



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**BOARD OF DIRECTORS
EXECUTIVE COMMITTEE MEETING**

COMMITTEE MEMBERS

**SCOTT HAGGERTY – CHAIRPERSON
GAYLE UILKEMA – SECRETARY
JERRY HILL
MARK ROSS
PAMELA TORLIATT**

**MARLAND TOWNSEND – VICE
CHAIRPERSON
MARK DeSAULNIER
JULIA MILLER
TIM SMITH**

**FRIDAY
DECEMBER 19, 2003
9:30 A.M.**

**FOURTH FLOOR CONFERENCE ROOM
DISTRICT OFFICES**

AGENDA

- 1. CALL TO ORDER – ROLL CALL**
- 2. PUBLIC COMMENT PERIOD** *(Public Comment on Non-Agenda Items Pursuant to Government Code § 54954.3) Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Committee's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.*
- 3. APPROVAL OF MINUTES OF OCTOBER 29, 2003**
- 4. REPORT OF THE ADVISORY COUNCIL**

W. Hanna/4965
bchanna@napanet.net

 - a) *Report of Council Meetings*
 - b) *Advisory Council Recommendations on Refinery Flaring*
- 5. REPORT ON AIR POLLUTION COMPLAINT PROGRAM REVISIONS**

K. Wee/4760
kwce@baaqmd.gov

Staff will present a report outlining the efforts undertaken to address community and environmental groups' concerns regarding the District's Complaint Program.
- 6. ENTERPRISE RESOURCE PLANNING (ERP) IMPLEMENTATION STATUS REPORT**

J. McKay/4629
jmckay@baaqmd.gov

A description of the JD Edwards ERP implementation will be presented, including updates on system function, budget and timeline.
- 7. STATUS REPORTS ON OZONE ATTAINMENT PLANNING**

P. Hess/4971
phess@baaqmd.gov

 - a) *Public Comments on EPA's Proposed Finding of Attainment*
 - b) *Bay Area 2001 Ozone Attainment Plan*
 - c) *Redesignation Request Maintenance Plan Requirements*
 - d) *Control Measure Evaluations*

8 COMMITTEE MEMBER COMMENTS/OTHER BUSINESS

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2).

9 TIME AND PLACE OF NEXT MEETING AT THE CALL OF THE CHAIR.

10. ADJOURNMENT

**CONTACT CLERK OF THE BOARDS - 939 ELLIS STREET
SAN FRANCISCO, CA 94109**

**(415) 749-4965
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov**

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities notification to the Clerk's Office should be given at least three working days prior to the date of the meeting so that arrangements can be made accordingly.

**Bay Area Air Quality Management District
939 ELLIS STREET
SAN FRANCISCO, CALIFORNIA 94109
(415) 771-6000**

DRAFT MINUTES

Summary of Board of Directors
Executive Committee Meeting
9:30 A.M., Wednesday, October 29, 2003

1. **Call to Order - Roll Call:** Chairperson Scott Haggerty called the meeting to order at 9:35 a.m.
Present: Scott Haggerty, Chair, Mark DeSaulnier, Jerry Hill, Julia Miller, Mark Ross (9:45 a.m.), Pamela Torliatt (10:01 a.m.), Marland Townsend, Gayle Uilkema.
Absent: Tim Smith.
2. **Public Comment Period:** There were no public comments.
3. **Approval of Minutes of July 30, 2003:** Director Townsend moved approval of the minutes; seconded by Director DeSaulnier; carried unanimously by acclamation.
4. **Quarterly Report of the Hearing Board:** Hearing Board Chair Thomas Dailey, M.D., presented the *Hearing Board Quarterly Report – July 2003 – September 2003*. Dr. Dailey noted that the Hearing Board members met with staff from the Enforcement Division to discuss the Emergency Variance procedures and that he had attended the National Association of Hearing Officials conference in Minnesota.
Committee Action: None. This report provided for information only.
5. **Report of the Advisory Council:**
 - a) *Report of Council Meetings*
 - b) *Requested appointment of four Advisory Council members*
 - c) *Requested reappointment of seven Advisory Council members to serve additional two-year terms.*

Stan Hayes, Chairperson of the Advisory Council Applicant Selection Working Group, presented the report on agenda items 5b and 5c. Mr. Hayes reviewed the selection process and recommended the appointment of four new Advisory Council members as follows:

1. Jeffrey Bramlett in the *Park and Recreation Category* for a two-year term from January 1, 2004 to December 31, 2005;
2. Diane Bailey in the *Conservation Organization Category* for a two-year term from January 1, 2004 to December 31, 2005;

3. Robert Bornstein, Ph.D. in the *Colleges and Universities Category* to complete an unexpired term starting January 1, 2004 and ending December 31, 2004; and
4. Emily Drennen in the *Conservation Organization Category* for a two-year term from January 1, 2004 to December 31, 2005.

There was a brief discussion that, in the future, the Working Group considers broadening their search to include school administration applicants from high school and/or lower grades.

Mr. Hayes stated that the Working Group is also recommending reappointment of seven Advisory Council members to serve additional two-year terms ending December 31, 2005 as follows: Harold Brazil for *Mass Public Transportation*; Fred Glueck for *General Contractor*; William Hanna for *Agriculture*; Kraig Kurucz for *Industry*; Norman Lapera, Jr., for *Regional Park District*; Victor Torreano for *Organized Labor*; and Brian Zamora for *Public Health Agency*.

Committee Action: Director Townsend moved the Committee recommend the Board appoint four new Advisory Council members (as stated above) and reappoint seven Advisory Council members (as stated above) as recommended by the Advisory Council Applicant Selection Working Group; seconded by Director Miller; carried unanimously without objection.

Advisory Council Chair William Hanna presented item 5a, *Report of the Advisory Council: July 11, – September 30, 2003*, which summarized the activities of the Council and its Standing Committees. Mr. Hanna stated that the Committees have been active and noted that a recommendation on the refinery flare issues will be presented to the full Advisory Council at its next meeting.

Committee Action: None. This report provided for information only.

6. **Consideration of Board of Director Term of Office:** *The Executive Committee considered making a recommendation to the Board of Directors regarding the term of office for Board Officers.*

The Committee discussed the issue of the term of office for Board Officers and determined that the term of office be changed from two years back to one year effective calendar year 2005.

Committee Action: Director Hill moved that the term of office for Board Officers be changed from two years back to one year effective calendar year 2005, and that the Administrative Code, Division I, Section 2.1: Officers of the Board, be amended to reflect the change; seconded by Director Ross; carried unanimously without objection.

7. **Attainment Record for National 1-Hour and 8-Hour Ozone Standards:** *Staff presented a report on the monitoring record for the national 1-hour and 8-hour ozone standards.*

Peter Hess, Deputy APCO, presented the report and stated that on October 30, 2003, the Environmental Protection Agency will publish in the *Federal Register* a proposed finding of attainment of the Bay Area for the 1-hour federal ozone ambient air quality standard. After a 30-day public comment period, the Air Resources Board (ARB) will initiate the action for EPA to remove three parts of the District's 2001 Plan as follows: 1) Attainment demonstration; 2) Reasonable further progress report; and 3) Contingency provisions. The Air District will then

start changing the 2004 Plan to a Maintenance Plan as it transitions from attainment of the federal 1-hour standard to maintenance of the federal 1-hour standard. The District will also start putting together a 10-year Plan to demonstrate attainment for the next 10 years.

Mr. Hess reviewed the high reading of the federal 8-hour standard at the San Martin station, which was 86 ppb. The federal 8-hour standard is 85 ppb. EPA will designate the District as non-attainment for the federal 8-hour standard. The attainment Plan for the federal 8-hour standard will be due in 2005.

Committee Action: None. This report provided for information only.

8. Status Reports on Ozone Attainment Planning:

- (a) Photochemical Modeling*
- (b) Public Involvement*
- (c) Control Measure Evaluations*

Jean Roggenkamp, Planning and Transportation Manager, presented the report. Ms. Roggenkamp reviewed the photochemical modeling and noted that there have been difficulties with the modeling. The Sacramento and San Joaquin Valley air districts have indicated that the modeling delays will slow the development of their ozone attainment strategies. The Bay Area will need to adjust the planning schedule to allow time for ENVIRON, District staff, ARB and the Modeling Advisory Committee (MAC) to resolve any issues. A report will be presented to the MAC in December.

Ms. Roggenkamp reported on the public involvement and reviewed the community meetings and workshops being held. Staff is preparing responses to concerns and questions that were brought up at the meetings/workshops.

Ms. Roggenkamp reviewed the control measure evaluation process and the categories. Approximately 350 stationary and mobile source measures have been compiled and District staff anticipates having a preliminary evaluation of all of these measures by the end of the year.

Committee Action: None. This report provided for information only.

9. Committee Member Comments: There were none.

10. Time and Place of Next Meeting: The December 31, 2003 meeting is cancelled. The next meeting of the Committee will be at the Call of the Chair.

11. Adjournment. The meeting was adjourned at 10:19 a.m.

Mary Romaidis
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members of the Executive Committee
From: William Hanna, Chairperson, Advisory Council
Date: December 2, 2003
Re: Report of Advisory Council: October 1 – November 30, 2003

RECOMMENDED ACTION: Receive and file.

DISCUSSION:

Presented below are summaries of the key issues discussed at meetings of the Advisory Council and its Standing Committees during the above reporting period.

1. Technical Committee Meeting – October 20, 2003. The Committee developed its final recommendations on refinery flaring for consideration by the full Advisory Council. *(Minutes included in the November 19, 2003 Board of Directors Regular Meeting Agenda Packet.)*
2. Public Health Committee Meeting – October 20, 2003. The Committee received presentations from the staff of the ConocoPhillips refinery and of the Western States Petroleum Association on optical monitoring at refinery fence lines. *(Minutes included in the November 19, 2003 Board of Directors Regular Meeting Agenda Packet.)*
3. Advisory Council Executive Committee Meeting – November 12, 2003. The Committee discussed the Standing Committee work plans, suggested staff referrals for Council review and the agenda for the January 14 Advisory Council Retreat. *(Minutes to be included in the December 19, 2003 Board of Directors Executive Committee Agenda Packet.)*
4. Advisory Council Regular Meeting – November 12, 2003. The Council received the reports of its Standing Committees, and revised and adopted the recommendations of the Technical Committee on refinery flaring, which are attached in Item 4b. *(Minutes to be included in the December 19, 2003 Board of Directors Executive Committee Agenda Packet.)*

Respectfully submitted,

William T. Hanna
Advisory Council Chairperson

Prepared by: James N. Corazza

FORWARDED BY: _____

BH:jc

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109

DRAFT MINUTES

Advisory Council Executive Committee Meeting
9:00 a.m., Wednesday, November 12, 2003

1. **Call to Order – Roll Call.** 9:10 a.m. Quorum Present: William Hanna, Chairperson, Elinor Blake, Robert Harley, Ph.D., Kraig Kurucz, Brian Zamora. Also present: Sam Altshuler, P.E.
2. **Public Comment Period.** None.
3. **Approval of Minutes of July 9, 2003.** Mr. Zamora moved adoption of the minutes; seconded by Dr. Harley; carried unanimously.
4. **Standing Committee Chair Reports on Committee Work Plans and Recommendations.** Mr. Kurucz stated that the Air Quality Planning Committee (AQPC) met on September 30, 2003 and received two presentations. The first was an update from Networkcar on the use of remote sensing technology in high use vehicles such as taxicabs. The second was provided by the staff of the Metropolitan Transportation Commission (MTC) on its Long-Range Transportation Plan.

Dr. Harley stated that after five meetings on the subject, the Technical Committee will present recommendations on refinery flaring at the Council meeting today. The Committee will meet in December 2003 to receive a staff presentation on fine particulate and ozone trends in the Bay Area.

Mr. Zamora stated the Public Health Committee is reviewing optical monitoring technology at refinery fence lines. At its October 2003 meeting, staff from the ConocoPhillips refinery in Rodeo and the Western States Petroleum Association (WSPA) presented industry perspectives. Industry has greater confidence in data from ground level monitors than from optical monitors. It also considers the latter to be expensive and lacking in any statutory mandate. The Committee will develop recommendations on this technology from a public health perspective at its next meeting.
5. **Discussion and Adoption of Recommendation of a Slate of Officers for 2004.** Chairperson Hanna stated that, by past practice, Vice-Chairperson Blake would be nominated for Chairperson, and Secretary Zamora for Vice-Chairperson. Noting that the nominee for Secretary is drawn from Standing Committee Chairs, he inquired of Mr. Kurucz if he would accept nomination as Council Secretary. Mr. Kurucz replied affirmatively. Ms. Blake moved the Committee endorse the aforementioned slate of officers for 2004; seconded by Dr. Harley; carried unanimously.
6. **Discussion of January 14, 2004 Retreat and Regular Meeting.** Ms. Blake indicated that she is considering holding this meeting off-site and is exploring sites that are free and BART accessible. She added that she is considering inviting a keynote speaker. The Council's task will be to discuss the key air quality issues facing the District and to develop a work plan for the year.

Peter Hess, Deputy Air Pollution Control Officer, stated that the Council has done a fine job in reviewing key issues and developing sound recommendations. Staff is pleased with the collaborative process that it has with the Council. He distributed a document entitled, “Candidate Assignments for the Advisory Council,” containing seven topics for possible review by the Council:

1. Review the control measures for volatile organic compounds (VOCs), nitric oxide (NO_x) and particulate matter (PM) in the South Coast AQMD attainment plan recently approved by the Air Resources Board (ARB); make recommendations to the Air Pollution Control Officer (APCO) for implementing them in the Bay Area.
2. Review and provide comments to the APCO on the draft Bay Area AQMD State and Federal Air Quality Attainment and Maintenance Plans. Continue participation on the Modeling Advisory Committee and the Ozone Working Group.
3. Review and provide comments to the APCO on the ARB mobile source emission calculation models.
4. Review and provide comments to the APCO on the impact of State policy to reduce both VOC and NO_x from mobile and stationary sources as aggressively as possible on attainment of the National Ozone standards in coastal areas and in all California air basins.
5. Review and provide comments to the APCO on the Toxic New Source Review (NSR) Rule amendments.
6. Review and provide comments to the APCO on the draft California Environmental Protection Agency (Cal-EPA)/ARB Environmental Justice implementation protocols.
7. Review and provide comments to the APCO on the impact of daylight savings times on peak 1-hour and 8-hour ozone concentrations.

In discussion of these topics, Ms. Blake inquired as to the “cumulative risk” issue that is under discussion at the state level. William C. Norton, Executive Officer/APCO noted that this would be included in No. 6, to which the “precautionary principle” issue should be added. Mr. Hess noted that staff and guest speakers could address specific aspects of the topics at the Retreat and suggest ways to review them. Dr. Harley requested that Executive Management and the Division Directors attend the Retreat and participate in the Committee breakout sessions.

Mr. Kurucz stated that the AQPC completed review of its work plan topics earlier than expected. The Committee met for many consecutive months to develop its Smog Check II recommendations and would like an update on their implementation. Ms. Blake suggested that in mid-2004 the Council’s Executive Committee evaluate the progress made on the standing Committee work plans, since efficiency is unpredictable. Dr. Harley added that the Council may also serve as an early warning system for issues that are not yet, but likely to be, on the regulatory calendar.

Mr. Norton, stated that Topics 1 and 2 have the highest priority. The ARB is recommending the District be declared in attainment for the one-hour federal ozone standard. It is unclear whether the District must submit an Attainment or Maintenance Plan after the Notice of Attainment is filed by the EPA. However, additional pollution control measures will be necessary in either scenario. Jack Broadbent, newly appointed Executive Officer/APCO, added that the 30-day comment period on this Federal Register notice concludes at the end of November 2003. The EPA will very likely finalize its federal recommendations at the end of this year.

Mr. Norton observed that for the federal one-hour ozone standard for the last three years, the District had one year with no exceedances, another with two and the third with one. Therefore, there can be no exceedances next year if this attainment record is to be sustained. The District's air quality plans must also address pollutant transport to adjacent air basins. This issue should be included in No. 2. The due date for review of Nos. 1 and 2 is mid-year 2004. Mr. Kurucz stated the AQPC has a role to play in reviewing Nos. 1-6. Dr. Harley stated the Technical Committee has a role in reviewing Nos. 1-5, but if a cumulative risk model is developed next year, the Committee can review it under No. 6.

Ms. Blake noted that it would be helpful to have a due date for completing review of each topic. Mr. Kurucz observed that these topics are broad and may contain certain portions with a higher priority than others. Dr. Harley added that since the Plans identified in the topics are probably voluminous, the Committees should focus on the specific areas in these Plans that are either controversial or contain uncertainties in data. Mr. Altshuler suggested that the Council review secondary formation of PM_{2.5} from nitrate. Mr. Kurucz suggested that the Council review the implementation of the Smog Check II program, including the efficacy of the diagnostic equipment and the cost of the test. Mr. Norton urged the Council to invite a speaker from the Bureau of Automotive Repair (BAR) to address these issues. Chairperson Hanna stated that the topics suggested by staff and the Committee members would be further discussed at the Council Retreat.

Mr. Kurucz inquired about the role of the Council in reviewing the District's legislative agenda. He noted that the AQPC has reviewed certain bills and could act as a screening committee for review of legislation. Ms. Blake stated the Council would benefit from having a perspective on the legislative context in which the District is operating. The Committee members requested that staff apprise the Council of the bills that it is tracking and report on them as they move toward the point of passage. They also requested that executive staff ask the Board Legislative Committee if there are specific areas in which it wishes to receive Council input on pending legislation.

Mr. Norton replied that he would so inquire and invited the Committee members to attend the Legislative Committee meeting scheduled for Monday, November 17, 2003. He suggested that in the future a legislative report be added to the Council's Regular meeting agenda. Ms. Blake replied that an attachment of key bills for information would suffice, and if review of an important bill arises, it could be assigned to a Committee. Mr. Norton indicated staff would forward to the Council the Legislative Committee's agendas, reports and official actions, and also summarize its actions at the Council Regular meeting. If the Legislative Committee seeks input from the Council on a specific bill, a Council Committee could review it with the District's Legislative Analyst.

7. **Committee Member Comments/Other Business.** Ms. Blake thanked Mr. Norton for his fine work during the interim period that he has worked at the District as Executive Officer and Air Pollution Control Officer. Mr. Norton replied that he has greatly enjoyed his work with the Air District staff and has found the Advisory Council to be both supportive and helpful.
8. **Time and Place of Next Meeting.** At the call of the Chair.
9. **Adjournment.** 9:57 a.m.

James N. Corazza
Deputy Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

939 ELLIS STREET - SAN FRANCISCO, CALIFORNIA 94109

Draft Minutes: Advisory Council Regular Meeting - November 12, 2003

Call to Order:

Opening Comments: Chairperson Hanna called the meeting to order at 10:10 a.m.

Roll Call: Present: William Hanna, Chairperson, Sam Altshuler, P.E., Elinor Blake, Pamela Chang, Patrick Congdon, Ignatius Ding, Fred Glueck, Rob Harley, Ph.D., John Holtzclaw, Ph.D., Kraig Kurucz, Kevin Shanahan, Victor Torreano, Linda Weiner, Brian Zamora.

Absent: Louise Bedsworth, Ph.D., Harold Brazil, Irvin Dawid, Stan Hayes, Norman A. Lapera, Jr.

Public Comment Period: There were no public comments.

Consent Calendar:

- 1. Approval of Minutes of September 10, 2003.** Dr. Holtzclaw requested that “2002” be changed to “2001” in paragraph two, line two of Item No. 9 on page five, and moved approval of the minutes as corrected; seconded by Ms. Blake; carried unanimously.

Committee Reports

- 2. Report of the Air Quality Planning Committee Meeting of September 30, 2003.** Mr. Kurucz stated the Committee received a presentation from Networkcar on a pilot project in the Bay Area that tests remote sensing devices in taxicabs and paratransit vehicles. The findings suggest that this technology detected emission control problems that would not have gone undetected by the Smog Check II program vehicle emission test. Mr. Glueck added that staff from the Metropolitan Transportation Commission (MTC) gave a presentation on MTC’s Long-Range Transportation Plan. The main objectives of this Plan are to fix traffic congestion and road condition problems.
- 3. Report of the Public Health Committee Meeting of October 20, 2003.** Mr. Zamora stated that the Committee received presentations from the staff of the Western States Petroleum Association and the ConocoPhillips refinery on optical monitoring technology at refinery fence lines. The refinery is committed to providing fence line monitoring data and finds that it improves community relations. It also feels the optical technology is costly and has a number of technical problems. The Committee has heard from members of the communities near the refinery, the equipment manufacturers and vendors, monitoring system maintenance contractors, refinery environmental and engineering staff, as well as the District. At its next meeting, it will develop recommendations on the referral concerning whether optical monitoring technology should be recommended for installation at other refineries and chemical plants in the Bay Area. Mr. Torreano added that the Committee may collaborate with the Technical Committee in review of some aspects of this issue.

- 4. Report of the Technical Committee Meeting of October 20, 2003.** Dr. Harley stated that the Committee developed the recommendations on refinery flares which the full Council will review later today. He noted that refinery flaring is of concern for its impact not only on local air quality but also on regional air quality in terms of ozone and particulate matter (PM) formation. Major subjects of review include the extent to which flaring ensures refinery process safety in shut-downs, start-ups and emergencies, and whether a flare control rule should be developed based on the data that will be gathered from the flare monitoring rule.

District staff and refinery estimates of hydrocarbon (HC) emissions from refinery flares differ from 22 to 0.2 tons per day, respectively. Those estimates are for different years and employ different assumptions and data. The Committee believes that HC emission estimates from flares require further refinement and, in particular, should be based on actual measurements rather than assumptions. It is critical to have accurate data on the quantity and content of gas flow to the flare and how effectively the HCs are destroyed in combustion. Remote sensing techniques may help in evaluating the HC destruction efficiency at the flare tip.

Gas recovery systems at one refinery have also significantly reduced flaring emissions in the last two years, and improvements to flare gas recovery systems have also been made at other refineries. The greater attention now given to flaring has led to improvements in refinery flare management and reductions in flare emission totals. Although the Committee's recommendations focus on HCs, flares emit other pollutants including soot, carbon dioxide (CO₂), nitrogen and sulfur compounds. Even with the complete destruction of HCs, emissions of sulfur compounds will not be affected.

The Committee recommends that:

- (a) staff work collaboratively with refineries using new data from the flare monitoring rule, to obtain a better handle on HC emissions, and keep interested parties informed.
- (b) staff and the refineries investigate remote sensing technologies for flare emission analysis, and track the flare analyses underway in Texas and the South Coast AQMD.
- (c) adoption of any flare control rule should incorporate and be based on data gathered from the flare-monitoring rule.

Ms. Weiner suggested that obtaining data on hospital admissions during flaring would be helpful in addressing public health impacts. Mr. Glueck inquired as to what percentage of total HC emissions in the inventory can be attributed to flaring, given the diversity of estimates from the refineries and the District. Dr. Harley replied that actual measurements and engineering estimates based upon historical data often do not match. William C. Norton, Executive Officer/APCO, added that in the 2001 Ozone Attainment Plan, the District estimated refinery flare emissions at 13 tons per day (tpd) of HCs out of a total of 500 tpd of HCs. The estimate of 22 tpd of HCs that was in the initial Technical Assessment Document was preliminary. A final Technical Assessment Document will be issued next month with a revised estimate that will likely be less than 22 tpd.

Mr. Shanahan raised the question of how broader emission inventory estimates relate to concerns over local impacts of flaring in neighborhoods. Dr. Harley replied that the former is concerned with regional air quality planning, with emission impacts evaluated along wind trajectories and control strategies targeted accordingly. Within a broader regional air quality analysis, it is difficult to identify and quantify the amount of local emission reductions from specific control strategies.

Chairperson Hanna called for public comments, and the following individual came forward:

Dennis Bolt
Senior Coordinator, Bay Area
Western States Petroleum Association

stated the recommendations are sound. Flares are efficient and effective combustion devices that virtually destroy all gases going to the flame, particularly during maintenance events. They are also essential safety devices in emergencies and combust toxic compounds that would be vented. In considering adoption of any flare control rule it is critical that flare operator judgment not be influenced to vent fewer quantities of gas to the flare to prevent receipt of a Notice of Violation as this could lead to a catastrophic event. The refineries also request that the Advisory Council's recommendations on flaring be posted on the District's website and published in the District's forthcoming Technical Assessment Document. The refineries appreciate that the District will further refine its estimates of HC emissions from flares to obtain the most accurate estimates.

Mr. Bolt added that there are no viable alternatives to flaring, and any new refinery would be constructed with flaring systems. Flaring is nonetheless being reduced, with a 70% reduction in flare gas flow achieved by one refinery through gas recovery. The refineries are also making numerous process and performance improvements. The District is facilitating coordination among the refineries regarding the causal analysis of flaring events, and further such analyses based on actual flow data obtained through the flare-monitoring rule will be provided to the District.

Ms. Blake inquired about how refinery proactivity might supplant the prevailing pattern of refinery response to public outcry over major releases so that there is a greater nexus between corporate responsibility and community health and safety. Mr. Bolt replied that the balance derives from an effective evaluation of scientific judgment within the full range of ideas and perspectives. The flare-monitoring rule will provide data critical to evaluations appropriate to that field of inquiry.

Mr. Norton added that staff is facilitating coordination among the refineries in a variety of areas, including flare gas data generation and process improvements. These proactive efforts surpass previous industry and regulatory efforts regarding refinery emissions. Ms. Weiner replied that while coordination has recently improved, the flare monitoring rule and other refinery process improvements were reactions to refinery events that had adverse community health impacts.

Chairperson Hanna and Dr. Harley clarified that HC combustion efficiency in a flare does not assume stoichiometric conversion to carbon monoxide (CO), CO₂, and water (H₂O). Some HCs may be emitted as soot, aldehydes, and other compounds, due to incomplete combustion. A more complete emissions picture is needed.

Ms. Weiner moved adoption of the recommendations with the inclusion of her suggestion that staff gather data on hospital admissions data around flaring events. Ms. Blake seconded the motion, suggesting that staff could consult with the state and county health officers for data on hospital and emergency admissions and physician visits during flaring activities. In discussion, Mr. Altshuler stated that the resource impacts that District staff would face as a result of collecting such data should also be assessed. Mr. Kurucz suggested that the Public Health Committee should first meet to assess any logistical problems associated with examining potentially confidential medical records. Mr. Glueck opined the proposed addition is entirely separate from the referral that was originally given to the Technical Committee on evaluation of refinery flare combustion efficiency.

Dr. Harley stated that the suggestion is supportable but was not a part of the Committee's deliberations. The collection of such medical data might be better linked prospectively to the collection of data from the flare-monitoring rule. This would allow the Public Health Committee to review the parallel data sets then offer the Council a recommendation based on its deliberations. Mr. Norton suggested that staff work with the local health officers and hospitals to assess the resource issue and report back to the Public Health Committee. Mr. Zamora observed that the recommendation does not ask staff to conduct the study on hospital admissions data but merely to confer with health experts who would conduct the health study, thus integrating science, planning and public health.

Chairperson Hanna called for a separate vote on each recommendation in the Committee report:

Recommendation No. 1, with the following added, per previous discussion, at the end: "District staff should collaborate with the staff of the Contra Costa County and/or Solano County health departments regarding data concerning relevant public health impacts during major flaring events."

Ayes: Altshuler, Blake, Chang, Ding, Hanna, Harley, Holtzclaw, Kurucz, Shanahan, Torrealano, Weiner, Zamora.

Noes: Congdon, Glueck.

Recommendation Nos. 2 and 3 were each carried unanimously in separate votes by acclamation.

5. Report of the Executive Committee Meeting of November 12, 2003. Mr. Hanna stated the Executive Committee:

- was introduced to the new Executive Officer/Air Pollution Control Officer, Jack Broadbent, whose first official day of work at the District began on Monday, November 10, 2003.
- discussed the agenda for the January 14, 2003 Advisory Council Retreat.
- endorsed and now proposes the following slate of Officers for 2004: Elinor Blake, Chair, Brian Zamora, Vice-Chair; Kraig Kurucz, Secretary. Ms. Weiner moved the Council approve the slate of Officers for 2004; seconded by Dr. Holtzclaw; carried unanimously.

6. Applicant Selection Working Group Meeting of October 17, 2003. Chairperson Hanna stated that the Working Group met in November to screen applications and interview candidates for four Council vacancies. On October 29, 2003, the Group presented its recommendations to the Board Executive Committee, which approved them. The full Board will vote on these next Wednesday. He added that Pamela Chang has recently tendered her resignation from the Architect category effective the date her replacement is appointed. He directed staff to advertise for this position.

Presentations:

7. Status Report on 2004 Ozone Planning Process. Jean Roggenkamp, Planning & Transportation Manager, stated that on October 31, 2003 the Environmental Protection Agency (EPA) made a proposed finding that the Bay Area has attained the national one-hour ozone standard. This is based on data from 2001-2003 in which no monitoring station has recorded more than three exceedances. If the EPA finalizes this finding, several requirements regarding an attainment demonstration, reasonable further progress and contingency measures will be waived for the District. However, the waiver will be withdrawn if the District records a violation of the one-hour standard. The public comment period on this proposed attainment finding will end on December 1, 2003.

The District will continue to address attainment of the state ozone standard and the national eight-hour ozone standard, as well as mitigation of downwind transport impacts. The District, the California Air Resources Board (CARB), Environ Corporation, U.C. Riverside and Desert Research Institute are conducting photochemical modeling for central California. The models are underestimating ozone for historical events in 1999 and 2000. Two working groups have been convened by staff to review on-road motor vehicle emissions, and wind/temperature fields, respectively, to better evaluate and improve model performance. These groups will report to the Modeling Advisory Committee and Ozone Working Group in early December 2003.

In September, community scoping meetings on the ozone plan were held in Rodeo, Richmond, East Palo Alto, Oakland, San Francisco and San Jose. Local public health department staff participated in several of these meetings. Participating citizens offered suggestions on stationary and mobile source control measures, as well as transportation control measures and public transit improvements. These have been added to the package of measures that will be reviewed by staff for potential inclusion in the plan. Other topics raised by the participants focused on local health effects, cumulative air quality impacts, lack of health care data and health care services, and free-ways as mobile source emission hot spots. Staff's response to these comments will be posted on the District's website. Some groups requested that the District hold training sessions prior to the community meetings. More meetings will follow when the draft plan is available for comment. Ms. Blake and Mr. Zamora commended staff for the excellent work shown in sponsoring these community meetings and urged the District continue to hold such meetings as a matter of course.

In reply to questions, Ms. Roggenkamp noted that over 350 proposed mobile source and stationary control strategies will be reviewed. Some of these have been implemented already. The District is already considering about a dozen of these control measures and a few of them may move forward. Other measures are either potentially feasible but require further study, entail only minor emission reductions, are not technically feasible or are not cost-effective. Many of these measures are under the jurisdiction of the EPA, CARB or Bureau of Automotive Repair. Others would require legislative approval and an accompanying funding mechanism. Staff will complete its review of these measures in December 2003 and prepare a package for review by the Ozone Working Group in January 2004. The District has hired a consultant, Environmental Audit, to conduct an environmental review of the Ozone Plan and can provide a presentation to the Advisory Council next year.

Ms. Roggenkamp also distinguished "redesignation to attainment" from a "finding of attainment," noting that the former would require the demonstration that attainment derived from emission reductions from control measures and that attainment can be maintained for a period of 20 years.

Other Business:

- 8. Report of the Executive Officer/APCO.** Mr. Norton stated that the District will further improve its community outreach efforts through a Bay Area high school and college student intern program. He added that his employment will conclude on November 21, 2003, and that it has been a pleasure to work with the Advisory Council.

Jack Broadbent, newly appointed Executive Officer/APCO, stated that he began working at the District on November 10, 2003. Noting that he has worked for 20 years in air quality management, at both the South Coast AQMD and EPA Region IX. He added that he is looking forward to working with the Advisory Council.

9. Report of the Advisory Council Chair. Chairperson Hanna expressed his appreciation to:

- the Standing Committee and Working Group Chairs, and Councilmembers, for their hard work.
- District staff for its input in presentations and receptivity to Council recommendations.
- Deputy Clerk James Corazza for his secretarial services to the Council and to its Chair, which have been of noteworthy assistance to the Chair in managing the Advisory Council.
- the three outgoing members of the Council whose terms end on December 31, 2003—Patrick Congdon, Ignatius Ding and Jane Kelly for the time they devoted to Council activities.
- outgoing member Robert Harley, Ph.D., whose term expires on December 31, 2004 but who is leaving at the end of this year. He was appointed to the Council in April of 1997 and served on the Technical Committee, of which he was the Chair this year. He has brought to the Council his expertise in mobile source emission and photochemical modeling, and provided presentations on the Caldecott Tunnel studies, as well as of diesel fuel use as a means of measuring emissions in various parts of the state. His scholarship, technical knowledge and quality participation have been invaluable to the deliberations of the Advisory Council.

Dr. Harley replied that it has been a real pleasure to serve on the Advisory Council and to work with its members and the staff. Noting that he must devote more time to research and committee work at U.C. Berkeley, Dr. Harley stated he would like to return to the Council later in his career.

Mr. Congdon expressed his appreciation for the opportunity to serve on the Council, and noted that his appointment as General Manager of the Santa Clara County Open Space Authority has rendered his schedule too full to permit his consistent participation in Advisory Council meetings.

Mr. Ding expressed his appreciation for the opportunity to serve on the Council, and noted his change in jobs requires considerable travel and poses schedule conflicts with Council meetings.

10. Council Member Comments/Other Business. There were none.

11. Time and Place of Next Meeting. 10:00 a.m. – 2:00 p.m., Wednesday January 14, 2003. Ms. Blake noted she would seek the assistance of Dr. Harley in trying to secure a meeting place at the U.C. Berkeley campus for the Advisory Council Retreat and Regular Meeting.

12. Adjournment. 11:57 a.m.

James N. Corazza
Deputy Clerk of the Boards

:jc

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members of the Executive Committee
From: William Hanna, Chairperson, Advisory Council
Date: November 12, 2003
Re: Advisory Council Recommendations on Refinery Flaring

RECOMMENDED ACTION: Board adoption of the Council's recommendations below.

DISCUSSION:

The Advisory Council Technical and Public Health Committees have devoted several committee meetings this year to the issue of refinery flares. Input was received in the form of presentations to the Committees and extensive discussion and public comments. Presenters and commenters included District staff, oil refinery and Western States Petroleum Association (WSPA) representatives, experts in fence line monitoring and optical remote sensing, an expert in refinery flare system design and operation, environmental groups, and members of the communities neighboring Bay Area refineries.

Earlier this year, the District's Board of Directors adopted a rule requiring flare monitoring at Bay Area refineries. A controversial issue still remains: whether to adopt a further rule requiring emission controls from flare systems.

FINDINGS

Flare stacks are an important and necessary safety system at refineries, and are needed to deal with or prevent emergency and process upset conditions. An issue of concern to the Committee is the potential for large emissions of pollutants from refineries as a result of unpredictable events such as process upsets, equipment breakdowns, earthquakes, fires, electrical power failure, accidents, and other hazards. High hydrocarbon (HC) flows to the flare system and/or loss of the steam and air supply to the flare stacks could cause the HC to burn in an undesirable fuel-rich mode that leads to emissions of black smoke and other products of incomplete combustion in the exhaust plume.

Air quality concerns about refinery flare emissions include possible effects on regional ozone and particulate matter concentrations, in and downwind of the Bay Area. For perspective, refinery flare HC emissions represent from 2 to 20 tons per day, per current estimates, which is approximately 0.4 to 4% of total Bay Area anthropogenic HC emissions.

Foul odors, visible smoke plumes, and the perception of adverse public health effects that might result from exposure to refinery emissions are the foremost air quality concerns among those living near the refineries.

While unit shutdowns, startups, and turnarounds are the most frequent and necessary cause of flaring events, they may not be the largest source of air emissions. Data presented to the committee indicate that unanticipated process upsets and accidents (the second most frequent cause of flaring events) appear to lead to the highest emissions.

District staff and the oil refiners are focusing at present on discussions of HC emissions from flare systems. There are large differences in the estimates of unburned HC emissions from Bay Area refinery flares, ranging from ~2 tons per day (industry estimate) to over 20 tons per day (District staff estimate). Validated HC emission estimates should be developed, based on measurements of all relevant parameters that affect flare emissions. Those parameters include the flow rate of gas to the flare stack, the hydrocarbon content of those gases, the hydrocarbon speciation, and the hydrocarbon destruction efficiency within the flare system.

The District's recently adopted flare monitoring rule will provide measured data that can be used to improve the estimates of HC emissions. However, the adopted rule does not require measurement of hydrocarbon destruction efficiency in the flare system. This is an important concept that needs to be addressed before more accurate estimates can be used for planning. Optical remote sensing techniques show promise for improved measurement of HC destruction efficiency in flares. In the absence of on-site measurements, the Council agrees that 98% is a reasonable assumption for the HC destruction efficiency for use in air quality planning and assessment.

Hydrocarbon emissions from flares have been reduced during the last year. This has occurred due to voluntary installation of gas recovery systems at one refinery (hydrocarbons were not recovered from the flare header at this refinery previously, as they were at other refineries), other significant good faith efforts to reduce emissions by refineries, and District staff efforts.

The HC destruction efficiency (presently assumed to be 98%) refers only to destruction of the original hydrocarbon molecules sent to the flare – it does not guarantee that these HC are completely burned. While the Council has not yet assessed the extent of their effect, it notes that flares have the potential to emit numerous other compounds in addition to unburned HC that have the potential to affect the environment. Those compounds include carbon dioxide (a greenhouse gas); carbon monoxide, aldehydes, and soot (products of incomplete combustion); as well as nitrogen oxides and sulfur oxides and other sulfur compounds. Emissions of some of these compounds have not yet been quantified.

RECOMMENDATIONS

- 1) District staff should work collaboratively with refineries to develop improved estimates of HC emissions from flares at refineries, using new data resulting from the adopted rule on flare monitoring. The refining industry, refinery neighbors, and other interested parties should be kept informed and consulted as this effort progresses. District staff should collaborate with the staff of the Contra Costa County and/or Solano County health departments regarding data concerning relevant public health related impacts during major flaring events.

- 2) District staff and refiners should investigate further the use of optical remote sensing or other appropriate plume monitoring techniques to measure the HC destruction efficiency in flare systems. Additional investigation of the issue is warranted and necessary, including review of the results of a study on flare destruction efficiency being conducted by the Texas Council on Environmental Quality, and review of South Coast AQMD flare monitoring and control activities.

- 3) Adoption of any control rule directed at refinery flares should incorporate and be based upon data gathered under the recently adopted flare-monitoring rule.

Respectfully submitted,

William T. Hanna
Advisory Council Chairperson

Prepared by: James N. Corazza

FORWARDED BY: _____

BH:jc

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter Office Memorandum

AGENDA NO. 5

To: Chairperson Haggerty and Members of the Executive Committee

From: Kelly Wee
Director of Compliance and Enforcement

Date: December 19, 2003

Re: Overview of Air Pollution Complaint Program Revisions

RECOMMENDED ACTION:

Receive and File

BACKGROUND

Investigating and resolving air pollution complaints is one of the most important responsibilities the Bay Area Air Quality Management District undertakes. Because District staff cannot always be in places where air pollution problems may be developing, citizens who complain have always been considered the eyes and ears of the District. However, in August 2002 members of the public brought concerns to the Board of Directors that the District was unresponsive to community air pollution problems and that the complaint process was too difficult. As a result, the District began a process to review the complaint program. The outcome of a joint workgroup, meeting for one year, was the following:

- Improved public access to the complaint process
- Improved internal procedures for complaints received
- Improved customer service in dealing with the public
- Clarification of regulations triggered by complaints
- Accomplishment of the above done collaboratively with community and environmental groups for the first time.

DISCUSSION

The joint workgroup included seven District staff and representatives from the Environmental Science Institute, Communities for a Better Environment, Greenaction, Alliance for West Oakland Development, the Pacific Institute, Golden Gate University Law Clinic, City of Oakland Council staff. A West Oakland neighborhood resident also participated regularly. Meetings were facilitated by two representatives from Community Focus, a professional consulting organization.

Five community meetings were held over a year's period to determine how to make the complaint program more responsive to community needs while at the same time

preserving the District's role as an independent, neutral investigative body. After identifying multiple problems, as well as desired improvements, community members then ranked what they considered their highest priority need for changes. District staff presented detailed information about operational needs and procedures, and also surveyed other districts for best practices. As soon as possible, District staff began implementing agreed-upon changes. These more immediate changes included foreign language translation capability, improved telephone directory listing, public service training for front-line staff and providing more complaint information sooner.

The following is a summary of improvements to the program:

- Expands ways for public to register complaint or provide additional information:
 - By phone (800) 334-ODOR
 - By Complaint Declaration
 - By Petition
 - By Odor Log.

- Improves complaint processing by providing the following:
 - Translation for non-English-speaking communities
 - Increased information listings in Bay Area telephone books
 - Complaint Reference No. (C#), to allow better tracking by complainant
 - Option to receive follow-up information on action stemming from complaint
 - Notification of any hearings where public nuisance abatement is sought.

- Improves Customer Service by implementing the following:
 - Consistent and ongoing training for office and field staff
 - Cradle-to-grave handling and tracking of the community's complaints
 - Proactive response to odors, even where no nuisance is developing.

- Improves response to developing or actual public nuisance situations through:
 - Priority ranking for responding to complaints, with most serious ones receiving first response
 - Reallocating resources or flexible staffing to increase staff response capabilities
 - Identification criteria for air contaminant, responsible party, and effect of contaminant (better case building)
 - Proactive response for lower threshold nuisances.

The majority of changes listed above will be incorporated into the District's Complaint Guidelines document. The Compliance and Enforcement Division develops many Policy and Procedure Guidance documents that District staff use to ensure that consistent standards are followed. The Complaint Guidelines was first developed in 1990 to instruct staff on how to receive, investigate and take enforcement actions based on air pollution complaints from the public. The document was last revised in July 2000.

One of the most significant changes to occur has been the extensive customer service training undertaken to re-educate staff regarding the changes needed to view complainants more as partners than as problems. To assure that we keep in this spirit of cooperation with the public we serve, continual commitment to public service training and a public service satisfaction survey will be conducted at regular intervals in the future.

Other future changes to be implemented include computer infrastructure improvements and increased information through web access. The District undertook this collaborative review with community activists and members of the public to bring its air pollution complaint program up to meet the community needs. We will continue to review and modify programs as necessary.

Respectfully submitted,

Kelly Wee, Director
Compliance and Enforcement Division

FORWARDED: _____

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-Office Memorandum

AGENDA NO. 6

To: Chairperson Haggerty and Members of the Executive Committee
From: Jeff McKay, Director of Information Services
Date: December 19, 2003
Re: Update on Enterprise Resource Planning (ERP) Implementation

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

Following an evaluation led by Deloitte and Touche, the District selected JD Edwards to replace its Mitchell Humphrey financial System and its paper-based HR system. At the May 21, 2003 Board Meeting, the Board authorized approval of a contract with J.D Edwards to provide the financial/HR software.

(\$K)	<u>Actual Dollars to Date</u>	<u>Deloitte and Touche Target</u>	<u>Committed Dollars</u>
Application Software License and Maintenance	\$ 269	\$ 248	\$ 269
System Software	\$ 88	\$ 100	\$ 88
Hardware	\$ 91	\$ 85	\$ 91
Professional Services including Training, Data Conversion, and Legacy Interfaces	\$ 555	\$ 1,235	\$ 1,190
Total	\$ 1,003	\$ 1,668	\$ 1,638

DISCUSSION

The JD Edwards system will embody the District's financial and HR business processes. Therefore the implementation provides a unique opportunity to review and re-engineer those processes. The Administrative Services Division is taking full advantage of this opportunity.

The JDE Budgeting system will be used for the 04/05 budgeting process beginning January 04. The Financial and HR Systems will be ready for pilot parallel use after the first quarter, with full cutover and de-commissioning of Mitchell Humphreys scheduled to occur concurrent with the financial year-end on June 30.

BUDGET CONSIDERATION/FINANCIAL IMPACT

This work is funded from the approved 2003/2004 ERP budget of the ISS Division.

Respectfully submitted,

Jeff McKay, Director
Information Services Division

FORWARDED: _____

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-Office Memorandum

To: Chairperson Haggerty and
Members of the Executive Committee

From: Peter Hess
Deputy Air Pollution Control Officer

Date: December 9, 2003

Re: Status Report on 2003-04 Ozone Planning: Public Comments on EPA's Proposed
Finding of Attainment

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

On October 31, 2003, U. S. EPA (EPA) proposed a finding of attainment for the San Francisco Bay Area for the national 1-hour ozone standard. This proposed finding is based on monitoring data from 2001, 2002, and 2003. The comment period closed on December 1, 2003.

DISCUSSION

EPA received seven comment letters on the proposed finding from the following organizations:

- Bay Area Air Quality Management District (BAAQMD)
- California Council for Environmental and Economic Balance (CCEEB)
- Communities for a Better Environment (CBE)
- Sacramento Metropolitan Air Quality Management District (SMAQMD)
- Marc Chytilo on behalf of TRANSDEF
- Our Children's Earth (OCE)
- Western States Petroleum Association (WSPA)

The organizations in support of the finding include the BAAQMD, WSPA, and CCEEB. The organizations opposed to the finding include CBE, SMAQMD, TRANSDEF, and OCE.

EPA staff will review the comments, prepare responses and publish final action regarding the finding of attainment in the Federal Register. District staff are not aware of EPA's anticipated timing.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Peter Hess
Deputy Air Pollution Control Officer

Prepared by: Jean Roggenkamp

FORWARDED: _____

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-Office Memorandum

To: Chairperson Haggerty and
Members of the Executive Committee

From: Peter Hess
Deputy Air Pollution Control Officer

Date: December 9, 2003

Re: Status Report on 2003-04 Ozone Planning: *Bay Area 2001 Ozone
Attainment Plan*

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

On July 9, 2003 U. S. EPA Region IX (EPA) announced proposed approval of the *Bay Area 2001 Ozone Attainment Plan*. Subsequently, on October 31, 2003, EPA proposed a finding of attainment for the San Francisco Bay Area for the national 1-hour ozone standard. This proposed finding is based on monitoring data from 2001, 2002, and 2003. If EPA makes a final finding of attainment, the attainment demonstration, reasonable further progress commitment, and contingency measures in the *Bay Area 2001 Ozone Plan* are no longer required.

DISCUSSION

In the proposed finding of attainment, EPA states an intent to take final action on the *Bay Area 2001 Ozone Plan* when publishing final action on the finding of attainment. If EPA makes a final finding of attainment, then EPA would take action only on the elements of the *Bay Area 2001 Ozone Plan* that are still required, including the emission inventory and control strategy. Staff will send a request to the California Air Resources Board (ARB) to withdraw the elements of the *Bay Area 2001 Ozone Plan* that are no longer required and urge expeditious approval of the remaining required elements in the event of a final finding of attainment, and request that ARB forward the request to EPA.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Peter Hess
Deputy Air Pollution Control Officer

Prepared by: Jean Roggenkamp

FORWARDED: _____

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-Office Memorandum

To: Chairperson Haggerty and
Members of the Executive Committee

From: Peter Hess
Deputy Air Pollution Control Officer

Date: December 9, 2003

Re: Status Report on 2003-04 Ozone Planning: Redesignation Request and
Maintenance Plan Requirements

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

U. S. EPA (EPA) has proposed a finding of attainment for the San Francisco Bay Area for the national 1-hour ozone standard. This proposed finding is based on monitoring data from 2001, 2002, and 2003. A finding of attainment is not the same as redesignation to attainment. Additional analyses and findings are required for redesignation. This report provides an overview of the required elements of a redesignation request and maintenance plan for the national 1-hour ozone standard.

DISCUSSION

In order for EPA to approve a request for redesignation to attainment, the region must submit a revision to the State Implementation Plan to EPA through the California Air Resources Board. The redesignation request must include the following elements:

- Monitoring data demonstrating that the region has attained the standard
- Demonstration that the air quality improvement is due to permanent and enforceable emission reductions
- Maintenance plan demonstrating the region's ability to maintain the standard for 10 years
- New transportation conformity budgets
- Contingency measures to correct any violations that may occur after redesignation to attainment

In addition, EPA must approve all plan submittals for the national 1-hour ozone standard (including the required portions of the *Bay Area 2001 Ozone Attainment Plan*) and find that the region is implementing all of its existing SIP commitments.

AGENDA NO 7c

District staff are developing the required elements of the redesignation request and maintenance plan for public review and potential Board action.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Peter Hess
Deputy Air Pollution Control Officer

Prepared by: Jean Roggenkamp

FORWARDED: _____

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Inter-Office Memorandum

To: Chairperson Haggerty and
Members of the Executive Committee

From: Peter Hess
Deputy Air Pollution Control Officer

Date: December 9, 2003

Re: Status Report on 2003-04 Ozone Planning: Control Measure Evaluation

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

This report provides the status of the control measure evaluation process for the 2003/04 ozone planning process.

DISCUSSION

District staff continue to evaluate the wide range of control measures ideas for stationary and mobile sources. MTC staff are evaluating the transportation control measure ideas. Control measure ideas have been compiled from the following sources:

- Ozone Working Group
- Community meetings
- Other air districts's regulations, control measures and suggestions
- District Board members and Advisory Council
- Members of the public
- Previous Bay Area air quality plans
- District staff

The evaluation criteria are based on state and federal clean air laws, regulations, and guidance. These criteria include:

- Technological feasibility
- Total likely emission reductions
- Real, quantifiable, permanent, enforceable, and surplus
- Cost-effectiveness
- Rate (and timing) of emission reduction
- Potential adverse environmental impacts
- Socioeconomic impacts
- Public acceptability, including interests and concerns of community members

AGENDA NO 7d

Staff have conducted a preliminary review of 80% the measures. The breakdown of the control measure evaluation process to date is as follows:

	<u># of measures</u>
Already implemented	38
Potentially viable measures	14
Further study needed	20
State or Federal Jurisdiction	90
Funding needed	29
Legislative authority needed	7
Negligible emission reductions	56
Not technically feasible	8
Not cost-effective	14
Under evaluation	68

Staff expect to complete a preliminary evaluation of all control measure ideas by the end of December and will discuss the preliminary evaluations with the Ozone Working Group at the January 6, 2004 meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Peter Hess
Deputy Air Pollution Control Officer

Prepared by: Jean Roggenkamp

FORWARDED: _____