



San Joaquin Valley Air Pollution Control District

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Action Summary Minutes Citizens Advisory Committee Meeting San Joaquin Valley Unified Air Pollution Control District Central Region Office, 1990 E. Gettysburg Avenue Governing Board Room, Fresno, CA.

**Tuesday, February 3, 2004
10:00 a.m.**

Meeting held via video teleconferencing (VTC) at the Central Region Office (Fresno) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.

1. **Call Meeting to Order** – The Chair, Les Clark, called the meeting to order at 10:00 a.m.

2. **Roll Call was taken and a quorum was present.**

(P) designates Primary Member and (A) designates Alternate Member

<u>County</u>	<u>Member Name/Interest Group</u>	<u>Regional Office</u>
<u>Fresno</u>	Paul Betancourt, Industry/Agriculture (P)	Central
"	Kevin Hamilton, Environmental (P)	Central
<u>Kern</u>	Les Clark, Industry/Agriculture (P) Chair	Central
"	Suzanne Noble, Industry/Agriculture (A)	Southern
"	Dana Karcher, Environmental (A)	Southern
<u>Kings</u>	Kelly Deming, Environmental (P)	Central
"	Dennis Tristao, City (P)	Central
<u>Madera</u>	Donald Horal, Industry/Agriculture (P)	Central
"	Lee Smith, Environmental (P)	Northern
"	John Wells, City (P)	Central
<u>Merced</u>	Mary-Michal Erwin-Loschke, Environmental (P)	Central
<u>San Joaquin</u>	Roger Hoffdahl, Industry/Agriculture (A)	Northern
"	Perfecto Munoz, Environmental (A)	Northern
"	Wade Broughton, City (P)	Northern
<u>Stanislaus</u>	Chris Savage, Industry/Ag. (P), Vice Chair	Northern
<u>Tulare</u>	David Harrauld, Industry/Agriculture (P)	Central
"	Christine Foster, Environmental (P)	Central

The Chair noted positive comments were received from the last meeting regarding members announcing their name and location when speaking. The Chair stated we will continue with that format of making sure you identify yourself and your location before you start making comments.

Also present in the Central Region Office (Fresno) – Mark Boese, Deputy Air Pollution Control Officer, Maria Stobbe, Senior Air Quality Specialist, Scott Nester, Planning Manager, Jennifer Barba, Air Quality Specialist, Kelly Malay, Senior Air Quality Ed Rep., Joe Nazareno, Senior Air Quality Engineer, Roger McCoy, Director of Administrative Services, Ken Pretzer, Information Systems Manager, George Heinen, Supervising Air Quality Engineer, Rich Burt, Communication Systems Analyst, Adrian Moore, Reason Foundation, Carolina Simunovic, Fresno Metro Ministry, **new CAC Member: Don Ikemiya, Council Member, City of Reedley** and Sissy Smith, Clerk to the Board.

Also present in the Southern Region Office (Bakersfield) – Scott Sill, Lone Star Gas, Jerry Frost, Kern Oil, Suzanne Noble, Western States Petroleum Association and Linda Phillips, Administrative Analyst.

Also present in the Northern Region Office (Modesto) - Jan Ennenga, Manufacturers Council of the Central Valley, Karen Morris, Administrative Analyst, and Dottie Shoffner, Senior Office Assistant.

3. **Approve Minutes of Tuesday, January 6, 2004** – The Chair asked if there were any comments concerning the Minutes. Hearing no comments the Chair declared the Minutes of January 6, 2004 approved as submitted.
4. **Chair Comments** – No Comments.
5. **APCO Comments** – Mark Boese, Deputy Air Pollution Control Officer, reported on the District Highlights from the January 15, 2004 Governing Board Meeting activities.

Mr. Boese stated the District held a Governing Board Retreat at Bass Lake on January 29 and 30 and noted the retreat was also a public meeting. The purpose of the retreat was to provide the Board with information on issues that will be coming up before the Board over the next couple of years. Mr. Boese briefed the CAC on some of the issues that were discussed at the retreat.

Mr. Boese noted that representatives from air pollution control districts in Mariposa and Amador Counties discussed EPA's proposal to include the mountain counties in the San Joaquin Valley Air Basin.

Mr. Boese noted that four to six Governing Board Members and several stakeholders attended and the meeting went very well.

Mr. Boese announced that the February 19 Governing Board Agenda is somewhat light. Mr. Boese stated one item listed on the agenda is the Electronic Data Management System (EDMS). Mr. Boese requested Roger McCoy, Director of Administrative Services to provide the CAC with a quick overview of what the District is doing in regards to this program.

Roger McCoy and Ken Pretzer, Information Systems Manager, briefed the CAC in respect to the EDMS program.

Kevin Hamilton noted that during Mr. Boese's report on the January 15 Governing Board Meeting it was noted research for permitting dairies would be taking place. Mr. Hamilton requested the District provide information to the CAC when the dairy research is completed.

Chris Savage requested the District keep the CAC in the loop in respect to permitting agriculture I. C. Engines.

6. **Public Comments/Reports** – Jerry Frost, Kern Oil, congratulated Les Clark as the new Chair of the CAC.

Mr. Frost noted he attended the Governing Board Retreat. Mr. Frost stated only one CAC Member (Dennis Tristao) participated in that retreat. Mr. Frost stated that next year he would encourage more of the CAC to participate. Mr. Frost stated it was an excellent forum with a variety of good information.

Mr. Frost suggested that on the CAC agenda he would like to recommend that Public Comment be placed back to the very end of the agenda to allow the public the opportunity to comment on other agenda items.

The Chair stated that was appropriate and he had no problems with Mr. Frost's suggestion. We could add it after the CAC Comments item.

7. **ARB Report** – Ravi Ramalingam, California Air Resources Board (ARB) representative and ARB Liaison for the Valley Air District. Mr. Ramalingam reported on the December 2003 ARB Board Hearing. Mr. Ramalingam noted ARB staff did a presentation on the methodology it uses to calculate the health benefits and economic value of diesel particulate matter control measures.

Mr. Ramalingam noted we're all used to hearing about cost effectiveness of regulations, measured in dollars per ton of pollutant reduced. Mr. Ramalingam announced that they looked at the economic and health benefits.

Kevin Hamilton requested a breakdown report on the dollar amount in health impacts in respect to premature deaths specific to the San Joaquin Valley Air Basin.

Dana Karcher requested a copy of the presentation that was presented to the ARB Board.

{Report received and forwarded to CAC and interested parties on February 18, 2004}

8. **Report from CAC Technical Rule Review Subcommittee RE: CAC Role in Rule Development** – Chris Savage.

Chris Savage stated that on January 8 about five or six CAC Members got together to discuss what the role of the CAC Technical Rule Review Subcommittee should be and looked at the CAC Charter. Mr. Savage noted as part of that conversation Scott Nester gave us a presentation on the background of the CAC, how the Charter is set up and what role the CAC Members are designed to play in rule development. Mr. Savage asked Mr. Nester if would provide the same presentation to the full CAC.

Scott Nester, Planning Manager – made his presentation via power point with the following:

Rule Making Process

January 8, 2004

Rule Development Procedure – October 1992

Four Phases

CAC Role

District Resolution 96-11-02, November 1996

Rule Making Process

Cost Effectiveness Analysis

Socioeconomic Analysis

Chris Savage thanked Scott Nester for his presentation and noted that he believes Mr. Nester's presentation does a good job of describing the role of the CAC in the rule making process. Mr. Savage stated the bottom line that came out of the meeting regarding the function of the CAC Technical Rule Subcommittee is to review and decimate information to interested stakeholders. Mr. Savage stated that led us into the discussion of what process do we need to use to make sure we have the capability and the capacity for doing that.

Mr. Savage stated that out of that bit of discussion came four action items that need to be followed up on:

- 1.) Staff will provide the Subcommittee and the CAC, if necessary, a year long schedule of rules which the District intends to put forth. Mr. Savage noted that's basically the rule making calendar would take a longer look then what we normally receive during the monthly CAC Meetings.
- 2.) The Subcommittee along with District staff will establish a schedule to meet the review requirements of the CAC. Mr. Savage stated that as Mr. Nester mentioned typically the Subcommittee receives the internal draft about a week before it becomes public. Mr. Savage noted that the Subcommittee has a general consensus that's really not enough time for us to do much with it and we would like to work with District staff to advance that timeline out at least a couple of weeks. Mr. Savage noted that staff agreed they would work with us and try and come up with an adequate timeline of that.
- 3.) Mr. Savage noted that during Mr. Nester's presentation he mentioned that in the past a CAC Liaison has been provided to District staff in the development of a rule making process. We would like to continue with that approach and as a result we will find a CAC member either a Subcommittee member or someone from the CAC at large who will assist in tracking a specific rule through the process. That person will also have the responsibility of providing updates to the full CAC should the need arise. Mr. Savage indicated he will work with District staff moving forward in getting an individual assigned for current rules that are being workshopped.
- 4.) Mr. Savage stated item 4 has already been taken care with the suggestion to move the Public Comment period earlier in the agenda.

Mr. Savage noted the January 8 meeting was a pretty good meeting. There was a lot of discussion and we went the full hour and a half as intended. He thinks the Subcommittee will continue to develop over time. But, with implementation of action items 1.), 2.) and 3.) he thinks the CAC will be in a much better position to comment both to the staff and the full CAC as these rules develop.

The Chair noted that it is the responsibility of each CAC member to go back into their communities and advise potential stakeholders that could be affected by rules under development.

Mr. Savage announced that if a CAC member is interested in becoming a liaison for a particular rule to contact him or the Clerk and we will make sure we get your name on the proper list.

Christine Foster asked if the public was allowed to ask questions on items on the CAC agenda.

The Chair stated he has no problems with the public asking questions on items on the agenda.

9. **Public Education Report** – Kelly Malay, Senior Air Quality Ed Rep., reported that in January, the Public Education staff continued to conduct outreach for Rule 4901: Wood-Burning Fireplaces and Wood-Burning Heaters. Specific activities included:

- Sent direct-mail pieces to nearly 1,200 real estate professionals, home inspectors, title companies, mortgage companies, hearth product retailers and chimney sweeps Valley-wide informing them of Rule 4901's real estate change-out component, which took effect Jan. 1.
- Sent an e-flyer to building industry association members Valley-wide informing them of the density limits component of Rule 4901.
- Sent Spanish and English informational flyers to county and city planning departments Valley-wide with information about both new components of the rule.
- Conducted in-person informational presentations for numerous real estate associations, boards of realtors, and real estate brokers throughout the Valley.
- Revised the web site to make wood-burning information easier to access.
- Continued distributing the 4901 general brochure and conducting media and community relations regarding the rule, with particular focus on the two new components of the rule.
- Sent a second news release providing information about the two new components.

Public Education staff completed distribution of 20,000 copies of the Clean Air Kids Calendar, an outreach piece targeting Valley children, their parents, school teachers and members of the medical community.

Staff members also completed design and construction of an interactive air quality exhibit at the Castle Challenger Learning Center in Atwater, distributed 6,100 copies of the Business Bulletin and began planning and coordinating the Clean Green Yard Machines program and the upcoming Spare the Air season.

Dennis Tristao – stated the CAC supports the Clean Green Yard Machine program. The CAC Report to the Board should reflect that support.

10. **Rules Under Development** – Joe Nazareno, Senior Air Quality Engineer, reported on the following rules:

Adopted January 2004

Rule 4604 (Can and Coil Coating Operations)

Rules Under Development

January 2004

Rule 4694 (Wine Fermentation and Storage Tanks)

Rule 9310 (School Bus Fleets)

February 2004

Rule 4409 (Components at Light Crude Oil Production, Natural Gas
Production, and Natural Gas Processing Facilities)

Rule 4455 (Components at Petroleum Refineries, and Gas Liquids Processing
Facilities, and Chemical Plants)

Rule 9510 (Indirect Source Review)

Rule 3180 (Indirect Source Mitigation Fee)

March 2004

Rule 4002 (National Emission Standards for Hazardous Air Pollutants)

Rule 4101 (Visible Emissions)

Rule 4204 (Cotton Gins)

Rule 4550 (Agricultural Conservation Management Practice Program)

Rule 4623 (Storage of Organic Liquids)

Rule 4702 (Internal Combustion Engines-Phase 2)

Reg. VIII (Fugitive PM10 Prohibitions)

The CAC also received the following:

List of Regulatory Measures Scheduled for Considerations during 2004

Rule 4307 (Small Boilers and Water Heaters)

Rule 4352 (Solid Fuel Boilers, Steam Generators and Process Heaters)

Rule 4401 (Steam-enhanced Oil Well Vents)

Rule 4403

and

Rule 4409 (Oil and Gas Fugitives)

Rule 4451,

Rule 4452

and

Rule 4455 (Refinery and Chemical Plant Fugitives)

Rule 4602 (Automotive Coating Operations)

Rule 4604 (Can and Coil Coating Operations)

Rule 4623 (Storage of Organic Liquids)
Rule 4694 (Wineries)
Rule 4702 (Internal Combustion Engines)
Rule 9510
and
Rule 3180 (Indirect Source Review and Mitigation Fee)
Rule 9310 (School Bus Fleets)

11. **Rule Update** – Rule 9310 (School Bus Fleets) update provided by George Heinen, Supervising Air Quality Engineer. Mr. Heinen announced the District should have a draft rule out by the first part of April and the workshops will be scheduled for the end of April.

Rule 9510 (Indirect Source Review) and Rule 3180 (Indirect Source Review Fee) update provided by Jennifer Barba, Air Quality Specialist. Ms. Barba announced the workshops are tentatively scheduled for mid March with an evening meeting under consideration. Ms. Barba noted the draft rules will be available prior to the workshops.

12. **CAC Member Comments** – **Lee Smith** reiterated a comment that was made at the January 8 Technical Rule Review Subcommittee meeting and also he suggested these comments be made to the Board. Mr. Smith stated he understands there are a lot of different factors that are involved when District staff sets workshop dates. Mr. Smith noted that District rule workshop dates are not set far enough in advance for most of us who have schedules to calendar for rule workshops.

Christine Foster made comments in respect to the Public Comment portion on the agenda. Ms. Foster suggested the CAC utilize the same format as the Governing Board uses pertaining to Public Comment.

Kevin Hamilton expressed his appreciation to District staff Patia Siong, Air Quality Specialist for her great work in getting information to him regarding the CMP rule promptly and in a very timely fashion.

Mark Boese make comments in respect to Lee Smith's comments regarding workshop scheduling. Mr. Boese noted in the Rule Development Procedure there is a timeline requirement that the District notify interested parties two weeks after the draft rule comes out prior to the workshop and normally we notify three weeks in advance of a workshop.

Dennis Tristao – stated Senator Florez has a bill addressing standby charges for ag engines and asked if the District was following that bill.

Mark Boese responded affirmative.

Dennis Tristao stated many of the schools, universities and colleges are being linked up statewide through video and voice, satellites and networks and so forth. Mr. Tristao asked if the District has entertained any ideas of perhaps working out an arrangement with some of those other areas where workshops could be included.

Mark Boese stated the District is constantly reviewing the system as to its capabilities. There have been some substantial upgrades to the system and since there are different kinds of systems in use there is not always a good match. Mr. Boese stated as additional systems with different operating parameters are added to the District's VTC system the potential to degrade the quality of our VTC system increases. Mr. Boese stated that if someone were to approach the District regarding compatibility of vtc systems we would look into it.

Mary-Michal Erwin-Loschke attended the Air Resources Board's Summit on the State Implementation Plan held on January 13 & 14 in Sacramento at CAL/EPA. Ms. Erwin-Loschke updated the CAC and noted the Summit meeting was basically an informational meeting.

Carolina Simunovic, Fresno Metro Ministry requested a copy of the Mr. Ramalingam's report regarding health cost benefit analysis report. Ms. Simunovic asked for a clarification as to when that type of analysis is used in the decision making process as far as rules or plans go.

Ms. Simunovic encouraged the District to hold an evening meeting workshop that was mentioned earlier for the Indirect Source Review Rule.

Ravi Ramalingam responded that as far as he knows that analysis is not required by law and is not part of the formal analysis.

Adrian Moore, Reason Foundation asked questions regarding how the numbers were derived at for the health cost benefits analysis.

Mr. Ramalingam responded by stating that a 12 sq. kilometer grid cells were utilized.

13. **CAC Member Comments and Suggestions for CAC Report at Governing Board Meeting** -

- On January 8 about five or six CAC Members got together to discuss the role of the CAC Technical Rule Review Subcommittee and looked at the CAC Charter. Scott Nester gave us a presentation on the background of the CAC, how the Charter is setup and what role the CAC Members are designed to play in rule development. It was noted the function of the

CAC Technical Rule Subcommittee is to review and decimate information to interested stakeholders. During that meeting a discussion was held regarding what process does the CAC need to use to make sure we have the capability and the capacity for doing that.

- Three action items that need to be followed up on:
 - 1.) Staff will provide the Subcommittee and the CAC, if necessary, a year long schedule of rules which the District intends to put forth
 - 2.) Work on timeline for receiving copies of draft rules
 - 3.) In the past a CAC Liaison has been provided to District staff in the development of a rule making process
 - Lee Smith reiterated a comment that was made at the January 8 Technical Rule Review Subcommittee meeting and also he suggested these comments be made to the Board. Mr. Smith stated he understands there are a lot of different factors that are involved when District staff sets workshop dates. Mr. Smith noted that District rule workshop dates are not set far enough in advance for most of us who have schedules to calendar for rule workshops.
 - The CAC supports the Clean Green Yard Machine program. The CAC Report to the Board should reflect that support
14. Volunteer to present CAC Report, Thursday, February 19, 2004 at 9:00 a.m., Governing Board Meeting – Mary-Michal Erwin-Loschke volunteered to present the CAC Report to the Board on February 19. {Note: the February 19, 2004 Governing Board Meeting was cancelled}
15. Next Meeting - Tuesday, March 2, 2004 at 10:00 a.m., via video teleconferencing (VTC), Central Region Office (Fresno) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.
16. Adjourn – The Chair adjourned the meeting at 12:40 p.m.