



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
SPECIAL MEETING / RETREAT
JANUARY 20, 2016

A special meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:45 a.m. at the Port of San Francisco, Bayside Room, Pier 1, San Francisco, California 94111.

**Questions About
an Agenda Item**

The name, telephone number and e-mail of the appropriate staff Person to contact for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:45 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

Public Comment Procedures

Persons wishing to make public comment must fill out a Public Comment Card indicating their name and the number of the agenda item on which they wish to speak, or that they intend to address the Board on matters not on the Agenda for the meeting.

Public Comment on Non-Agenda Matters, Pursuant to Government Code Section 54954.3 For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have three minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to commencement of the meeting. The remainder of the speakers wishing to address the Board on non-agenda matters will be heard at the end of the agenda, and each will be allowed three minutes to address the Board at that time.

Members of the Board may engage only in very brief dialogue regarding non-agenda matters, and may refer issues raised to District staff for handling. In addition, the Chairperson may refer issues raised to appropriate Board Committees to be placed on a future agenda for discussion.

Public Comment on Agenda Items After the initial public comment on non-agenda matters, the public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.

Up to ten (10) speakers may speak for three minutes on each item on the Agenda. If there are more than ten persons interested in speaking on an item on the agenda, the Chairperson or other Board Member presiding at the meeting may limit the public comment for all speakers to fewer than three minutes per speaker, or make other rules to ensure that all speakers have an equal opportunity to be heard. Speakers are permitted to yield their time to one other speaker; however no one speaker shall have more than six minutes. The Chairperson or other Board Member presiding at the meeting may, with the consent of persons representing both sides of an issue, allocate a block of time (not to exceed six minutes) to each side to present their issue.

BOARD OF DIRECTORS SPECIAL MEETING / RETREAT AGENDA

WEDNESDAY
JANUARY 20, 2016
9:45 A.M.

PORT OF SAN FRANCISCO
BAYSIDE ROOM
PIER 1
SAN FRANCISCO, CA 94111

CALL TO ORDER

Chairperson, Carole Groom

1. **Opening Comments**
Roll Call
Pledge of Allegiance

The Chair shall call the meeting to order and make opening comments. The Clerk of the Boards shall take roll of the Board members. The Chair shall lead the Pledge of Allegiance.

PUBLIC COMMENT ON NON-AGENDA MATTERS

2. **Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have three minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.

COMMENDATIONS/PROCLAMATIONS/AWARDS

3. *The Board of Directors will recognize outgoing Board Chairperson Carole Groom for her outstanding leadership as Chair of the Board of Directors in 2015.*
4. *The Board of Directors will recognize outgoing Director Roger Kim for his service, leadership, and dedication to protecting air quality in the Bay Area.*

CONSENT CALENDAR (ITEMS 5 – 11)

Staff/Phone (415) 749-

5. Minutes of the Regular Board of Directors Meeting of December 16, 2015

Clerk of the Boards/5073

The Board of Directors will consider approving the draft minutes of the Regular Board of Directors Meeting of December 16, 2015.

6. Board Communications Received from December 16, 2015 through January 19, 2016
J. Broadbent/5052
jbroadbent@baaqmd.gov

A copy of communications directed to the Board of Directors received by the Air District from December 16, 2015 through January 19, 2016, if any, will be at each Board Member's place.

7. Air District Personnel on Out-of-State Business Travel
J. Broadbent/5052
jbroadbent@baaqmd.gov

In accordance with Section 5.4 (b) of the Air District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memorandum lists Air District personnel who have traveled on out-of-state business in the preceding month.

8. Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of December 2015
J. Broadbent/5052
jbroadbent@baaqmd.gov

In accordance with Resolution No. 2012-08, the Board of Directors will receive a list of all Notices of Violation issued, and all settlements for amounts in excess of \$10,000 during the month of December 2015.

9. Bay Area Climate Action Leadership Summit
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider approving \$300,000 for a Climate Action Leadership Summit in San Francisco in the Fall of 2016; and selection of O'Rorke, Inc. as sole source contract to assist with development, sponsorship and event day logistics and execution for a Climate Action Leadership Summit.

10. Consider Authorizing the Executive Officer/APCO to Execute a Contract in an Amount not to exceed \$79,735 for the Purpose of Purchasing Air Monitoring Equipment
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing the Executive Officer/APCO to issue a purchase order in an amount not to exceed \$79,735 to Picarro, Inc. for equipment necessary to perform required auditing of air monitoring equipment.

11. Consider Authorizing the Executive Officer/APCO to Execute a Contract in an Amount not to exceed \$150,000 for the Purpose of Agricultural Waste Chipping in Lieu of Open Burning
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing the Executive Officer/APCO to execute a contract with The Davey Tree Expert Company, or with another vendor at Staff's discretion, in an amount not to exceed \$150,000, for the purpose of contracting for an Agricultural Waste Chipping Program to reduce open burning and its associated particulate matter emissions.

CLOSED SESSION

12. **EXISTING LITIGATION (Government Code Section 54956.9(a))**
Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following case(s):

California Building Industry Association v. Bay Area AQMD, Alameda County Superior Court, Case No. RG-10548693; California Court of Appeal, First Appellate District, Case No. A135335, California Supreme Court, Case No. S213478

OPEN SESSION

BOARD OF DIRECTORS RETREAT

13. **Opening Comments** Chairperson, Eric Mar

- A. **State of the Air District and Air Quality Summary** J. Broadbent/5052
jbroadbent@baaqmd.gov

The Executive Officer/APCO will address the Board of Directors regarding the state of the Air District and provide an overview of air quality in the Bay Area.

- B. **Update on 375 Beale Street** J. Broadbent/5052
jbroadbent@baaqmd.gov

R. Sanders/4951
rsanders@baaqmd.gov

The Executive Officer/APCO and the Director of Executive and Administrative Resources will provide an update on 375 Beale Street.

- C. **Air District Financial Overview** J. Broadbent/5052
jbroadbent@baaqmd.gov

J. McKay/4629
jmckay@baaqmd.gov

The Deputy Air Pollution Control Officer will provide a financial overview of the Air District.

- D. **Update on New Council** J. Broadbent/5052
jbroadbent@baaqmd.gov

J. McKay/4629
jmckay@baaqmd.gov

The Executive Officer/APCO and the Deputy Air Pollution Control Officer will address the Board of Directors regarding the new Council.

E. Update on Community Programs

J. Broadbent/5052
jbroadbent@baaqmd.gov

J. Roggenkamp/4646
jroggenkamp@baaqmd.gov

The Executive Officer/APCO and the Deputy Executive Officer will provide an update on Community Programs.

F. 2016 Legislative Agenda

J. Broadbent/5052
jbroadbent@baaqmd.gov

J. Roggenkamp/4646
jroggenkamp@baaqmd.gov

Staff are recommending the Board consider adopting a two-part legislative agenda for 2016.

G. Production System and Website Project Update

J. Broadbent/5052
jbroadbent@baaqmd.gov

D. Breen/5041
dbreen@baaqmd.gov

The Executive Officer/APCO and The Deputy Air Pollution Control Officer will provide an update on the production system and website project.

H. Key Policy Initiatives

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Executive Officer/APCO will provide a summary of key policy initiatives for 2016.

I. Upcoming Committee Assignments and Goals

Chairperson, Eric Mar

The Board Chair will discuss the 2016 Board of Directors Committee assignments and goals.

PUBLIC COMMENT ON NON-AGENDA MATTERS

14. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed three minutes each to address the Board on non-agenda matters.

BOARD MEMBERS' COMMENTS

15. *Any member of the Board, 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)*

OTHER BUSINESS

16. Report of the Executive Officer/APCO

17. Chairperson's Report

18. Time and Place of Next Meeting:

Wednesday, February 17, 2016, 939 Ellis Street, San Francisco, California 94109 at 9:45 a.m.

19. Adjournment

The Board meeting shall be adjourned by the Board Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
939 ELLIS STREET, SAN FRANCISCO, CA 94109
mmartinez@baaqmd.gov

(415) 749-5016
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Members of the Board of Directors” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Persons with disabilities and individuals who are limited-English proficient who wish to address Board matters. For accommodations or translations assistance, please call 415-749-5016 at least three days in advance of a meeting, so that arrangements can be made accordingly.

Accesibilidad y Titulo VI: El Distrito del Aire ofrece servicios y realiza las adaptaciones necesarias para las personas con discapacidades y para las personas con un dominio limitado del inglés siempre que estos servicios se soliciten y se deseen tratar asuntos relacionados con la Junta. Si necesita ayuda con algún tipo de adaptación o traducción, llame al 415-749-5016 como mínimo tres días antes de la reunión de manera que puedan realizarse las adaptaciones necesarias.

Magagamit na Tulong at Titulo VI: Nagbibigay ang Air District ng mga serbisyo at mga akomodasyon, kapag hiniling, sa mga taong may kapansanan at mga taong limitado ang kakayahan sa Ingles na gustong magpahayag tungkol sa mga usapin sa harap ng Lupon. Para sa mga tulong sa akomodasyon o sa pagsasalin, mangyaring tumawag sa 415-749-5016 nang tatlong araw man lamang na una pa sa miting, para makapaghanda ayon sa pangangailangan.

可及度及標題VI: 空氣管理局根據申請為殘障人士和英語熟練程度有限但卻希望參與董事會事宜的人員提供服務和住宿。關於住宿或者翻譯幫助，請至少在會議之前三天致電 415-749-5016，以便作出相應安排。

Tạo Khả Năng Truy Cập và Chương VI: Đặc Khu cung cấp dịch vụ và phương tiện đáp ứng, khi có yêu cầu, cho những người bị khuyết tật và cho những cá nhân không thông thạo Anh ngữ muốn được tham gia các vấn đề của Hội Đồng. Để được phương tiện đáp ứng hoặc trợ giúp phiên dịch, xin gọi số 415-749-5016 ít nhất ba ngày trước khi có hội thảo, để tiện bố trí các phương tiện

Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 939 Ellis Street, San Francisco, CA 94109, at the time such writing is made available to all, or a majority of all, members of that body.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109
FOR QUESTIONS PLEASE CALL (415) 749-5016 or (415) 749-4941

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

JANUARY 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i> - CANCELLED	Monday	18	9:30 a.m.	Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i> - CANCELLED	Monday	18	10:30 a.m.	Board Room
Special Board of Directors Meeting / Retreat <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	<u>Location:</u> Port of San Francisco Bayside Room Pier 1 San Francisco, CA 94111
Board of Directors Climate Protection Committee <i>(Meets 3rd Thursday of every other Month)</i> - CANCELLED	Thursday	21	9:30 a.m.	
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	27	9:30 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	28	9:30 a.m.	Board Room

FEBRUARY 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	1	9:30 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i> - CANCELLED	Wednesday	3	9:45 a.m.	Board Room
Advisory Council Meeting <i>(At the Call of the Chair)</i>	Wednesday	3	10:00 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	15	9:30 a.m.	Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i> - CANCELLED	Monday	15	10:30 a.m.	Board Room

FEBRUARY 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	17	9:45 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	24	9:30 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	25	9:30 a.m.	Board Room

MARCH 2016

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	2	9:45 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	16	9:45 a.m.	Board Room
Board of Directors Climate Protection Committee <i>(Meets 3rd Thursday of every other Month)</i>	Thursday	17	9:30 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	21	9:30 a.m.	Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	21	10:30 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	23	9:30 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	24	9:30 a.m.	Board Room

HL – 1/7/16 (3:40 p.m.)

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 6, 2016

Re: Minutes of the Regular Board of Directors Meeting of December 16, 2015

RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors (Board) Regular Meeting of December 16, 2015.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Regular Meeting of December 16, 2015.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Tom Flannigan
Reviewed by: Maricela Martinez

Attachment: Draft Minutes of the Board of Directors Regular Meeting of December 16, 2015

AGENDA: 5 – ATTACHMENT

Draft Minutes - Board of Directors Regular Meeting of December 16, 2015

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109
(415) 749-5073

Board of Directors Regular Meeting
Wednesday, December 16, 2015

DRAFT MINUTES

Note: Audio and video recordings of the meeting are available on the website of the Bay Area Air Quality Management District at <http://www.baaqmd.gov/about-the-air-district/board-of-directors/resolutionsagendasminutes>.

1. **CALL TO ORDER:** Chairperson Carole Groom called the meeting to order at 9:49 a.m.

Roll Call:

Present: Chairperson Carole Groom; Vice-Chairperson Eric Mar; Secretary Liz Kniss; and Directors John Avalos, Teresa Barrett, Tom Bates, David J. Canepa, Cindy Chavez, John Gioia, Scott Haggerty, David Hudson, Margaret Fujioka, Roger Kim (on behalf of Edwin Lee), Nate Miley, Karen Mitchoff, Jan Pepper, Katie Rice, Mark Ross, Rod Sinks, Jim Spering, Brad Wagenknecht and Shirlee Zane.

Absent: Director Rod Sinks.

Pledge of Allegiance: Chairperson Groom led the Pledge of Allegiance.

Opening Comments: Chairperson Groom acknowledged the large amount of public speakers and described the process and planned flow for the meeting.

2. **PUBLIC COMMENT ON NON-AGENDA MATTERS:**

Greg Karas, Communities for a Better Environment (CBE), addressed the Board of Directors (Board) regarding concerns over dirty crude slates being brought to refineries in the Bay Area; public health; environmental justice; and climate change.

Ken Jones, 350 Bay Area, addressed the Board regarding Rule 12, Regulation 16 (12-16); rising greenhouse gas (GHG) emissions; need for local government actions to reduce emissions; and problems with cap-and-trade.

Peter Anderson, First Presbyterian Church in San Anselmo, addressed the Board to request they do the 'right' thing and support actions to prevent climate change.

Director Gioia commented that U.S. President, Barack Obama has indicated that he will use all of his powers – including his veto – to defend his plan to fight climate change and the crude oil export ban amidst threats from congress.

Rev. Earl Koteen, Sunflower Alliance, addressed the Board regarding refinery workers; creating quality jobs that add to the health and safety of the community; and asking for adequate regulation.

Don Cuffel, Valero, addressed the Board regarding permit conditions at the refineries; existing limits; and the strong enforcement of existing permits.

NOTED PRESENT: Director Pepper was noted present at 10:05am.

Jeff Kilbreth, Richmond Planning Commission, addressed the Board with regards to the approval of 12-16; the importance of getting the limits issue resolved; and the need for appropriate reporting and adjusting schedule as needed.

Richard Gray, 350 Bay Area, addressed the Board with regards to guarding the public health; prioritizing the proposal by CBE; approving 12-16; capping emissions; and reducing GHGs as soon as possible.

Eileen Schatz addressed the Board regarding health of children; refinery emissions; passing refinery-wide caps; protection of the air and the public health.

NOTED PRESENT: Director Kniss was noted present at 10:14am.

Rand Wrohel, 350 Bay Area, addressed the Board regarding improving public health; setting caps on emissions at refineries; and attaining reductions.

NOTED PRESENT: Vice-Chair Eric Mar was noted present at 10:16am.

David McCoard, Sierra Club, addressed the Board regarding 12-16; concerns about increased emissions due to varying crude slates; refinery-wide caps and installing deadlines for these limits.

Louise Chegwidan, NorCal Climate Mobilization, addressed the Board regarding breathing concerns due to poor air quality; health damages caused by air pollution; effects of climate change; Conference of Parties (COP) 21; revising and approving 12-16 as requested by CBE; and enforcing strict emissions limits.

Steven Nadal, Sunflower Alliance, addressed the Board requesting emissions reductions be achieved including GHGs and particulate matter emissions.

Marilyn Bardet, Benicians for a Safe and Healthy Community / Good Neighbor Steering Committee, addressed the Board regarding the COP 21; getting GHGs under control globally and locally; the effects of emissions; recent emissions from the Chevron refinery and impacts on Atchison Village in Richmond and the need for enforcement from the Air District; and bringing back 12-16 as requested by environmental groups for quick implementation.

The Board and staff discussed developing a report on Atchison Village in Richmond.

Lisa Crowley, Valero, addressed the Board in regards to fugitive volatile organic compounds (VOCs) from a Sharpie marker including the scale of VOCs with regards to air quality rule limits.

NOTED PRESENT: Directors Haggarty and Miley were noted present at 10:28am.

Chairperson Groom paused public comment in the interest of time.

3. COMMENDATIONS / PROCLAMATIONS / AWARDS

Chairperson Groom, on behalf of the Board, recognized Tom Christofk, Placer County Air Pollution Control Officer (APCO), for his leadership and dedication to protecting air quality. Chairperson Groom also acknowledged Robert Weygandt, Vice-Chair of the Placer County Board of Supervisors and member of the Placer County Air Pollution Control District Board of Directors.

Mr. Christofk and Supervisor Weygandt addressed the Board and expressed appreciation. Chairperson Groom gifted a framed proclamation.

Director Hudson expressed thanks for the service of Mr. Christofk and Supervisor Weygandt.

2. PUBLIC COMMENT ON NON-AGENDA MATTERS (continued):

Rebecca Auerbach addressed the Board regarding regulation 12-16, asking for emission caps to be installed by March 2016, decreased GHGs, and to ensure refineries reduce emissions by supporting the new regulations and rule amendments.

Laura Galligan addressed the Board regarding climate change and reducing GHGs.

Paul Kangas addressed the Board regarding solar electricity expansion to reduce GHGs.

Lawrence Danos, 350 Bay Area, addressed the Board regarding cap-and-trade goals, reducing GHGs, and asking the Air District to set stricter standards.

Glenn Turner addressed the Board regarding refinery emissions concerns, instating emission caps at the refineries and supporting the passing 12-16.

Chairperson Groom introduced Jack P. Broadbent, APCO, to discuss and clarify questions around 12-16. The Board and staff discussed the refinery strategy, including Phase 1 which includes rules and regulations 6-5, 8-18, and 11-10; Phase 2 which includes rules and regulations 12-15 and 9-14; Phase 3 which includes rules and regulations 12-16; and Phase 4 including continued development of refinery emission reduction rules such as rules and regulations 6-5, 9-1, 9-9, and 2-2.

Jed Holtzman, 350 Bay Area, addressed the Board regarding future rules and regulation and putting into place emissions caps.

Cate Leger addressed the Board regarding climate change and reducing GHGs as soon as possible.

Anne Donjacour, 350 Bay Area, addressed the Board regarding 12-16 including putting in place a timeline to achieve emissions reductions and reducing GHGs.

Jane Thomason addressed the Board regarding the negative health effects of refinery emissions on public health.

Jack Fleck, 350 Bay Area, addressed the Board regarding instating rules to reduce GHGs and installing emissions caps.

Jane Vosburg, 350 Sonoma County, addressed the Board to protect local air quality and public health by enacting numeric GHG emissions caps.

Bill Vosburg, 350 Sonoma County, addressed the Board regarding 12-16, asking the Board to protect public health and the global climate by setting enforceable limits on GHG emissions.

CONSENT CALENDAR (ITEMS 4 – 9)

- 4. Minutes of the Board Meeting of November 20, 2015;**
- 5. Board Communications Received from November 18, 2015 through December 15, 2015;**
- 6. Air District Personnel on Out-of-State Business Travel;**
- 7. Notices of Violation Issued and Settlements in Excess of \$10,000 in the Months of October and November 2015;**
- 8. Extension of Contracts for My Air Online Development Services;**
- 9. Proposed Regulatory Agenda for 2016;**

Board Comments: None.

Public Comments:

Jed Holtzman, 350 Bay Area, addressed the Board regarding Agenda Item #7 and discussed refinery failures, violations, and settlements, asking for greater refinery regulation.

Board Action:

Director Wagenknecht made a motion, seconded by Director Kniss, to approve Consent Calendar Items 4 through 9, inclusive; and the motion carried by the following vote of the Board:

AYES: Avalos, Barrett, Bates, Canepa, Chavez, Fujioka, Gioia, Groom, Haggerty, Hudson, Kim, Kniss, Mar, Miley, Mitchoff, Pepper, Rice, Ross, Spring, Wagenknecht, and Zane.

NOES: None.

ABSTAIN: None.

ABSENT: Sinks.

COMMITTEE REPORTS

10. Report of the Mobile Source Committee (MSC) Meeting of December 2, 2015

MSC Chairperson Haggerty read:

The MSC met on Wednesday, December 2, 2015, and approved the minutes of October 22, 2015.

The MSC then reviewed and discussed *Projects and Contracts with Proposed Grant Awards Over \$100,000*, and recommends the Board of Directors:

1. Approve Carl Moyer Program projects and Transportation Fund for Clean Air (TFCA) projects with proposed grant awards over \$100,000 as shown in Attachment 1 to the Committee staff memorandum; and
2. Authorize the Executive Officer/Air Pollution Control Officer to enter into agreements for the recommended projects.

The MSC then reviewed and discussed an informational staff presentation *Air Resources Board and Department of Finance Audit*, including background, scope, and timeline of program review. As part of this item, Douglas Thompson, Manager of Incentives Oversight Section at ARB, gave a portion of the presentation regarding the ARB's audit results.

The MSC then reviewed and discussed an informational staff presentation *TFCA Audit Report Results and Report on TFCA Regional Fund Expenditures and Effectiveness*, including background; audit #16 process; findings and responses; performance trend for TFCA audits #13 through #16; summary of expenditures by project category; key findings; and the expenditures and cost-effectiveness of TFCA Regional Fund and Air District sponsored projects that closed in FYE 2015.

The next meeting of the Committee is on Thursday, January 28, 2016, at 9:30 a.m.

Public Comments: No requests received.

Board Comments: None.

Board Action:

Director Haggerty made a motion, seconded by Director Wagenknecht, to approve the recommendations of the MSC; and the motion carried by the following vote of the Board:

AYES: Avalos, Barrett, Bates, Canepa, Chavez, Fujioka, Gioia, Groom, Haggerty, Hudson, Kim, Kniss, Mar, Miley, Mitchoff, Pepper, Rice, Ross, Spering, Wagenknecht, and Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Sinks.

Public Comments:

Andres Soto, CBE, addressed the Board regarding crude-by-rail, the City of Pittsburg's effort in rejecting crude-by-rail projects, and asking the Board to reject crude-by-rail projects in the Bay Area.

11. Report of the Budget and Finance Committee (BFC) Meeting of December 7, 2015

BFC Chairperson Hudson read:

The BFC met on Monday, December 7, 2015, and approved the minutes of April 22, 2015, upon establishing a quorum.

The BFC received and discussed the staff presentation Fourth Quarter Financial Report – Fiscal Year Ending (FYE) 2015, including an overview of general fund revenues and expenses; revenue and expense year-over-year comparisons; investments; general fund balance; purchasing reporting requirements; and cumulative vendor payments in excess of \$70,000 for Board of Directors review.

The BFC then received and discussed the staff presentation First Quarter Financial Report – FYE 2016, including an overview financial results; fund revenues and expenses; revenue and expense year-over-year comparisons; investments; general fund balance; purchasing reporting requirements; and cumulative vendor payments in excess of \$70,000 for Board review.

The next meeting of the Committee is Wednesday, January 27, 2016, at 9:30 a.m.

Public Comments: No requests received.

Board Comments: None.

Board Action: None; receive and file.

12. Report of the Executive Committee (EC) Meeting of December 14, 2015

EC Vice-Chair Mar read:

The EC met on Monday, December 14, 2015, and approved the minutes of September 23, 2015.

The EC received from Terry Trumbull, Esq., Chairperson of the Hearing Board, the Quarterly Report of the Hearing Board for July through September 2015.

The EC was then to receive the presentation Bay Area Regional Collaborative Executive Director Report, but this item was postponed to a future meeting.

The EC then received and discussed the staff presentation Commuter Benefits Program Update and Evaluation, including background and purpose; program overview; four commuter benefit options; compliance assistance; program evaluation; employer and employee responses; region-wide and overall impacts; new benefits by employer size; environmental outcomes; next steps; program applicability; employer choice by county; Option 4: Alternative Commuter Benefit and menu of measures; and outreach to employers.

The EC then received the staff presentation Bay Area Climate Action Leadership Summit, including background and ideas for the summit; planning and research for the summit; structure for the summit; invitees; and a proposed location and estimated time period for the event.

The EC finally received and discussed the staff presentation Planning Healthy Places, including background; goals; detailed maps of local air pollution and disproportionately impacted areas; best practices to reduce exposure; feedback; and next steps.

The next meeting of the EC is Monday, February 15, 2016, at 9:30 a.m.

Public Comments: No requests received.

Board Comments: None.

Board Action: None; receive and file.

13. Report of the Ad Hoc Building Oversight Committee (AHBOC) Meeting of December 14, 2015

AHBOC Vice-Chair Mar read:

The AHBOC met on Monday, December 14, 2015, and approved the minutes of September 23, 2015.

The AHBOC received and discussed the staff presentation Bay Area Metro Center (375 Beale Street) Project Status Report – November, 2015, including updates on and photographs of construction; artist renderings of the public space shared with neighbor Rincon Place; move coordinator update; and next steps.

The AHBOC then received and discussed the staff presentation Move-In Schedule for 375 Beale Street, including background; key factors; project planning; operations planning; monitoring, and the overall schedule for the move.

The next meeting of the AHBOC is at the call of the Chair.

Public Comments: No requests received.

Board Comments: None.

Board Action: None; receive and file.

PUBLIC HEARING

14. Public Hearing to Consider Proposed New Regulation 6, Rule 5: Particulate Emissions from Refinery Fluidized Catalytic Cracking Units and to Consider Proposed Amendments to Regulation 8: Organic Compounds, Rule 18: Equipment Leaks and Regulation 11: Hazardous Pollutants, Rule 10: Hexavalent Chromium and Total Hydrocarbon Emissions from Petroleum Refinery Cooling Towers, and adoption of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA)

Gregg Nudd, Rule Development Manager of the Meteorology, Measurement and Rules Division, gave the staff presentation *Refinery Emissions Reduction Strategy*, including an overview of the strategy; estimated emission reductions and costs; the need for reductions; rule development process; Regulation 6, Rule 5 (6-5) including major provisions, costs and estimated reductions, cost-effectiveness, areas of controversy, and response to comments; Regulation 8, Rule 18 (8-18) including equipment leaks, major provisions, emission reductions, cost effectiveness, areas of controversy, amendments, and response to comments; Regulation 11, Rule 10 (11-10) including cooling towers design, major provisions, emission reductions, cost effectiveness, areas of controversy, amendments, and response to comments; total socioeconomic impacts; environmental impacts; conclusions; and staff recommendations.

Board Comments:

The Board and staff discussed the schedule for the remaining agenda.

The Board and staff discussed 6-5 regarding a five-year timeline for repairs, protocol and timeline for compliance; 11-10 regarding discrepancies in cost for capital costs and variability in cost-effectiveness of the regulation at different refineries, leak repairs and their impacts on improving efficiencies at the refineries, fiscal impacts, alternatives; terms and conditions of the timelines associated with rules, health and safety concerns for refinery workers associated with the new regulations, refinery operation implications, and socioeconomic impacts of the regulations.

Public Comments:

Greg Karras, CBE, submitted written material entitled *Response to Change in Agenda for Board Action on December 16, 2015; ADOPT Proposed Controls AND Deadline to 'Cap' Refinery Emissions*, addressed the Board providing a letter to the Board offering that projections suggest emissions will increase under proposed regulations.

Bill Quinn, California Council for Environmental and Economic Balance, addressed the Board requesting additional time for facilities to comply.

Irene Suhami, Valero, addressed the Board opposing 11-10.

Heather MacLeod addressed the Board and urged meditation; continued air monitoring; and clean air initiatives.

Judith Sullivan addressed the Board asking for action regarding petroleum-coke and urging action from the Board to prevent harm to the public health.

Carla West, 350 Bay Area, addressed the Board stating that regulatory agencies not being sued by the industry are not doing their jobs.

(Anonymous representative), NorCal Climate Mobilization, addressed the Board regarding concerns of industry strong-arming agencies.

Ratha Lai, Sierra Club, addressed the Board reminding staff of the socioeconomic study suggesting no jobs will be lost with the proposed rules and regulations in front of the Board today.

Janet Johnson, Richmond Progressive Alliance, addressed the Board stating that industry and refineries can afford all that is being asked of them in the proposed rules and regulations.

Edwardo Martinez, Richmond City Council, addressed the Board regarding the protection of public health, the refineries' tactics to stall and delay actions, and the need to support the proposed regulations.

Kathy Kerridge, addressed the Board in support of the rules, regulations, and timelines proposed by staff, requesting that other rules be passed soon.

Patoth Smith, addressed the Board in support of the proposed rules, asking for numeric limits to be approved soon, and independent monitoring be done near refineries.

Lippich addressed the Board stating that he is a 25 year Richmond resident and has attended many funerals for people of all ages with cancer in his community.

Mun Mulivoo addressed the Board stating that the Richmond community health needs improvement and that she has observed many people dying of cancer in her community.

Torm Norm Praseurt addressed the Board regarding chemicals in the air in the Richmond community, requesting for action now.

Janet Pygeorge, Rodeo Citizen's Association, addressed the Board asking that refineries operate properly and reduce pollution.

Tarnel Abbott, Richmond Progressive Alliance, addressed the Board regarding hazardous emissions from refineries and the cumulative impact on those that live in the community.

Andres Soto, CBE, addressed the Board in agreement with Greg Karras, to protect the public health and do the right thing to improve environmental conditions around the refineries.

Walter Pope, Sierra Club / CBE, addressed the Board in support of rules.

Sylvia Grey-White addressed the Board stating that air pollution has caused damage to her physical health.

Steve Nadel, Sunflower Alliance, addressed the Board regarding threats from oil industry.

David McCoard, Sierra Club, addressed the Board requesting protection of the public.

Marie Walceck, California Nurses Association, addressed the Board regarding deaths due to air pollution in the area and in support of the proposed regulations.

Ilene, California Nurses Association, addressed the Board requesting the Board take action to prevent additional illness due to air pollution.

Denny Larson, Community Science Institute, addressed the Board regarding air quality violations, stating support with CBE's proposals, real-time emissions around refineries, and urging that a cap on emissions be put into place.

Suejung Shin, Phillips 66, addressed the Board regarding 8-18 and suggested changes before adoption.

Jed Holtzman, 350 Bay Area, addressed the Board in support of the proposed regulations.

Eric Walker, Valero, addressed the Board regarding operations at Valero and the risk of increased air monitoring involved with the proposed regulations.

Kevin Buchan, Western States Petroleum Association, addressed the Board regarding the request for additional time for studies and implementation of regulations and rules.

Susan Gustofson, addressed the Board regarding 8-18 and the need for safety being prioritized ahead of implementation.

Board Comments (continued):

Director Miley addressed the Board, staff, and public, stating that he supports the staff report and that he must leave the meeting due to time conflicts.

Director Haggarty addressed the Board, staff, and public, stating that he echoes Director Miley's sentiments and that he must depart the meeting due to time conflicts, as well.

Public Comments (continued):

Michael Beer addressed the Board stating that refineries cannot be trusted and asked the Board to support the communities they serve.

Nick Despota addressed the Board stating that regulation and conditions have improved at the refineries.

Director Fujioka addressed the Board, staff, and public, stating that she must leave and supports adoption of the rules.

Sylvia Hopkins addressed the Board regarding pollution at her home due to the petroleum-coke pile near her home.

Bill Pinkham, Sunflower Alliance, addressed the Board regarding health concerns for area residents, comparing the costs to the community and to the refineries.

Melvin Willis addressed the Board stating that this issue is a big health concern for our region.

Quanah Brightman, United Native Americans, addressed the Board in support of the proposed rules and regulations, stating that more needs to be done to prevent climate change.

Laurie Mintzer, Chevron, addressed the Board against the proposed rules and regulations and asking for more consistency and clarity in the rules.

Steven Yang, Chevron, addressed the Board regarding 6-5 and the requirements therein, asking for more time for implementation at the refineries.

Roger Lin, CBE, addressed the Board in support of the proposed rules and regulations, stating that tar-sands will create future increases in pollution and that emissions limits must be put into place.

Valerie Love, Center for Biological Diversity, addressed the Board in support of the proposed rules and regulations, stating that more needs to be done to address global climate change concerns.

Andres Sheilch, Center for Biological Diversity, addressed the Board in support of the proposed rules and regulations and for implementing emissions limits as soon as possible.

Jeralyn Moran, Peninsula InterFaith Climate Action, addressed the Board in support of the proposed rules and regulations and asked for greater action by the Board.

Mary Klein, Peninsula InterFaith Climate Action, addressed the Board in support of emission caps and independent air monitoring.

Al Chase addressed the Board regarding the need to protect public health of Bay Area residents.

Ella Teevan addressed the Board regarding the need for enforceable numeric caps on emissions at refineries.

Lisa Crowley, Valero, addressed the Board regarding 8-18 and concerns about rule implementation.

Chris McDowell, Tesoro, addressed the Board regarding 8-18 and concerns about implementation, requesting greater cooperation between agency and industry to achieve greater rule clarity.

Steve Leshner, Shell, addressed the Board regarding GHG emissions reductions at the Shell refinery, asking that all parties work together to find the best solutions.

Adam Smith, Valero, addressed the Board regarding the difficulty of implementing rules at the refinery.

Kathy Wheeler, Shell, addressed the Board in opposition to the proposed rules and to ask for more time and cooperation from all parties.

Kristen Debler, United Native Americans, addressed the Board regarding poor air quality in the Bay Area, and to request a cap on emissions to protect regional public health.

Tim Laidman, Green Party of Contra Costa County, addressed the Board regarding delays to the proposed rules and to ask that rules be implemented soon.

Josh Huber, East Bay Leadership Council, addressed the Board regarding the need for accurate data and information in order to build proper rules and regulations, and to ask for additional time to consider the rules and regulations.

Claire Broome, addressed the Board in favor of the rules and to ask for enforceable numeric caps on emissions going forward.

Walt Gill, Chevron, addressed the Board against the proposed rules and to ask for more time and more accurate data.

Brent Eastep, Phillips 66, addressed the Board in opposition to the proposed rules and sited questions regarding accurate emissions data.

Don Bristol, Phillips 66, addressed the Board in opposition to the proposed rules.

Adam Zuckerman, Amazon Watch, addressed the Board regarding Chevron's environmental harms worldwide and to ask for support of the community proposal.

Anna Hirsh addressed the Board in favor of the proposed rules and greater regulation.

Anonymous addressed the Board in support of the proposed rules, discussing environmental justice communities.

Board Comments (continued):

The Board and the staff discussed a summary of the regulatory framework; the Refinery Strategy and the proposed regulations the staff has presented, including the three regulations up for a vote today; reports and updates on 12-15 and 12-16 to be provided to the Stationary Source Committee (SSC) and subsequently to the Board in the second quarter of 2016; security issues at the refineries; possibility of extension of time limits for implementation; long-term discussion of all topics presented with the SSC; ARB's history of being sued by industry; and staff ability to draft four rules in one year.

Board Action:

Director Gioia made a motion, seconded by Director Mitchoff, to approve staff recommendation as amended to modify the publicly-noticed regulatory languages to delay the compliance dates for certain ammonia optimization actions by replacing the date "December 31, 2016" with the date "June 30, 2017" in Section 6-5-403.3, and by replacing the date "February 28, 2017" with the date "August 31, 2017" in Section 6-5.403.4.

Board Comments:

The Board discussed the appropriateness of accepting the amended language distributed at the beginning of the meeting; the reasons for the change in staff recommendations; degree of enforcement discretion held by staff; importance of pushing back against industry and respecting the recommendations by staff; delaying the timelines for implementation; concerns about worker safety; requests for evaluation and updates on the rules to the SSC and the Board; cooling tower technical issues; commitment to the Air District's mission statement; need for constant improvement at

refineries; concerns regarding study period and accuracy; summary of Air District achievements in air quality; and requests to reduce oil demands.

Board Action (continued):

Director Kniss made an alternate motion to approve the amendment to modify the publicly-noticed regulatory languages to delay the compliance dates for certain ammonia optimization actions by replacing the date “December 31, 2016” with the date “June 30, 2017” in Section 6-5-403.3, and by replacing the date “February 28, 2017” with the date “August 31, 2017” in Section 6-5.403.4; the motion carried by the following vote of the Board:

AYES: Canepa, Chavez, Gioia, Groom, Hudson, Kniss, Mitchoff, Ross, Spring, Wagenknecht, and Zane.
NOES: Avalos, Barret, Kim, Mar, and Rice.
ABSTAIN: None.
ABSENT: Bates, Fujioka, Haggerty, Miley, Pepper, and Sinks.

The motion to approve staff recommendation, amended to modify the publicly-noticed regulatory languages to delay the compliance dates for certain ammonia optimization actions by replacing the date “December 31, 2016” with the date “June 30, 2017” in Section 6-5-403.3, and by replacing the date “February 28, 2017” with the date “August 31, 2017” in Section 6-5.403.4 carried by the following vote of the Board:

AYES: Avalos, Barret, Canepa, Chavez, Gioia, Groom, Hudson, Kim, Kniss, Mar, Mitchoff, Rice, Ross, Spring, Wagenknecht, and Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Bates, Fujioka, Haggerty, Miley, Pepper, and Sinks.

Board direction was given to staff to provide updates to SSC and Board on rule implementation.

15. **PUBLIC COMMENT ON NON-AGENDA MATTERS:** No requests received.

16. **BOARD MEMBERS’ COMMENTS:** None.

OTHER BUSINESS

17. **Report of the Executive Officer/APCO:**

Mr. Broadbent extended appreciation of all of those who were able to attend the 60th Anniversary party of the Air District and a wish for a happy holidays to all.

18. **Chairperson’s Report:** None.

19. **Time and Place of Next Meeting**

Wednesday, January 6, 2016 meeting has been canceled. Next meeting will be held on Wednesday, January 20, 2016, at The Port of San Francisco, Pier 1, Bayside Room, San Francisco, CA 94111 at 9:45 a.m.

20. Adjournment: The Board meeting adjourned at 2:05 p.m.

Tom Flannigan
Acting Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 6, 2016

Re: Board Communications Received from December 16, 2015 through January 19, 2016

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from December 16, 2015, through January 19, 2016, if any, will be at each Board Member's place at the January 20, 2016, Board meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Heidi Kettler
Reviewed by: Maricela Martinez

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 5, 2016

Re: Air District Personnel on Out-of-State Business Travel

RECOMMENDED ACTION:

None; receive and file.

BACKGROUND

In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified of District personnel who have traveled on out-of-state business.

The report covers the out-of-state business travel for the month of December 2015. The monthly out-of-state business travel report is presented in the month following travel completion.

DISCUSSION

The following out-of-state business travel activities occurred in the month of December 2015:

- Jack P. Broadbent, Executive Officer/APCO, attended Climate Change Conference in Paris, France December 3-9, 2015
- Pamela Leong, Air Quality Engineering Manager, attended International Workshop on Emission Permits in Beijing, China December 4-5, 2015

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Stephanie Osaze
Reviewed by: Jeff McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 6, 2016

Re: Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of
December 2015

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

In accordance with Resolution No. 2012-08, attached to this Memorandum is a listing of all Notices of Violation issued, and all settlements for amounts in excess of \$10,000 during the calendar month prior to this report.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The amounts of civil penalties collected are included in the Air District's general fund budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Brian C. Bungler

Attachment 8A: Notices of Violations Issued

NOTICES OF VIOLATIONS ISSUED

The following Notice(s) of Violations were issued in December 2015:

Alameda						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Southwest Hazard Control, Inc	G2514	San Leandro	12/15/15	A54384A	11-2-401.5	Job did not start on the notified start date, district wasn't notified of the schedule change

Contra Costa						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Chevron Avon Terminal	A0091	Martinez	12/29/15	A54222A	2-1-307	HC > 4500 ppm/30-min avg. RCA #06X03
Criterion Catalysts Company LP	A0227	Pittsburg	12/29/15	A54073A	2-6-307	A56 dropped below 1400F
Crockett Cogeneration, A Cal Ltd Partnership	A8664	Crockett	12/30/15	A54429A	1-523.3	205 had an indicated excess of NH3 on 1/21/15 and was not reported to the District within 96 hours
Kaiser Permanente	A8679	Richmond	12/14/15	A54407A	9-8-301	excess emissions from Cogen units
Qualawash Holdings LLC	B1869	Richmond	12/30/15	A54408A	9-7-404	Two unregistered natural gas fired boilers, heat input > 2 MM BTU/hr
Shell Martinez Refinery	A0011	Martinez	12/17/15	A53991A	8-5-322.5	Exceeded zero gap
Tesoro Refining & Marketing Company LLC	B2758	Martinez	12/3/15	A54220A	9-2-301	WFRD GLM, H2S > 60ppb/3-min; h2s > 30ppb/60min
Tesoro Refining & Marketing Company LLC	B2758	Martinez	12/3/15	A54221A	9-2-301	WFRD GLM, H2S > 60ppb/3min; H2S > 30ppb/60min

Tesoro Refining & Marketing Company LLC	B2758	Martinez	12/16/15	A55531A	6-301	Excessive smoke from steam flares
West Contra Costa County Landfill	A1840	Point Richmond	12/14/15	A54255A	2-6-307	Episode #06V57, PC#17812, Part 10, Temp. went below permitted levels
West Contra Costa County Landfill	A1840	Richmond	12/14/15	A54256A	2-6-307	S-6 exceeded 120 ppm limit for NMOC during voluntary source test, late reporting of Title V Deviations
West Contra Costa County Landfill	A1840	Richmond	12/14/15	A54256B	8-34-301.4	S-6 exceeded 120 ppm limit for NMOC during voluntary source test, late reporting of Title V Deviations
West Contra Costa County Landfill	A1840	Richmond	12/14/15	A54405A	5-301.1	Compost overs ignited
West Contra Costa County Landfill	A1840	Richmond	12/14/15	A54406A	8-34-301.2	leaking valve flange, emission caused TVA flame out

Santa Clara						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
BFI Newby Island Recycler	A5472	Milpitas	12/7/15	A53990A	1-301	Garbage odor complaints confirmed
International Disposal Corp of CA	A9013	Milpitas	12/9/15	A54138A	2-1-301	No A/C & P/O for stockpiles
International Disposal Corp of CA	A9013	Milpitas	12/9/15	A54138B	2-1-302	No A/C & P/O for stockpiles
McCarthy Ranch Chevron	X7152	Milpitas	12/4/15	A54334A	8-7-302.3	Excessive Tags. 6 of 16 dispensers had torn hoses.

District Wide						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Nexeo Solutions, LLC	A7618	Fairfield	12/14/15	A53411A	2-1-307	PRV Release- RCA 06W71/06W72
KAG West, LLC	N1032	West Sacramento	12/3/15	A54283A	8-33-304	CT#200066, failure to meet year round decay tate

SETTLEMENTS FOR \$10,000 OR MORE REACHED

There were no settlement(s) for \$10,000 or more completed in December 2015.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Office/APCO

Date: January 8, 2016

Re: Bay Area Climate Action Leadership Summit

RECOMMENDED ACTION

The Board of Directors will consider approving:

1. \$300,000 for a Climate Action Leadership Summit in San Francisco in the fall of 2016;
and
2. Selection of O'Rorke Inc. as sole source contract to assist with development, sponsorship and event day logistics and execution for a Climate Action Leadership Summit.

BACKGROUND

On November 11, 2006, during our 50th anniversary year, the Air District hosted the 2006 Climate Protection Summit with a keynote address by Vice President Al Gore, on the heels of the release of "An Inconvenient Truth." At the 2006 Climate Summit, the Air District announced a \$3 million grant program to fund projects and programs that help protect the climate by reducing greenhouse gas emissions – the first of its kind by a public agency in California.

The 2006 Climate Summit helped the region recognize the threat and risk of climate change and move toward putting important policies and programs into place to seriously address GHG emissions. Game-changing local actions supported by the Air District included Marin County's Community Choice Aggregation Program and Berkeley's Property Assessed Clean Energy (PACE) Program. Since that time, Air District actions have included hosting the 2009 Climate Summit in Oakland, supporting local climate action plans and creating the Air District's new Climate Protection Office.

Hosting a 2016 Climate Action Leadership Summit will build upon these successes and prompt a new round of game-changing actions in the Bay Area.

DISCUSSION

This year marks the 60th anniversary year of the Bay Area Air District, and ten years after the first Air District hosted Climate Summit. Following the Paris COP21 landmark climate accord,

it is time to again look at actions local governments, businesses and regional agencies can take to reduce our individual, city and region-wide greenhouse gas emissions. A 2016 Climate Action Leadership Summit will provide an opportunity to recognize the Bay Area's progress to date and spur enhanced Bay Area climate initiatives and leadership. The Air District will draw from the success of past summits and work to develop a new, modern approach to exchanging ideas, interacting throughout the conference and connecting people and ideas.

- Proposed 1 ½ to 2 day conference format
- Location: Mission Bay Conference Center
- Shuttle transportation from downtown hotels, BART, Ferry or Transbay Terminal
- Moderated panel or keynote speakers
- Relevant climate topics to local/regional governments

O'Rorke Inc. was the selected contractor to help the Air District develop and manage summit activities for the 2006 Al Gore event and the 2009 Thomas Friedman climate event. O'Rorke further assisted the Air District with coordination, sponsorship and event logistics for the 2010 CAPCOA Climate Summit held at the 4th Street Marriott Hotel and Conference Center. O'Rorke has a proven track record working with the Air District to help develop excellent regional events.

City and county government planning offices, local elected leaders, regional industries, non-profits and academia will be invited to attend this event. The nine-county Bay Area region and the state of California have proven that leading through bold action can make a difference and has a ripple effect across the nation. We expect the 2016 Climate Action Leadership Summit to further galvanize regional planning and action to find creative approaches to reducing local greenhouse gases that can be replicated for statewide and national impact.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Initial planning and concept development work was funded out of the 2015 budget. The requested funding would be transferred from reserves to the 301 Communications Office budget to plan and execute this conference. Corporate sponsorship will be sought to help support this event.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Lisa Fasano
Reviewed by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 5, 2016

Re: Consider Authorizing the Executive Officer/APCO to execute a contract in an amount not to exceed \$79,375 for the purpose purchasing Air Monitoring Auditing Equipment

RECOMMENDED ACTION

The Board of Directors will consider authorizing the Executive Officer/APCO to issue a Purchase Order in an amount not to exceed \$79,735 to Picarro, Inc. for equipment necessary to perform required auditing of air monitoring equipment.

DISCUSSION

In order to meet U.S. Environmental Protection Agency (EPA) requirements for air monitoring networks, agencies must perform audits of instrumentation on a set schedule. EPA sets out in regulation and guidance how these audits are to be performed. Recently, technological advances have been made in measurement technologies that maintain accuracy and stability over a wider range of operating conditions. As a result, staff endeavored to identify equipment that would meet EPA auditing requirements while allowing for changes in auditing techniques to provide enhanced measurement results.

Staff worked with measurement experts at Lawrence Livermore National Laboratory and the University of California at Berkeley as well as other measurement researchers to develop a list of equipment manufacturers capable of meeting measurement goals. Staff then discussed instrument capabilities with each manufacturer and visited manufacturers to further investigate equipment measurement capabilities and ensure those capabilities could be realized in the monitoring applications under consideration. After a thorough evaluation of all equipment capabilities, staff requested quotes from manufacturers whose equipment best met the Air District's needs. Picarro, Inc. provided the best price and performance, including the ability to measure multiple compounds. The quote also included a discount of approximately 20%.

As a result of this thorough analysis and the ability of the selected equipment to meet the needs of the auditing measurement strategy, staff recommends that the Board of Directors authorize the Executive Officer/APCO to issue a Purchase Order to Picarro, Inc. for \$79,735.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The Fiscal Year Ending (FYE) 2016 Budget includes funding for this purpose.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Eric Stevenson
Reviewed by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 8, 2016

Re: Consider Authorizing the Executive Officer/APCO to Execute a Contract in an Amount not to exceed \$150,000 for the Purpose of Agricultural Waste Chipping in Lieu of Open Burning

RECOMMENDED ACTION

The Board of Directors will consider authorizing the Executive Officer/APCO to execute a contract with The Davey Tree Expert Company, or with another vendor at Staff's discretion, in an amount not to exceed \$150,000, for the purpose of contracting for an Agricultural Waste Chipping Program to reduce open burning and its associated particulate matter emissions.

BACKGROUND

The Air District (District) wishes to enter into an agreement in an amount not to exceed \$150,000 to provide agricultural waste chipping services to private property owners who decide to chip their agricultural waste in lieu of open burning the material.

DISCUSSION

An Agricultural Waste Chipping Program would assist property owners in disposing of agricultural waste materials from certain qualifying agricultural operations by providing free chipping services in lieu of open burning the material. As a non-burning disposal method, chipping this material is expected to reduce particulate matter emissions compared to burning. The District is non-attainment for the daily federal and annual state PM_{2.5} standards, and reducing open burning will reduce pm loading into the District's air basin, especially during the wintertime season when particulate pollution is heaviest.

This work results in a contract amount that exceeds \$70,000 and therefore requires Board of Directors approval.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Funding for this project is included in the Fiscal Year Ending 2016 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: John Marvin
Reviewed by: Jeff McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Eric Mar and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Office/APCO

Date: January 8, 2016

Re: 2016 Legislative Agenda

RECOMMENDED ACTION

The Board of Directors will consider adopting a two-part legislative agenda for 2016.

BACKGROUND

Staff are recommending the Board of Directors consider adopting a two-part legislative agenda for 2016. One part is extending the existing commuter benefits program, and the other is the passage of SB 773 from 2015, dealing with the issue of unregistered vehicles.

DISCUSSION

In 2012, the District and MTC jointly sponsored successful legislation (SB 1339) to establish a commuter benefits pilot program in the Bay Area. After extensive outreach to the public, employers, and others, the two agencies adopted Regulation 14, Rule 1, the Bay Area Commuter Benefits Program in March 2014. This program requires employers with 50 or more Bay Area employees to offer commuter benefits to their employees.

In 2015, an outside firm conducted a survey of employees covered by the program, in order to assess the effects of the program on travel behavior and emissions. These findings are essential to our evaluation of the program, and are integral to the report to the Legislature on the program, which was required by SB 1339. The Executive Committee received a summary of these findings at its December 14, 2015 meeting.

In summary, the program has had significant air quality, greenhouse gas, transportation, and economic benefits. As of December 28, 2015, close to 4,000 employers with roughly 1,275,000 employees have registered and are participating. 53% of these companies are offering commuter benefits for the first time in response to the program. Roughly 3.2 million vehicle trips, totaling close to 86 million miles, and 36,000 tons of CO₂ were cut as result of the program in the first 12 months of its operation. The program has cut income taxes for employees and payroll taxes for employers, mitigated traffic congestion, and helped expand transit ridership.

However, despite these positive outcomes, the program as established by SB 1339 is a pilot program, and will sunset at the end of 2016 without legislation to extend it. MTC has formally adopted, as part of its 2016 legislative program, extending the program in partnership with the District, and Senator Steven Glazer (D-Orinda) has agreed to author the extension. Staff are recommending the District co-sponsor legislation to extend the program.

In 2015, the District also sponsored SB 773 on unregistered and fraudulently registered vehicles. This bill, authored by Senator Ben Allen (D-Santa Monica), passed the Senate with strong bipartisan support. However, a disagreement between the two houses over so-called ‘study bills’ prevented it from being heard in the Assembly in 2015. Staff have worked with Assembly leadership over the interim, and we have been assured that SB 773 will now be allowed to be heard in the Assembly.

Unregistered vehicles have significant public health consequences, since many of these vehicles are unregistered or fraudulently registered specifically to avoid compliance with the smog check program. Additionally, this behavior robs the state and local governments of significant revenues. Given our 2015 sponsorship of SB 773, staff recommend continuing to work towards its passage as part of the District’s 2016 legislative agenda.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

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