

Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, California 94105
(415) 749-5073

Video Conference Location
Santa Rosa Junior College
Doyle Library, Room 4248
1501 Mendocino Avenue
Santa Rosa, Ca 95401

APPROVED MINUTES

Summary of Board of Directors
Stationary Source Committee Meeting
Monday, September 17, 2018

1. CALL TO ORDER – ROLL CALL

Stationary Source Committee (Committee) Chairperson John Gioia called the meeting to order at 9:32 a.m., and Chair Gioia announced that Director Zane was participating via videoconference from Santa Rosa Junior College.

Present: Committee Chairperson, John Gioia; Vice Chairperson, Pete Sanchez; and Directors David Canepa, Scott Haggerty, Nate Miley, Karen Mitchoff, Mark Ross, Rod Sinks, Brad Wagenknecht, and Shirlee Zane (remote.)

Absent: Director Carole Groom.

Also Present: Board of Directors Chairperson, David Hudson.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Public Comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County.

3. APPROVAL OF THE MINUTES OF JULY 30, 2018

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Mitchoff made a motion, seconded by Director Canepa, to approve the Minutes of July 30, 2018; and the motion carried by the following vote of the Committee:

AYES: Canepa, Gioia, Hudson, Mitchoff, Sanchez, Sinks, Wagenknecht, and Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Groom, Haggerty, Miley, and Ross.

4. UPDATE ON ODOR CONTROL ACTIONS AT SOUTH BAY WASTE OPERATIONS

Wayne Kino, Deputy Air Pollution Control Officer of Operation, introduced Tracy Lee, Manager of Compliance and Enforcement, who gave the staff presentation *Update on Odor Control Actions at South Bay Waste Operations*, including: area overview; complaint summary; odor sources; Newby Island Resource Recovery Park landfill, compost, material recovery facility (MRF), and zero waste energy development (ZWED); San Jose Santa Clara Regional Wastewater Facility; jurisdiction and enforcement activity; enforcement actions and strategies; additional strategies; and next steps.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed contributing factors of the increase of odor complaints in 2015 and their decrease in 2018; whether in-vessel composting results in fewer odors; methane emissions reduction goals of organics in landfill operations as stated in Senate Bill 1383; whether covered aerated static piles of compost substantially mitigate odors, and whether the Air District (District) has a firm commitment from Newby Island Compost that the operation will implement this method; the furthest reported distance of a complaint from the source of composting odors; how the District, lacking enforcement authority to directly issue public nuisances on *compostable* material handling sites, works with local enforcement agencies (LEA) to regulate such odors; the request to quantify monetary penalties to which composting facilities are subject; the concern that multiple odor sources can come together with each other, and the fact that many facilities process the same materials, making it difficult to differentiate which source is responsible for an odor; the effectiveness of misting systems that mask odors at facility fence lines; the City of San Jose Department of Planning, Building, and Code Enforcement's regulation activity at the Newby Island Landfill; the request for a future staff report that differentiates the roles and authority of the District versus a given LEA; the dates on which District violations were issued at Newby Island Landfill, San Jose Santa Clara Regional Wastewater Facility, and Zero Waste Energy Development Company; the fact that the District includes its own performance standards in its permitting language pertaining to composting facilities, in addition to enforcement of the LEAs; whether any political figures representing jurisdictions of Santa Clara County or Alameda County are included in the South Bay Odor Stakeholder Group, and the District's role as a member of that body; the validity and efficacy of the stakeholders group, and the concern that the appropriate

stakeholders are not attending meetings; the fact that the LEAs have the authority to shut down composting operations; the District's complaint closure/verification rate; the fact that the City of San Jose has jurisdiction over all of the facilities (odor sources) listed in the presentation, and the concern that there is need for additional, or separate, oversight; the suggestion that the District seeks legislation to appoint a third party to oversee the enforcement activity of the LEAs and report back to the District regarding air quality functions only; and the decommissioning of sludge ponds and drying beds at the San Jose Santa Clara Regional Wastewater Facility.

NOTED PRESENT: Director Ross was noted present at 9:53 a.m.; Director Haggerty was noted present at 10:00 a.m.

Committee Action

None; receive and file.

5. UPDATE ON RULE DEVELOPMENT EFFORTS FOR RULE 13-2: ORGANIC MATERIAL HANDLING AND RULE 13-3: COMPOSTING OPERATIONS (OUT OF ORDER, ITEM 6)

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, introduced Robert Cave, Senior Air Quality Specialist, who gave the staff presentation *Update on Rule Development Efforts for Rule 13-2: Organic Material Handling and Rule 13-3: Composting Operations*, including: outline; organic materials handling and composting operations; organics diversion mandates; rule concepts; preliminary rule development; and next steps.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Committee Comments

The Committee and staff discussed the request for a link to the white paper entitled "Composting in California - Addressing Air Quality Permitting and Regulatory Issues for Expanding Infrastructure", which was written by CalRecycle, the California Air Resources Board, and the California Air Pollution Control Officers Association; various types of operations that can be found at different waste recovery facilities; and public health impacts from organics processing.

NOTED PRESENT: Director Miley was noted present at 11:11 a.m.

Committee Action

None; receive and file.

6. UPDATE ON DEVELOPMENT OF RULE 13-1: SIGNIFICANT METHANE RELEASES (ITEM 5)

Greg Nudd, Deputy Air Pollution Control Officer of Policy, introduced Will Saltz, Senior Air Quality Specialist, who gave the staff presentation *Regulation 13: Climate Pollutants, Rule 1:*

Significant Methane Releases, including: outline; why focus on methane; methane rule development stakeholder outreach effort; and Draft Regulation 13, Rule 1 general concepts, regulatory review, and next steps.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Committee Comments

The Committee and staff discussed how and where methane emissions are measured in parts per million (PPM), and how that data is converted into a measurement of pounds; methane limited exemptions on refinery flaring, and the capturing of methane emissions for electricity generation; which facilities *produce* the most methane and *leak* the most methane; the importance of enforcing equal regulation upon both publicly-owned and privately-owned facilities; the definition of ‘landfill working face’; methane monitoring technologies based on source differentiation; the fact that this will be the first District regulation that focuses on a greenhouse gas (methane); and the rule’s adoption schedule.

Committee Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

No requests received.

8. COMMITTEE MEMBER COMMENTS

None.

9. TIME AND PLACE OF NEXT MEETING

At the Call of the Chair.

10. ADJOURNMENT

The meeting adjourned at 11:43 a.m.

/s/ Marcy Hirtzka
Marcy Hirtzka
Clerk of the Boards