

**PLACER COUNTY AIR POLLUTION CONTROL DISTRICT
BOARD OF DIRECTORS**

**Thursday, October 13, 2011,
Board of Directors' Regularly Scheduled Meeting Minutes**

The Board of Directors of the Placer County Air Pollution Control District met in session at 2:30 PM, Thursday, October 13, 2011, at the Placer County Board of Supervisors' Chambers, 175 Fulweiler Avenue, Auburn, California. Representing the District were: Tom Christofk, Air Pollution Control Officer; Todd Nishikawa, Deputy Air Pollution Control Officer; Yu-Shuo Chang, Planning and Monitoring Manager; Don Duffy, Air Quality Engineer; Heather Kuklo, Air Quality Specialist, and Margie Koltun, Clerk of the Board.

The meeting was called to order by Chairman Peter Hill. Roll call was taken by the Clerk of the Board with the following members in attendance: Mike Holmes, Donna Barkle, Stan Nader, Jim Holmes, Peter Hill, Miguel Ucovich, Jennifer Montgomery and Carol Garcia. A quorum was established. Robert Weygandt came late.

Approval of Minutes:

Motion to approve: Ucovich/Garcia/Unanimous

Public Comment:

No public comment.

Consent Items 1 & 2:

Item 1: Budget Revision for Federal Clean Air Act (CAA) Section 105 Grant funds:

The Board approved Budget Revision #11-04 thereby appropriating the federal CAA Section 105 Pilot Pass-Through Project grant funds in the amount of \$74,866 into the FY 2011-12 Budget.

Item 2: Amend the District Conflict of Interest Code:

The Board adopted Resolution #11-18 thereby amending the designated reportable positions and disclosure categories list for the Fair Political Practices Commission Statement of Economic Interest filing.

Motion to approve consent items: Montgomery/J. Holmes/Unanimous

Public Hearing Action Items 3 & 4:

Item 3: Amendment of Rule 502, New Source Review (NSR):

Mr. Don Duffy, Associate engineer, gave this presentation. He said that this is an amendment to a rule that District Staff had brought to the Board for approval at the February 2010 meeting. When it was submitted to ARB and then to the EPA, the EPA sent a letter back stating that there were some changes needed. The EPA gave "limited approval" and "limited disapproval" of the rule. The effect

of this approval status was that Rule 502 is SIP approved but that it had “minor deficiencies” which if not corrected could result in sanctions being imposed on the District. The deficiencies that needed to be corrected included changing and/or adding definitions that met the EPA’s guidelines, a provision requiring a source that becomes major solely due to a relaxation of an emission limit to apply NSR as though construction had not yet commenced, and adding a criteria as to when the APCO should consult with the Federal Land Manager of a Class I area regarding a new major source or major modification that may impact visibility. Staff developed the proposed amendments through consultation with EPA staff and believe that these amendments will satisfy the EPA’s comments and move the rule into a fully approved state.

Chairman Hill opened discussion to the Board. Director Mike Holmes asked if advance copies had been sent to ARB and EPA and if so, why did they not let the District know of the deficiencies prior to the Board approval in 2010? Mr. Duffy said the staff had sent the rule for approval and had received pre-approval. However, once a rule is submitted it goes through a more rigorous review and that is when the deficiencies were noticed. He also said that the District was the lead for the region with this rule and that the other local air districts would use this rule as a model. The EPA may be subjecting the rule to greater scrutiny so the other air districts will be able to develop their NSR Rules based on this one.

Chairman Hill opened the public hearing. As there was no one who came forward, he closed the public hearing and brought the matter back to the Board for a motion.

Motion to approve: J. Holmes/M. Holmes/Unanimous

Item 4: Transportation Control Measure/State Implementation Plan Revision:

Dr. Yu-Shuo Chang, Planning and Monitoring Manager, gave this presentation. This item is a public hearing regarding a proposed revision to the Placer County Portion of the 2009 Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan. This revision would reschedule the implementation year for the transportation measure TR-2B for Placer County. The transportation measure implementation needs to be rescheduled because the Sacramento Area Council of Governments (SACOG) determined that this transportation measure, along with three others, could not be completed within the original timeline as adopted in February of 2009.

The reasons for not completing the measures on time have to do with decreases in local funding and processing other higher priority projects. Because the timelines for adopting the measures were formalized with the adoption of the 2009 Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan (Plan), the District is required to formally adopt a revision to reschedule the implementation. The Sacramento and Yolo-Solano air districts will take the same action to revise the implementation other transportation measures since they were within the regional plan. The funding for TR-2B was included in SACOG’s FY 2011-12 Budget and will have no fiscal impact on the District.

Chairman Hill opened the public hearing. As there was no one who came forward, he closed the public hearing and brought the matter back to the Board for a motion.

Motion to approve: Montgomery/Garcia/Unanimous

Action Items 5 & 6:

Item 5: Approve procedure for the Point of Sale Provision in Rule 225 Wood Burning Appliances:

Ms. Heather Kuklo, Air Quality Specialist and Woodstove Replacement Program Manager, gave this presentation. She began with a background of why a point of sale provision was necessary. In December of 2007, this Board adopted amendments to Rule 225, Wood Burning Appliances. There were two primary emission reducing requirements added to the rule: that all new installations of wood burning appliances must meet the EPA Phase II emission requirements, and that all non-certified free standing wood stoves would be rendered inoperable when present at the point of property sale/transfer.

These requirements were added in response to SB 656 and to avoid additional wood burning restrictions and they were to take full effect January 1, 2012. In order to ensure that these requirements were/are met, District staff was directed to work with the Placer County Real Estate community to develop a procedure that would meet these requirements for point of sale and also not adversely impact real estate transactions.

In order to assist the public with changing out their old wood burning appliances, the District has been running a program that incentivized homeowners by offering \$750 to \$1,500 for each appliance replaced. In order to capture any remaining non-certified appliances at point of sale, a technical advisory committee (TAC) made up of District staff, members of the Placer County Association of Realtors (PCAR), the Tahoe Sierra Board of Realtors (TSBR) and the Home Inspection Industry met to develop a procedure manual and a real estate disclosure form to be used when property was sold or transferred. This manual and the form will be available on the District's website and can also be obtained from District staff.

Ms. Kuklo went into some of the detail of the procedure and concluded her presentation. Several of the Board members had questions or comments regarding the process and getting the word out to the public which Ms. Kuklo addressed. Mr. John Falk of the TSBR spoke to the Board and said that although the real estate community is already burdened with a lot of paperwork, he felt that the procedure that was developed would be easy to use and effective. Mr. David Johnson of the PCAR echoed this sentiment and expressed gratitude to Ms. Kuklo and the TAC for working hard toward this end.

Chairman Hill asked the Board for a motion to adopt Resolution #11-21 thereby approving the Procedure for the Implementation of the Point of Sale/Transfer Condition for Non-Certified Free Standing Wood Stoves.

Motion to approve: Garcia/Montgomery/Unanimous

Item 6: Amend the District Board's Administrative Rules:

Mr. Todd Nishikawa Deputy APCO, presented this item to amend the District Board's Administrative Rules and Regulations to add a section regarding the District's adopted purchasing policy and make minor wording changes. He said that changes were necessary in order to make the District Purchasing Manual, which was adopted in February 2011, the instrument by which the APCO was given authority by the Board to enter into contracts and other basic business transactions. Amendments were also needed to make the Administrative Rules consistent with current working titles and to clarify the duties and rotation of the Chair and Vice Chair. He also mentioned that a 2/3 majority vote is required for approval.

Motion to approve: J. Holmes/Ucovich/Unanimous

Information Item 7:

Item 7: Roseville Railyard Final Report:

Dr. Chang gave this presentation on the final report on an evaluation of air dispersion modeling results compared to air monitoring concentration measurements. This report is a follow-up evaluation of the Roseville Railyard Ambient Monitoring Project (RRAMP), a four-year air monitoring study based on the Agreement between the District and the Union Pacific Railroad Company (UPRR).

Dr. Chang said that air dispersion modeling and air monitoring are two different approaches to assessing emission concentrations and serve their respective purposes in the study of air pollution. In general, an air dispersion model is a useful and effective computer tool to predict changes in concentrations at different locations while having different emissions from known sources in the different periods. In contrast, air monitoring focuses on the measured concentrations at a fixed location to present the impacts from actual emissions, without requiring knowledge of source strength or location.

The objective of the study was to 1) perform sensitivity analyses to evaluate the modeling results by using different dispersion models and meteorological data and 2) compare the forecasted concentrations (from modeling) and measured concentrations (from monitoring) to investigate the correlation between these two methods. Both objectives were met with positive results. This data provides the evidence to support a conclusion that air dispersion modeling can adequately predict DPM concentrations resulting from the yard activities. Accordingly, air dispersion modeling can be a cost-effective substitute for air monitoring as a means of identifying rail yard DPM emission impacts. The full report can be found on the District's website.

Air Pollution Control Officer Report:

Update on Santa Maria Pacific Offset Program:

Mr. Christofk said that he and several other staff and consultants travelled to Santa Maria (Santa Barbara County) to meet with the Santa Barbara County Air District staff and their Planning

Department Staff, as well as representatives of Santa Maria Pacific to discuss offsets for greenhouse gasses. He said that the trip was successful and that he would keep the Board informed as this program moves forward.

Final Art Walk for 2011 tonight:

The District's offices will be open for the Auburn Art walk, between 6-9 PM this evening for the event, which is the last one for this year.

Fiscal Report:

Mr. Christofk said that the District is where it needs to be at this point in the budget cycle. Revenues are up 15% and expenses are 42% less than projected because of the Clean Air Grant funds which will not be encumbered until April 2012. A balance sheet and fund summary handout was provided to the Board members.

Chairman Hill adjourned the meeting.

Margie Koltun, Clerk of the Board