbs. then they would be subject to the Truck and Bus regulation. Mr. Geer expressed his concern regarding the Cleaire Air Filters being defective. Mr. Tuter explained he understood there were a few events that have occurred and maintenance of the vehicle is part of the problem. Mr. Geer asked what is ARB's position on manufacturer's not honoring warranties on vehicles that have used E15 gasoline. Mr. Tuter responded he did not have information regarding E15 gasoline.

Mr. Cunha expressed his concern regarding the defective filters and requested an update on the issue matter at the next meeting. Mr. Cunha also noted the policy regarding the length of time inspections are being performed states the inspection should last a few minutes due to perishable commodities being carried the vehicles. He commented he'd been informed of inspections lasting hours. Mr. Tuter stated he understood there were concerns and will report the issues to management.

Mr. Williams expressed his concern regarding the filter issues and requested ARB to investigate who benefited financially from the purchases of those filters. He also requested legal actions be brought up against the manufacturer.

Mr. Hamilton asked the status of the electrification of trucks stops to assist truck drivers that need to stop but have refrigerated loads. Mr. Tuter explained these issues would be processed through incentive programs and new vehicle technology programs. He added the California Energy Commission receives funding and would address infrastructure. He noted there was new electrification stations opened in California this month. Mr. Hamilton asked how much of the Prop 1B funding was used in the San Joaquin Valley, what was the money used for and what were the benefits achieved. Mr. Tuter responded he did not have the information available.

- b. ARB Board Meeting Summary - Elizabeth Melgoza, Air Resources Board (ARB) representative, briefly reviewed the ARB Board Item Summary including the items the Board approved at their January 24-25, 2013 meetings.

Mr. Geer requested an update on the issue of E15 gasoline and manufacturer's not honoring warranties of vehicles which use the

gasoline. Ms. Melgoza responded she would research and update CAC at the next meeting.

Mr. Dhaliwal requested CAC members to email questions regarding the ARB presentation be forwarded to Michelle Franco, Deputy Clerk of the Boards.

Public Comment: *The following persons provided testimony on this item:*

- Bob Smith, Bakersfield resident

Sarah Sharpe left at 10:43 a.m.

9. Consider Recommendation For New Hearing Board Member Appointments – Ms. Franco announced there was a typo in the agenda item and the occupation for Samuel Duran, applicant for Southern Region Hearing Board Public Alternate Member should have read retired Environmental Specialist. Mr. Williams stated the applicants for the Hearing Board vacancies were very good. Ms. Franco briefly explained the process for appointments to the Regional Hearing Board.

Public Comment: *The following persons provided testimony on this item:*

- Elizabeth Jonasson, Coalition for Clean Air

Mr. Tristao made a motion to approve the recommendations for the new Hearing Board Member appointments.

Moved: Tristao
Seconded: Cunha
Ayes: Cunha, Clark, Jones, Horal, Hoffdahl, Williams, Temple, Taylor, Gibson, Dhaliwal, Green, Tristao, Randall, Geer
Nays: Hamilton

Motion carried to support recommendations by CAC Subcommittee for new Hearing Board Appointments.

10. Update on Transboundary Ozone Research – David Lighthall, Health Science Advisor gave the presentation on this item. He reviewed the Valley's ozone challenge is due to the combination of topography, meteorology, substantial biogenic VOCs and other vehicle related issues. He noted the only way to meet the 1997 standard 85 ppb 8 hour is to reduce NO_x. He briefly explained the Valley history of Ozone National Air Quality Standards. Mr. Lighthall reviewed the implications for the Valley including the escalating costs of recurrent NO_x controls and recurring penalties for non-attainment in

spite of requiring top-tier, leading edge control measures. Mr. Lighthall reviewed the key scientific questions and briefly explained the supportive science to answer them. He noted the research at the observatory on Chews Ridge. Mr. Lighthall presented charts and explained flows of ozone. Mr. Lighthall stated the conclusions note the evidence to date support the hypothesis that Transboundary Ozone contributes to Valley 1-hour and 8-hour exceedances, the CalNEX findings suggest need for further aircraft research and further sustained ground observations supported by aircraft and future satellite observations.

Mr. Cunha expressed his concern regarding the regulatory levels and pollutants coming from the outside. He stated he supports the Risk Based Strategy approach.

Mr. Dhaliwal asked how the monitors see ozone. Mr. Lighthall explained an ultraviolet monitor system is used.

Public Comments: None

Mr. Tristao left at 11:43 a.m.

11. Environmental Justice Advisory Group (EJAG) Business –

- a. Verbal Report on EJAG Activities for December – Derek Williams, Tulare County At-Large Representative briefly reviewed the highlights of the meeting including EJAG finalized the Goals and Objectives for 2013, the 2012 accomplishments. He added EJAG heard a presentation on the neighborhood level PM2.5 study, completed the EJAG 101 Part II and formalized the Grants Subcommittee and its members.
- b. Appoint CAC City Interest Group Representative to EJAG – this item was tabled until the next meeting.

Public Comment: Bob Smith, Kern County At-Large Representative on EJAG

12. Outreach and Communications Report – Maricela Velasquez, Senior Air Quality Education Representative, reported the 2012 Annual Report to the Community is being developed to be presented at the Governing Board meeting on February 21st. She added February 28th is the end of the Wood Burning Season. She noted good responses have been received on events such as the Tune-In Tune-Up program. Ms. Velasquez explained materials for the Healthy Air Living Schools are being distributed. She reported staff will be available at the Tulare Ag Show.

Public Comment: None

Mr. Hoffdahl left at 12:01 p.m.

13. CAC Member Comments; CAC Member Suggestions To Be Included In The Presentation Of The CAC Report During The Governing Board Meeting on February 21, 2013 – Mr. Green requested the Governing Board be notified that the participation from a City Interest Group representative was non-existent from several counties. Mr. Geer suggested inviting larger companies when ARB is discussing issues relating to them. Mr. Jones suggested the companies have a meeting with ARB themselves. Mr. Hamilton requested the information from ARB be succinct.
14. Volunteer to Present Report During Governing Board Meeting – Mr. Dhaliwal volunteered to present the report during the Governing Board meeting.

Meeting adjourned at 12:07 p.m.

Next Meeting – The next meeting is scheduled on March 5, 2013. 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.