

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

**Minutes of the Thursday, April 12, 2012  
Meeting of the Board of Directors**

The Board of Directors of the Placer County Air Pollution Control District met in session at 2:30 PM, Thursday, April 12, 2012, 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; Jane Bailey, Fiscal Officer; Don Duffy, Air Quality Engineer; Heather Kuklo, Air Quality Specialist, and Margie Koltun, Clerk of the Board.

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

**Approval of Minutes:**

Chairperson Garcia asked for a motion on the minutes of the February 9, 2012, Board meeting.

Motion to approve: M. Holmes/Barkle/Unanimous. Miguel Ucovich, Jim Holmes and Jennifer Montgomery abstained as they had been absent from the meeting.

**Public Comment:**

There was no public comment.

**Action Item 1**

**Item 1: Clean Air Grant Awards:**

Ms. Heather Kuklo, Air Quality Specialist and Clean Air Grant (CAG) Program Manager for the District, gave a presentation which provided an overview of the program. She said she was very pleased with the response to the program this year and had several very good projects to recommend.

She reminded the Board that the goals for the program are to cost effectively reduce emissions of criteria pollutants and that each funding source included restrictions as to how the funds may be used. Ms. Kuklo mentioned that the AB923 funding (DMV surcharge of \$2.00 per vehicle) will sunset in 2015 unless it is reauthorized in a legislative process. She said that the amount of funding for this year's projects came to \$ 931,000 and if the recommended projects are approved there will be an estimated annual reduction of 5.84 tons of NOx, PM and ROG.

Ms. Kuklo went on to describe the outreach process and CAG workshops that were hosted by the

District. She said that 19 applications were received with some applicants submitting more than one application. After extensive review and analysis there were 10 projects that met the requirements and are being recommended for funding.

Director Ucovich asked about the life of the projects as described in the staff report. Ms. Kuklo said that even though a piece of equipment may be operational for many years, the project life is the length of time that the equipment is evaluated for emission reductions and cost effectivity based on program guidelines.

Chairperson Garcia asked if the Board had any questions then opened the item to the public for questions or comments. Seeing none, she asked the Board to propose a motion.

Motion to approve: J. Holmes/Montgomery/Unanimous on roll call

## **Public Hearing Action Item 2**

### **Item 2: Rescission of 13 Rules:**

Mr. Don Duffy, Air Quality Engineer, presented this item. He said that staff have been reviewing and updating the District rules and have discovered thirteen rules that are no longer necessary for various reasons. The rescission of these rules will result in a 10% reduction of the District rules.

There are several reasons for rescinding this set of rules. Some of the rules applied to specific sources that are no longer operating in Placer County (Formica and SierraPine). Some of them were required by Health and Safety Codes which over the years have changed and the mandate for the rules are no longer in effect. One of the rules has been superseded by another rule and is no longer needed.

Mr. Duffy then explained the specifics of why the some of the rules were no longer necessary. Regulation 9, Air Toxics, was adopted in the 1989-92 time period as required by the Health and Safety Code. Changes to the code now allows districts to enforce the state Airborne Toxics Control Measures (ATCMs) or allow Districts to adopt local rules that are equally or more stringent. The District has been enforcing the state ATCMs for some time since they are amended and/or revised more often than District rules. There are no sources subject to most of these rules within our jurisdiction.

Mr. Duffy explained the reasons for rescission of the remaining rules and asked the Board to approve Resolution #12-04 rescinding the 13 rules and adopting negative declarations for the rules that once applied to Formica and SierraPine.

Director Mike Holmes asked about the rules for which the District has no sources any longer. His concern regarded what might happen if a new source did come into the county and needed one of these rules? Mr. Duffy said that the District would probably have to do a new rule if a

major source such as SierraPine wanted to be permitted within this jurisdiction. The reason for this is that when the original rules were developed, they were developed for existing sources and the rules had to be designed in such a way that they applied to the existing sources. Things have changed so much since then that a new rule or at least a significantly amended rule would be required anyway.

Director Ucovich asked about Rule 905 regarding asbestos containing serpentine rock. Mr. Duffy said this would be one of the state ATCM rules that the District would be enforcing in lieu of having our own rule. Director Barkle asked about the landfill rule and Mr. Duffy said that if a new landfill were to come into the County, the District would enforce the federal standards rather than make new rules for the District.

Chairperson Garcia opened the public hearing and seeing no one come forward, closed the public hearing and brought the item back to the Board for a motion. Mr. Nishikawa, Deputy APCO, said that he wanted to clarify that SierraPine is still operating in Placer County, but they are not using any equipment that is regulated by the rules proposed for rescission. They have shut down the parts of the plant that fell under these rules.

Chairperson Garcia opened the public hearing and seeing no one closed the hearing and brought the item back to the board for a motion.

Motion to approve: Hill/Ucovich/Unanimous

### **Information Item 3:**

#### **Item 3: Report on Biennial Fiscal Audit:**

Ms. Bailey, Fiscal Officer for the District, reported that the biennial audit of the District's fiscal activities had been performed as required by Macias, Gini & O'Connell, LLP. There were no differences found between the audit and the District's fiscal reports found, except for a change in classification of fund balances under the new GASB 54 Statement. The classifications have been changed in accordance with GASB 54. Copies of the independent auditors report were supplied to the Board and made available to the public.

### **Closed Session / Action Item 4:**

#### **Item 4: Air Pollution Control Officer's Annual Evaluation:**

The Board adjourned briefly to closed session in order to conduct the annual performance evaluation of the Air Pollution Control Officer pursuant to Government Code § 54957 (b) (1).

The conducted the performance evaluation of the APCO and returned to open session.

Chairperson Garcia stated that the evaluation was completed and that there was no action taken then reconvened the meeting.

### **Air Pollution Control Officer Report:**

#### **District Office Building Financial Update:**

Mr. Christofk gave a financial status report on the building reporting on how the projected overhead and maintenance budgeted for last fiscal year compared to the actual expenses. He also indicated he will be seeking direction from the Board on how to proceed in the coming budget cycle regarding allocating the cost savings realized by the building purchase towards the reserve funds that were tapped for the purchase. When the building was purchased, one of the options was to pay back the funds. The Board has the authority to choose that option within each budget cycle.

#### **Fiscal Report:**

Mr. Christofk said that the District budget is where it needs to be at this point in the budget cycle. Revenues are up 16% and expenses are 30% less than projected. Now that the expenditure of the Clean Air Grant funds has been approved, these numbers should be in better balance to the budget by the next meeting. A balance sheet and fund summary handout was provided to the Board members.

Chairperson Garcia asked for a motion to adjourn: Ucovich/M. Holmes/Unanimous

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Margie Koltun, Clerk of the Board