



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS REGULAR MEETING

September 4, 2019

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:30 a.m. in the 1st Floor Board Room at the Air District Headquarters, 375 Beale Street, San Francisco, California 94105.

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 9:30 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.

This meeting will be webcast. To see the webcast, please visit www.baaqmd.gov/bodagendas at the time of the meeting. Closed captioning may contain errors and omissions, and are not certified for their content or form.

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 Speakers wishing to address the Board on non-agenda matters will be heard at the end of the agenda, and each will be allowed up to 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 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.

Speakers may speak for up to three minutes on each item on the Agenda. However, 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. 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 REGULAR MEETING AGENDA

WEDNESDAY
SEPTEMBER 4, 2019
9:30 A.M.

BOARD ROOM
1ST FLOOR

CALL TO ORDER

Chairperson, Katie Rice

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 two 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.

CLOSED SESSION

3. **CONFERENCE WITH LEGAL COUNSEL**
 - A. **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:

Michael Bachmann and Sarah Steele v. Bay Area AQMD, Contra Costa County Superior Court, Case No. C17-01565

OPEN SESSION

CONSENT CALENDAR (ITEMS 4-7)

Staff/Phone (415) 749-

4. Minutes of the Board of Directors Special Meeting of July 31, 2019

Clerk of the Boards/5073

The Board of Directors will consider approving the draft minutes of the Board of Directors Special Meeting of July 31, 2019.

5. Board Communications Received from July 31, 2019 through September 3, 2019

J. Broadbent/5052
jbroadbent@baaqmd.gov

A copy of communications directed to the Board of Directors received by the Air District from July 31, 2019 through September 3, 2019, if any, will be at each Board Member's place.

6. 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.

7. Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of July 2019

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 Violations issued, and all settlements for amounts in excess of \$10,000 during the month of July 2019.

PRESENTATION

8. Wildfire Air Quality Response Program and Public Messaging

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will receive a presentation on the Air District's wildfire response efforts.

PUBLIC COMMENT ON NON-AGENDA MATTERS

9. **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 two minutes each to address the Board on non-agenda matters.

BOARD MEMBERS' COMMENTS

10. *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

11. Report of the Executive Officer/APCO

12. Chairperson's Report

13. Time and Place of Next Meeting:

Wednesday, September 18, 2019, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

14. Adjournment

The Board meeting shall be adjourned by the Board Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
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.
- 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 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at rsanders@baaqmd.gov.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

EXECUTIVE OFFICE:

MONTHLY CALENDAR OF AIR DISTRICT ANTICIPATED MEETINGS

SEPTEMBER 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting	Wednesday	4	9:30 a.m.	1 st Floor Board Room
Board of Directors Executive Committee	Thursday	5	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Personnel Committee	Friday	6	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Advisory Council Meeting - CANCELLED AND RESCHEDULED TO DECEMBER 9, 2019	Monday	9	10:00 a.m.	1 st Floor Board Room
Board of Directors Community & Public Health Committee	Thursday	12	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Stationary Source Committee	Monday	16	10:00 a.m.	Milpitas City Hall Council Chambers 455 E. Calaveras Blvd. Milpitas, CA 95035
Board of Directors Executive Committee - CANCELLED	Wednesday	18	9:30 a.m.	1 st Floor Board Room
Board of Directors Ad Hoc Building Committee	Wednesday	18	9:00 a.m.	1 st Floor Board Room
Board of Directors Regular Meeting	Wednesday	18	9:30 a.m.	1 st Floor Board Room
Board of Directors Climate Protection Committee	Thursday	19	9:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee - CANCELLED	Wednesday	25	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	26	9:30 a.m.	1 st Floor Board Room

OCTOBER 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting	Wednesday	2	9:30 a.m.	The Waterfront Hotel Spinnaker Room 10 Washington St. Oakland, CA 94607
Board of Directors Technology Implementation Office (TIO) Steering Committee	Friday	4	9:30 a.m.	1 st Floor Board Room
Board of Directors Legislative Committee	Wednesday	9	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Executive Committee	Wednesday	16	9:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee	Wednesday	23	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	24	9:30 a.m.	1 st Floor Board Room
Advisory Council Meeting	Monday	28	10:00 a.m.	1 st Floor Board Room
Board of Directors Community & Public Health Committee	Wednesday	30	9:30 a.m.	1 st Floor Board Room

HL – 8/13/2019 – 12:40 p.m.

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: August 20, 2019

Re: Minutes of the Board of Directors Special Meeting of July 31, 2019

RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors Special Meeting of July 31, 2019.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Special Meeting of July 31, 2019.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 4A: Draft Minutes of the Board of Directors Special Meeting of July 31, 2019

AGENDA 4A – ATTACHMENT

Draft Minutes - Board of Directors Special Meeting of July 31, 2019

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

Board of Directors Special Meeting
Wednesday, July 31, 2019

DRAFT MINUTES

Note: Audio recordings of the meeting are available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, Katie Rice, called the meeting to order at 10:09 a.m.

Roll Call:

Present: Chairperson Katie Rice; Vice Chairperson Rod Sinks; Secretary Cindy Chavez; and Directors Margaret Abe-Koga, Teresa Barrett, John J. Bauters, David J. Canepa, John Gioia, Carole Groom, David Hudson, Tyrone Jue, Gordon Mar, Nate Miley, Karen Mitchoff, Mark Ross, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors Pauline Russo Cutter, Scott Haggerty, Doug Kim, Liz Kniss, Jim Spring, and Lori Wilson.

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 Tyler Earl, Communities for a Better Environment (CBE); Rhoda Fry, Cupertino resident; Janet Gieger, Cupertino resident; Steve Nadel, Sunflower Alliance; Jed Holtzman, 350 Bay Area; Richard Gray, 350 Bay Area; Jan Warren, Interfaith Climate Action Network of Contra Costa; Grace McGee, Generation Our Climate; Milo Wetherall, Generation Our Climate; Cemre Gonen, Youth vs. Apocalypse; Ellen Sweet, 350 Marin; Janet Pygeorge, Rodeo Citizens Association; Charles Davidson, Rodeo Citizens Association; Ernesto Arevalo, CBE; Esther Goolsby, CBE; Greg Karras, CBE; Zolboo Namkhaidorj, CBE; Ella Winchester, CBE; and Isabella Zizi, Stand.Earth.

NOTED PRESENT: Director Miley was noted present at 10:17 a.m.

The Board and staff discussed past Air District refinery regulation; the Air District's upcoming regulatory schedule; the Air District's efforts to address concerns of environmental justice organizations; and why Air District staff choose not to include Air District Regulation 9-1 (Inorganic Gaseous Pollutants – Sulfur Dioxide) in the Air District's expedited Best Available Retrofit Control Technology implementation schedule.

PRESENTATION

3. Presentation from the Government Alliance on Race and Equity (GARE) Co-Director

Chair Rice introduced Dwayne Marsh, Vice President of the Local and Regional Government Alliance on Race and Equity, who gave the presentation *Advancing Racial Equity: The Role of Government*, including: why we are all here; the message; is America possible; racial inequity in the United States; structural racism; why we lead with race; impacts of racism; current context; theory of change; national effective practice; types of racism; history of government and race; our five functions; GARE network; learning cohorts to advance racial equity; key components; benefits of jurisdictions' participation; national best practice; core lessons; progress; what has worked; and what's next.

Following Mr. Marsh's presentation, Mary Ann Okpalaugo, Manager of the Office of Diversity, Equity, and Inclusion, along with Air District employees, Tim Williams, Katherine Hoag, and Derek Tang, gave the staff presentation *Overview of the Air District's Racial Equity Initiative*, including: outline; internal capacity building; building a framework for racial equity; workforce development; community health; public investment; operations; and emerging work: getting to impact.

Public Comments

Public comments were given by Ernesto Arevalo, CBE; Esther Goolsby, CBE; Greg Karras, CBE; Tyler Earl, CBE; and Cemre Gonen, Youth vs. Apocalypse.

Board Comments

The Board and staff discussed the anticipated increase in Air District employees' participation in the GARE program; the need to remember gender inequity, as well as racial; whether other regional agencies, especially those that are tenants at 375 Beale Street, offer similar programs or are involved with GARE; how concepts learned in the GARE program can bolster the Air District's partnerships with environmental justice organizations; the request to prioritize workforce development and leadership training in racial equity at the Air District; and the importance of listening to the stories of those who have experienced marginalization.

COMMENDATION / PROCLAMATION / AWARD

4. Board Recognition of Air District employees who participated in the 2018 GARE Program

Chair Rice invited the thirteen members of the Air District's 2018 GARE introductory and implementation cohort to be recognized.

Public Comments

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

Board Comments

None.

Board Action

None.

CLOSED SESSION (12:13 p.m.)

5. CONFERENCE WITH LABOR NEGOTIATORS (Government Code § 54957.6(a))

Agency Negotiators: *Jack P. Broadbent, Executive Officer/APCO*
 Rex Sanders, Chief Administrative Officer

Employee Organizations: *Bay Area Air Quality Employees' Association, Inc. (EA)*

Public Comments

No requests received.

Board Comments

None.

Board Action

None; the Board will consider approving the proposed Memorandum of Understanding between the Air District and the EA on the Consent Calendar (Item 12).

6. CONFERENCE WITH LEGAL COUNSEL

EXISTING LITIGATION (Government Code Section 54956.9(a))

Pursuant to Government Code Section 54945.9(a), a need exists to meet in closed session with legal counsel to consider the following case:

Michael Bachmann and Sarah Steele v. Bay Area AQMD, Contra Costa County Superior Court, Case No. C17-01565.

Public Comments

Public comments were given by Greg Karras and Tyler Earl, CBE.

Board Comments

None.

Board Action

None.

OPEN SESSION (12:51 p.m.)

CONSENT CALENDAR (ITEMS 7 – 15)

7. **Minutes of the Board of Directors Regular Meeting of June 5, 2019**
8. **Board Communications Received from June 5, 2019 through July 30, 2019**
9. **Air District Personnel on Out-of-State Business Travel**
10. **Notices of Violations Issued and Settlements in Excess of \$10,000 in the months of May and June 2019**
11. **Authorization to Execute Contract Amendment for Spare the Air Program Website Enhancements**
12. **Consider Approving the Proposed Memorandum of Understanding between the Bay Area Air Quality Management District and the Bay Area Air Quality Management District Employees' Association**
13. **Authorization of a Purchase Order in Excess of \$100,000 for Public Notice Expenses**
14. **Authorization to Execute Contract Amendments for Production System Office**
15. **Authorization to Amend Contract with MIG Inc. for community engagement and facilitation services for the Assembly Bill (AB) 617 Richmond-San Pablo Area Community Air Monitoring Plan Development**

Public Comments

No requests received.

Board Comments

None.

Board Action:

Director Wagenknecht made a motion, seconded by Director Canepa, to **approve** the Consent Calendar Items 7 through 15, inclusive; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Gioia, Groom, Hudson, Jue, Miley, Mitchoff, Rice, Ross, Sinks, Wagenknecht, Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Chavez, Cutter, Haggerty, Kim, Kniss, Mar, Spring, and Wilson.

COMMITTEE REPORTS

16. Report of the Mobile Source Committee Meeting of July 25, 2019 (OUT OF ORDER, ITEM 19)

Mobile Source Chair, David Canepa, read the following Committee report:

The Committee met on Thursday, July 25, 2019, and approved the minutes of May 23, 2019.

The Committee reviewed and discussed the staff presentation Projects and Contracts with Proposed Grant Awards Over \$100,000. The Committee recommends the Board:

- 1. Approve recommended projects with proposed grant awards over \$100,000; and*
- 2. Authorize the Executive Officer/Air Pollution Control Officer to enter into all necessary agreements with applicants for the recommended projects.*

The Committee then reviewed and discussed the California Air Resources Board's presentation Senate Bill 1: Truck and Bus Regulation Enforcement Through Department of Motor Vehicles Registration.

The Committee then reviewed and discussed the staff presentation Approval of Contract for Clean Cars for All Program Case Managers. The Committee recommends the Board:

- 1. Authorize the Executive Officer/Air Pollution Control Officer to amend the Air District's contract with GRID Alternatives to include an additional \$300,000 in funds to perform case management services for the Clean Cars for All Program as it expands to all residents of the Bay Area.*

Finally, the Committee then reviewed and discussed the staff presentation Update on the 32nd International Electric Vehicles Symposium EVS32.

The next meeting of the Mobile Source Committee will be on Thursday, September 26, 2019, at 9:30 a.m. I move that the Board approve the Mobile Source Committee's recommendations. This concludes the Chair Report of the Mobile Source Committee.

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Canepa made a motion, seconded by Director Sinks, to **approve** the recommendations of the Mobile Source Committee; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Gioia, Groom, Hudson, Jue, Miley, Mitchoff, Rice, Ross, Sinks, Wagenknecht, Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Chavez, Cutter, Haggerty, Kim, Kniss, Mar, Spering, and Wilson.

17. Report of the Climate Protection Committee Meeting of June 10, 2019 (ITEM 16)

In the interest of time, the reading of the Climate Protection Committee Chair Report was waived.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

18. Report of the Community and Public Health Committee Meeting of June 20, 2019 (ITEM 17)

In the interest of time, the reading of the Community and Public Health Committee Chair Report was waived.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

19. Report of the Stationary Source Committee Meeting of July 8, 2019 (ITEM 18)

In the interest of time, the reading of the Stationary Source Committee Chair Report was waived.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

20. Report of the Advisory Council Meeting of July 29, 2019

In the interest of time, the reading of the Advisory Council Ex-Officio Report was waived.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Public comments were given by Bob Brown, Western States Petroleum Association.

BOARD MEMBERS' COMMENTS

22. Board Members' Comments

- Directors Hudson, Ross, Gioia, Canepa, Bauters, and Vice Chair Sinks, reported on their experiences at the Air & Waste Management Association's 112th Annual Conference and Exhibition in Quebec City, Canada.
- Director Hudson reported on his experience at the 32nd International Electric Vehicle Symposium in Lyon, France.
- Director Zane spoke about her participation in a senate briefing sponsored by Senator Kamala Harris regarding extreme weather events and climate change.
- Vice Chair Sinks, in his capacity as Ex-Officio member on the Advisory Council, talked about the Council's development of the upcoming Particulate Matter Symposium.
- Vice Chair Sinks, in his capacity as Chairperson of the Stationary Source Committee, announced that the next Stationary Source Committee meeting will be held at Milpitas City Hall on Monday, September 16, 2019 at 10:00 a.m.

OTHER BUSINESS

23. Report of the Executive Officer/Air Pollution Control Officer

Mr. Broadbent stated that, in the interest of time, he would waive his presentation and send it to the Board members via the biweekly report.

24. Chairperson's Report

Chair Rice reported on her experience at the Air & Waste Management Association's 112th Annual Conference and Exhibition in Quebec City, Canada.

25. Time and Place of Next Meeting

Wednesday, September 4, 2019, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

26. Adjournment

The meeting adjourned at 1:08 p.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: August 20, 2019

Re: Board Communications Received from July 31, 2019 through September 3, 2019

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from July 31, 2019, through September 3, 2019, if any, will be at each Board Member's place at the September 4, 2019, Board meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Aloha de Guzman

Reviewed by: Vanessa Johnson

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: August 20, 2019

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 Air District's Administrative Code, Fiscal Policies and Procedures Section, the Board of Directors is hereby notified of Air District personnel who have traveled on out-of-state business.

The report covers the out-of-state business travel for the month of July 2019. 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 July 2019:

Beijing International Forum for Metropolitan Clean Air Actions, Beijing, China, July 6, 2019 – July 11, 2019 Attendee:

- Jack P. Broadbent, Executive Officer/APCO

2019 Summer Weather Research and Forecasting Tutorial, Boulder, Colorado, July 15, 2019 – July 19, 2019 Attendee:

- Annie Seagram, Air Quality Engineer II

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 Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: August 20, 2019

Re: Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of July
2019

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 Violations 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. Bunger

Attachment 7A: Notices of Violations for the Month of July 2019

NOTICES OF VIOLATIONS ISSUED

The following Notice(s) of Violations were issued in July 2019:

Alameda						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
A B & I Foundry	A0062	Oakland	A57889A	7/8/2019	2-6-307	Data Lost January 6, 2019 -January 17, 2019
American Technologies	L3951	Hayward	A58679A	7/18/2019	11-2-303.6	ASB# 108921 Breach of Containment
Environmental Remedies Inc.	Z6389	Hayward	A58678A	7/3/2019	11-2-303.6	No Negative Air ASB108698
Grafco Station	V4062	Livermore	A58805A	7/31/2019	2-1-302	Expired Permit 11/01/18 (Delinquent Invoice 270101)
Grafco Station	V4062	Livermore	A58806A	7/31/2019	8-7-301.5	Failed Torque Test on Fill & Vapor Adaptors at 87 & 91
Maria del Socorro Murillo	Z6453	Oakland	A58680A	7/24/2019	11-2-401.3	ASB# 108897 Late Notification
Mario Estell	Z6406	Oakland	A59099A	7/11/2019	11-2-401.3	Failure to Notify ASB# 488685
P. W. Stephens Environmental, Inc.	Z6465	Fremont	A58681A	7/25/2019	11-2-303.6	ASB 109140 Breach of Containment
Schnitzer Steel Products Company	A0208	Oakland	A57682A	7/2/2019	8-2-301	Failed Source Test, NTV - 2178, 5178; >TOC

Contra Costa						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Chevron Products Company	A0010	Richmond	A58623A	7/23/2019	2-6-307	PC J Part 3 Deviation 5204
Chevron Products Company	A0010	Richmond	A58624A	7/23/2019	12-11-506.1	Deviation 5342 / Late inoperative reporting
Chevron Station #90222	Z6459	Richmond	A58548A	7/18/2019	2-1-301	Phase 2 Modification (vr-202 -> vr-204) Without Application/Authority to Construct
Harris Courts Inv. LLC	Z6442	Oakley	A58925A	7/18/2019	11-2-401.3	Failure to Notify C#240460
Keller Canyon Landfill Company	A4618	Pittsburg	A58263A	7/2/2019	2-6-307	Exceeded POC Limit > 40 tors/yr (p/c#17309 part 33)
Keller Canyon Landfill Company	A4618	Pittsburg	A58264A	7/2/2019	8-34-301.2	Component Leak at EW146 5000ppm-12000ppm
Keller Canyon Landfill Company	A4618	Pittsburg	A58265A	7/2/2019	8-34-303	28 Surface Leaks Discovered Above Standard
Keller Canyon Landfill Company	A4618	Pittsburg	A58265B	7/2/2019	10	CCR 17 95465 (a)(1) 28 Surface Leaks Discovered Above Standard
Keller Canyon Landfill Company	A4618	Pittsburg	A58266A	7/2/2019	8-34-305.1	EW84, EW127, and EW162 with Positive Pressure
Keller Canyon Landfill Company	A4618	Pittsburg	A58266B	7/2/2019	10	CCR 17 95464 (c) EW84, EW127, and EW162 with Positive Pressure
Keller Canyon Landfill Company	A4618	Pittsburg	A58267A	7/2/2019	8-34-501	Failure to Provide Records
New NGC, Inc.	A0706	Richmond	A58703A	7/25/2019	2-1-307	Failed PC# 25561 Part 5 & PC# 17016 Part 2

New NGC, Inc.	A0706	Richmond	A58704A	7/25/2019	2-1-307	PC# 17016 Part 2 Failed
Phillips 66 Company - San Francisco Refinery	A0016	Rodeo	A58343A	7/9/2019	8-18-309	OEL Not Seal/Valves Not Inspected Accordingly/Valves Not ID
Phillips 66 Company - San Francisco Refinery	A0016	Rodeo	A58343B	7/9/2019	8-18-407.1	OEL Not Seal/Valves Not Inspected Accordingly/Valves Not ID
Phillips 66 Company - San Francisco Refinery	A0016	Rodeo	A58343C	7/9/2019	8-18-401.2	OEL Not Seal/Valves Not Inspected Accordingly/Valves Not ID
Phillips 66 Company - San Francisco Refinery	A0016	Rodeo	A58343D	7/9/2019	8-18-402.1	OEL Not Seal/Valves Not Inspected Accordingly/Valves Not ID
Phillips 66 Company - San Francisco Refinery	A0016	Rodeo	A59062A	7/3/2019	2-6-307	Combined Firing Rate Exceeded the Limit Dev#5533 S# 352; 353; 354; 355; 356; 357
ST Shore Terminals LLC	A0581	Crockett	A59228A	7/23/2019	2-6-307	Failure to Submit Annual Report Within 60 Days
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58450A	7/25/2019	2-6-307	Failure to Meet Permit Condition
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58451A	7/25/2019	2-6-307	Failure to Meet Permit Condition
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58451B	7/25/2019	9-10-305	CO Emission Limit
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58452A	7/25/2019	2-6-307	Failure to Meet Permit Condition
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A58452B	7/25/2019	6-1-302	New Installation of Under-Fired Charboilers
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A59328A	7/25/2019	2-6-307	Failure to Meet Permit Condition

Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A59329A	7/25/2019	9-1-307	Excess 7250 ppm @ 0% O2/1-clock Hr. Avg.
Tesoro Refining & Marketing Company, LLC	B2758	Martinez	A59330A	7/25/2019	2-1-307	Failure to Meet Permit Condition. Failure to Conduct POC, PM-10,CO,NOx,Source Tests[P/C #26266]

San Francisco						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Gregory Loughran Construction	Z6423	San Francisco	A55942A	7/17/2019	11-2-401.3	Demo Notification Not Submitted
Hathaway Construction Dinwiddie Construction Co.	V8486	San Francisco	A56598A	7/31/2019	10	Earth Disturbing Construction Without ADMP
Hines	Z6443	San Francisco	A58926A	7/18/2019	11-2-401.5	ASB# 108501 Inaccurate Start Date
San Francisco International Airport	A1784	San Francisco	A58080A	7/17/2019	2-1-301	S370 was Removed from PTO on 2014 but SFO Continue to Operate
San Francisco International Airport	A1784	San Francisco	A58080B	7/17/2019	2-1-302	S370 was Removed from PTO on 2014 but SFO Continue to Operate
San Francisco International Airport	A1784	San Francisco	A58080C	7/17/2019	2-6-307	S370 was Removed from PTO on 2014 but SFO Continue to Operate
San Francisco International Airport	A1784	San Francisco	A58081A	7/17/2019	2-1-301	Operating Fire Pump Engine Without District Permit
San Francisco International Airport	A1784	San Francisco	A58081B	7/17/2019	2-1-302	Operating Fire Pump Engine Without District Permit
San Francisco Water Department	A9170	San Francisco	A58078A	7/12/2019	2-1-301	PERP #116999 at Same Location Greater Than 12 Consecutive Months
San Francisco Water Department	A9170	San Francisco	A58078B	7/12/2019	2-1-302	PERP #116999 at Same Location Greater Than 12 Consecutive Months

SF State University, Corp Yard	A9618	San Francisco	A58079A	7/12/2019	2-1-301	PERP #160060 at Same Location Greater Than 12 Consecutive Months
SF State University, Corp Yard	A9618	San Francisco	A58079B	7/12/2019	2-1-302	PERP #160060 at Same Location Greater Than 12 Consecutive Months
United Rentals Inc.	W9625	San Francisco	A58804A	7/25/2019	8-7-301.2	Missing Gasket on Fill Dust Cap & Uncertified Fill Adaptor and Cap
United Rentals Inc.	W9625	San Francisco	A58804B	7/25/2019	8-7-301.1	Missing Gasket on Fill Dust Cap & Uncertified Fill Adaptor and Cap

San Mateo						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Ameresco Half Moon Bay LLC	B7040	Half Moon Bay	A56596A	7/19/2019	2-6-307	Failure to Meet Permit Condition 25465
Ameresco Half Moon Bay LLC	B7040	Half Moon Bay	A56597A	7/19/2019	2-6-307	Failure to Meet Permit Condition 25465
Browning-Ferris Industries of CA, Inc.	A2266	Half Moon Bay	A58220A	7/18/2019	8-34-303	CCR 17 Rule 95465 17 Surface Leaks Discovered Above Standard
Browning-Ferris Industries of CA, Inc.	A2266	Half Moon Bay	A58220B	7/18/2019	10	CCR 17 Rule 95465 17 Surface Leaks Discovered Above Standard
Browning-Ferris Industries of CA, Inc.	A2266	Half Moon Bay	A58221A	7/18/2019	8-34-301.2	7 Component Leaks Discovered Above Standard
Cumaica Coffee	B1903	South San Francisco	A58222A	7/25/2019	2-1-307	A2 Operated Below 1,400 Degrees F (PC#15883.3)

Santa Clara						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
ARCO AM/PM	Z6478	Campbell	A58803A	7/24/2019	2-1-307	Missing 2017; 2018; 2019 Annual Source Test & 2019 3 Year Source Test
BELFOR Property Restoration	V6482	San Jose	A58682A	7/30/2019	11-2-401.5	Failure to Revise Start Date ASB# 109299
Best USA Logistics Inc	E0695	Milpitas	A58197A	7/29/2019	2-1-302	PO Expired 6/1/18 Operating Generator Without a Valid Permit
Christopher Ranch LLC	E0603	Gilroy	A57365A	7/11/2019	2-1-301	No A/C, No Permit for Natural Gas Generator
Christopher Ranch LLC	E0603	Gilroy	A57365B	7/11/2019	2-1-302	No A/C, No Permit for Natural Gas Generator
Cintas Corporation	E3156	Gilroy	A57364A	7/9/2019	8-8-304	Filter Press Uncovered
HGST, a Western Digital Company	A0085	San Jose	A57366A	7/23/2019	8-30-307	Wipe Cleaning of Tool Station Surfaces
Microchip Technology Inc.	B3759	San Jose	A58196A	7/24/2019	2-1-307	P.O> Expired on 11-1-2018 Operation Generator Without a P.O.
Sanborn Park	Z6457	Saratoga	A57777A	7/18/2019	2-1-307	No 2017, 2018 Annual ST Done
Unocal #5995	Z6479	San Jose	A59378A	7/31/2019	8-7-503.1	Gas Throughput Records Not Maintained NTC# A46778 Issued Prior on 07/16/18
Valley Oil Company	B5289	Mountain View	A58223A	7/31/2019	2-1-307	Exceeded 2,600 Gal/Hr Limit Per PC#20760

Sonoma						
Site Name	Site #	City	NOV #	Issuance Date	Regulation	Comments
Stocklin Iron Inc.	B6173	Santa Rosa	A59203A	7/29/2019	2-1-302	Expired Permit Since 3/1/2017

SETTLEMENTS FOR \$10,000 OR MORE REACHED

There were two settlement(s) for \$10,000 or more completed in July 2019.

- 1) On July 17, 2019, the District Attorney of Contra Costa County informed the Air District of a civil judgment reached with West Contra Costa County Landfill for \$75,000, regarding the allegations contained in the following 10 Notices of Violations:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A54405A	12/14/2015	11/27/2015	5-301.1	Compost overs ignited
A56039A	5/21/2018	5/18/2018	5-301.1	Prohibited fire at compost operation curing pile
A56478A	11/22/2016	9/26/2016	1-301	Public nuisance odor
A56479A	11/22/2016	10/4/2016	1-301	Public nuisance odor
A56480A	11/22/2016	10/5/2016	1-301	Public nuisance odor
A56482A	11/22/2016	11/2/2016	1-301	Public nuisance odor
A56483A	11/22/2016	11/3/2016	1-301	Public nuisance odor
A56484A	12/21/2016	12/20/2016	1-301	Public Nuisance odor
A56486A	2/8/2017	7/14/2016	5-301	Prohibited fire
A56496A	3/19/2018	3/14/2018	5-301	Fire in curing pile

- 2) On July 30, 2019, the Air District reached a settlement with Self-Serve Petroleum, Inc. for \$10,000, regarding the allegations contained in the following one Notice of Violation:

NOV #	Issuance Date	Occurrence Date	Regulation	Comments from Enforcement
A57867A	3/27/2018	3/13/2018	2-1-301	Switched from Diesel to Gasoline (Two tanks)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Katie Rice and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: August 20, 2019

Re: Wildfire Air Quality Response Program and Public Messaging

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

California experienced some of the deadliest and most destructive wildfires in its history over the last two years. Wildfire events are becoming the new normal and new wildfire prevention initiatives and actions are needed. Studies show that climate change is not only causing higher temperatures and longer dry periods, but also lengthening the fire season and increasing the risk of wildfires throughout the state. Wildfires have the potential to destroy entire communities and burn everything in their path, producing a mixture of fine particulate matter and hazardous chemicals and compounds in the air we breathe.

Wildfire smoke presents immediate impacts to local air quality and public health, and atmospheric conditions can quickly transport smoke to affect the air quality of an entire region and even that of nearby states. The devastating fires in Napa and Sonoma County in 2017 and the Butte County Camp Fire in 2018 generated unprecedented levels of particulate matter in the Bay Area. Wildfires are an imminent threat to air quality and public health in the Bay Area region and across the entire state.

DISCUSSION

Over the last year, the Air District developed the Wildfire Air Quality Response Program (WAQRP), a comprehensive, multi-faceted program intended to prevent and prepare for future wildfire smoke events and ensure health protective measures and strategies are in place. As part of this effort, staff have been working closely with cities, counties and state agencies to coordinate on wildfire preparedness. Specific attention has been paid to working with the Association of Bay Area Health Officers and others to better coordinate preparedness messaging to eliminate public confusion and extend the reach of information. As part of this presentation, staff will highlight the regional alliance and key partnerships across the nine counties to address future wildfire disasters and smoke impacting the Bay Area. Additionally, Staff will provide an update on Assembly Bill 836 *Wildfire Smoke Clean Air Center Incentive Program for*

Vulnerable Communities, ongoing rule amendment efforts, and grants and incentive program strategies, to provide air filtration and cleaner air to facilities in wildfire smoke impacted areas.

BUDGET CONSIDERATIONS/FINANCIAL IMPACTS

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Tracy Lee
Reviewed by: Wayne Kino