

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
939 ELLIS STREET – SAN FRANCISCO, CA 94109

Approved Minutes: Board of Directors' Regular Meeting – October 4, 2006

**Call To Order**

Opening Comments: Chair Gayle B. Uilkema called the meeting to order at 9:46 a.m.

Pledge of Allegiance: The Board of Directors recited the Pledge of Allegiance.

Roll Call: Present: Gayle B. Uilkema, Chair, Tom Bates, Harold Brown, Chris Daly (9:53 a.m.), Mark DeSaulnier, Jerry Hill, Yoriko Kishimoto, Carol Klatt, Liz Kniss (10:08 a.m.), Patrick Kwok, Jake McGoldrick (9:49 a.m.), Mark Ross (10:05 a.m.), Michael Shimansky, John Silva, Tim Smith, Brad Wagenknecht.

Absent: Dan Dunnigan, Erin Garner, Scott Haggerty, Janet Lockhart, Nate Miley, Pamela Torliatt.

Proclamation/Commendation: There were none.

Director Jake McGoldrick arrived at 9:49 a.m.

**Public Comment Period:** The following individual came forward and spoke on the Pacific Steel Casting facility in Berkeley:

David Whipple  
Berkeley, CA 94706

Chair Uilkema requested that staff contact Mr. Whipple to discuss his concerns.

Director Chris Daly arrived at 9:53 a.m.

**Consent Calendar (Items 1 – 4)**

1. Minutes of September 20, 2006
2. Communications. Correspondence addressed to the Board of Directors. For information only.
3. District Personnel on Out-of-State Business Travel

*In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board was notified by memoranda the list of District personnel who traveled on out-of-state business.*

4. Set Public Hearing for October 18, 2006 to Consider Proposed Amendments to Regulation 8, Rule 5: Storage of Organic Liquids and Adoption of a California Environmental Quality Act (CEQA) Negative Declaration

*The proposed amendments to Regulation 8, Rule 5 would set requirements for tank shells, tank pontoons, tank cleaning agents, tank degassing, and removal of sludge; create a voluntary self-inspection and maintenance program; and clarify exemptions and language throughout the rule.*

**Board Action:** Director Wagenknecht moved approval of the Consent Calendar; seconded by Director Daly; carried unanimously without objection.

### **Committee Reports and Recommendations**

5. Report of the Stationary Source Committee Meeting of September 25, 2006

Director Silva presented the report and stated that the Committee met on Monday, September 25, 2006.

Staff presented a report on proposed amendments to Regulation 8, Rule 5: Storage of Organic Liquids. The report included background information, descriptions of the equipment, the proposed amendments, and the rule development process. The public hearing to consider the amendments to the regulation is scheduled for October 18, 2006.

The Committee received an update on the Refinery Flare Minimization Plans. All Plans were submitted on August 1, 2006 and have been reviewed for completeness. Two of the Plans are complete and three are incomplete. The Air District staff is working with the three refineries that have incomplete Plans to achieve a completeness determination of their Plans by the November 1, 2006 deadline. Copies of Flare Minimization Plans were distributed for Board member review. The Committee will continue to be updated on the process.

Staff presented a report on proposed amendments to Regulation 9, Rule 9: Nitrogen Oxides from Stationary Gas Turbines. The Committee received information on the affected facilities and equipment, the progress since the public workshop, a review of the second draft of proposed amendments, the current status of the rule development process, and the next steps. It is anticipated that the public hearing on the amendments will come before the Board of Directors in December, 2006.

The next meeting of the Committee will be at the Call of the Chair.

**Board Action:** Director Silva moved that the Board of Directors' approve the report of the Stationary Source Committee; seconded by Director Wagenknecht; carried unanimously without objection.

6. Report of the Budget and Finance Committee Meeting of September 27, 2006

*Action(s): The Committee recommended Board of Directors' approval of the following:*

- A) *Transfer \$961,860 from the Reserve for Building and Facilities and approve an increase in the FY 2006/2007 Building Maintenance Capital Outlay budget of \$961,860, and authorize the Executive Officer/APCO to issue purchase orders not to exceed \$961,860 for deferred maintenance of carpet, furniture, server space and ADA compliance of restrooms;*
- B) *Amend the FY 2006/2007 Budget by increasing the Department of Homeland Security (DHS) Grant Revenue from \$1,943,818 to a total of \$2,087,103, and correspondingly increase the budget for BioWatch (Program 809), and authorize the Executive Officer/APCO to issue a purchase order for monitoring equipment not to exceed \$143,285; and*
- C) *Transfer \$425,000 from the Reserve for Radio Replacement and approve an increase in the FY 2006/2007 Communications Equipment Capital Outlay budget by \$425,000, and authorize the Executive Officer/APCO to issue purchase orders with a total not to exceed \$425,000.*

Director Daly presented the report and stated that the Committee met on Wednesday, September 27, 2006 and the fourth quarter financial report for fiscal year 2005/2006 was presented.

Staff presented a report on deferred maintenance requirements for carpeting, furniture, server space, and American's with Disabilities Act (ADA) compliance of the restroom on the 7<sup>th</sup> floor. The Committee recommends that the Board of Directors transfer \$961,860 from the Reserve for Building and Facilities and approve an increase in the FY 2006/2007 Building Maintenance Capital Outlay budget of \$961,860, and authorize the Executive Officer/APCO to issue purchase orders not to exceed \$961,860.

The Committee received a report regarding the Department of Homeland Security award of additional grant funds to allow the purchase of monitoring equipment for possible future expansions into indoor transportation hubs and to provide back-up equipment for the existing network. The Committee recommends that the Board of Directors amend the fiscal year 2006/2007 Budget by increasing the Department of Homeland Security Grant Revenue from \$1,943,818 to a total of \$2,087,103, and correspondingly increase the budget for BioWatch (Program 809), and authorize the Executive Officer/APCO to issue a purchase order for monitoring equipment not to exceed \$143,285.

Staff presented a report on the replacement of the current Field Communications System, which was constructed in the mid-1970's. None of the bids received integrated both voice communications and data transmission. Staff recommended acceptance of Telepath's bid for radio communication technology and the use of Verizon's air-cards for remote field access to the District's computer systems. The Committee recommends that the Board of Directors' transfer \$425,000 from the Reserve for Radio Replacement and approve an increase in the fiscal year 2006/2007 Communications Equipment Capital Outlay budget by \$425,000, and authorize the Executive Officer/APCO to issue purchase orders with a total not to exceed \$425,000. In addition, staff was requested to report back to the Committee at its next meeting regarding the issue of terminating leases on towers that are currently being used and use of the District's FCC radio frequencies.

The next meeting of the Committee will be at the call of the Chair.

**Board Action:** Director Daly moved that the Board of Directors approve the recommendations and the report of the Budget and Finance Committee; seconded by Director Brown.

Director Daly noted that staff will present a report at the next meeting regarding leases on towers being used and the FCC radio frequencies. The motion then carried unanimously without objection.

7. Report of the Personnel Committee meeting of September 28, 2006

*Action(s): The Committee recommended Board of Directors' approval of an appointment to the alternate Attorney member position on the Air District's Hearing Board.*

Director Kwok presented the report and stated that the Committee met on September 28, 2006 to conduct interviews of candidates to fill the alternate Attorney Member position on the District's Hearing Board. The Committee interviewed six candidates and considered the application of one candidate that was unable to participate in the interview process.

The Committee recommends that the Board of Directors approve the appointment of Valerie J. Armento to fill the alternate Attorney Member position on the District's Hearing Board to fill the remainder of a term that expires on June 3, 2009.

The next meeting of the Committee will be at the Call of the Chair.

**Board Action:** Director Kwok moved that the Board of Directors approve the recommendation for the alternate Attorney Member position on the District's Hearing Board for the stated term of office; seconded by Director Kishimoto; carried unanimously without objection.

**Presentation**

8. Community Air Risk Evaluation Program Update

*Staff provided an update on the Community Air Risk Evaluation (CARE) Program.*

Philip Martien, Ph.D., Senior Advanced Projects Advisor, presented the report and discussed the following:

- CARE Program objectives
- Emissions concentrations, exposure, and health effects

Director Mark Ross arrived at 10:05 a.m. and Director Liz Kniss arrived at 10:08 a.m.

- The three phases of the Program
- The CARE Task Force and its role
- Development of toxic air contaminant (TAC) emissions estimates
- Cancer toxicity-weighted emissions
- Chronic, non-cancer toxicity-weighted emissions

- Acute toxicity-weighted emissions
- Maps showing spatial distribution of diesel particulate matter and acrolein in the Bay Area
- Demographic and health data
- Findings of Phase I – risks from emitted pollutants and sources
- Mitigation measures to areas with high TAC emissions and sensitive populations

Dr. Martien stated that the next steps will include modeling concentrations and continued mitigation. During Phase II, the District will continue to improve emissions estimates and will participate in health risk assessments at the Port of Oakland and rail yards. Mitigation measures will continue through all three Phases. Phase III will begin in Spring of 2008.

Discussion included looking at the ratio of toxic air pollutants compared to all air emissions in the Bay Area; airport ground emissions; exposure when bicycling; chromium emissions; and focusing on compounds with greatest health effects.

Chair Uilkema noted that the Joint Policy Committee (JPC) is discussing the issue of housing next to high density travel corridors and invited Board members to attend the JPC meetings. In response to a question from Director Ross, Dr. Martien stated that the South Coast AQMD has completed their MATES III program. In response to a question from Director Daly, Jean Roggenkamp, Deputy APCO, stated that staff is reviewing the public meeting process for this Program.

### **Other Business**

9. Report of the Executive Officer/APCO – Ms. Roggenkamp reviewed the following:
  - A) Jack Broadbent and other members of the Executive staff toured the Pacific Steel Casting facility to review the progress being made.
  - B) The Spare the Air program season ends October 13<sup>th</sup> and summary of this year’s program will be provided to the Board at a future meeting.
  - C) On September 21, 2006, the US Environmental Protection Agency (EPA) set a more stringent 24-hour average PM2.5 particulate matter standard. The standard went from 65 micrograms per cubic meter to 35 micrograms per cubic meter. For the new standard, EPA will make designations of attainment and non-attainment areas in 2009. The designations will be based on data collected in 2006 through 2008.
  
10. Chairperson’s Report – Chair Uilkema reported on the following items:
  - A) Thanked the Committee members for attending their respective meetings.
  - B) If any Board member is interested in being on the Nominating Committee, they should contact the Chair.
  - C) If any Board member is interested in being nominated, they should contact the Chair.
  - D) The Climate Protection Summit is scheduled for November 10<sup>th</sup>. If Board members are interested in attending, they should contact the Chair, Mrs. Goodley, or Mr. Broadbent.

E) In October 2007, the Air & Waste Management Association (AWMA) will be sending a delegation to China. If Board members are interested in attending this conference, they should contact the Chair, Mrs. Goodley, or Mr. Broadbent. The funds for this trip will need to be approved by the Board and included in the budget for next year.

11. Board Members' Comments – There were none.
12. Time and Place of Next Meeting – 9:45 a.m., Wednesday, October 18, 2006 – 939 Ellis Street, San Francisco, CA 94109
13. Adjournment – The meeting adjourned at 10:51 a.m.

*/s/ Mary Romaidis*

Mary Romaidis  
Clerk of the Boards