



**AGENDA:**  
**PCAPCD Board of Directors Meeting**  
**Thursday, April 11, 2013 2:30 P.M.**  
**Placer County Board of Supervisors' Chambers**  
**175 Fulweiler Avenue, Auburn, California**

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**Call to Order**

**Flag Salute**

**Roll Call / Determination of a Quorum**

**Approval of Minutes:** February 21, 2013, Regular Board Meeting

**Public Comment:** Any person desiring to address the Board on any item not on the agenda may do so at this time. No action will be taken on any issue not currently on the agenda.

**Consent: Item 1**

These items are expected to be routine and non-controversial. The Board will act upon these items at one time without discussion. Any Board member, Staff member, or interested citizen may request that an item be removed from the consent calendar for discussion.
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- 1. Contract and Budget Revision for Consulting and Advocacy Support for the District's Forest Resource Sustainability Initiatives:** Adopt Resolution #13-05 and approve Budget Revision #13-02 thereby authorizing \$30,000 (Thirty Thousand Dollars) for a consulting and advocacy services contract with Mr. James Boyd of Clean Tech Advocates.

**Action: Item 2**

- 2. Clean Air Grant Awards:** Adopt Resolution #13-06 thereby approving the expenditure of \$996,060 for the Clean Air Grant Program in the FY 2012-13 Budget. Funding for this program is comprised of DMV funding from AB 2766 and AB 923, and Land Use Mitigation funds.

**Public Hearing/Action: Item 3**

- 3. Conduct a Public Hearing regarding proposed amendments to Rule 206, Incinerator Burning, and new Rule 241 Crematories:** Adopt Resolutions #13-03 and #13-04, thereby approving the amended Rule 206, Incinerator Burning, and the new Rule 241, Crematories, as revisions to the District Rules and Regulations and to the State Implementation Plan; and approving all of the required findings in the Staff Report.

**Information: Item 4**

- 4 Information Technology Strategic Plan:** District Staff wish to provide information and obtain feedback from the District Board of Directors on the recently completed Strategic Information Technology Master Plan.

**Closed Session: Item 6**

- 5. Annual Air Pollution Control Officer Evaluation:** Pursuant to the cited authority (all references are to the Government Code), the Placer County Air Pollution Control District Board of Directors will hold a closed session to discuss the following item: Section 54957 (b) (1) – Air Pollution Control Officer’s Annual Evaluation. A report on any action taken will be presented prior to adjournment.

**Air Pollution Control Officer Report** (*Verbal reports and/or handouts will be provided*)

- a. Art Walk Update
- b. Clean Air Awards Luncheon: The 37th Breathe California Sacramento Emigrant Trails Annual Clean Air Awards Luncheon will be held on May 29, 2013, from 11:30 a.m. – 1:30 p.m. at Sacramento State's Ballroom at the University Union.
- c. Fiscal Update

**Adjournment**

**Next Regularly Scheduled Board Meeting: Thursday, June 13, 2013 2:30 PM**

Opportunity is provided for the members of the public to address the Board on items of interest to the public, which are within the jurisdiction of the Board. A member of the public wanting to comment upon an agenda item that is not a Public Hearing item should submit their name and identify the item to the Clerk of the Board. Placer County Air Pollution Control District is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. If you require disability-related modifications or accommodations, please contact the Clerk of the Board. All requests must be in writing and must be received by the Clerk five business days prior to the scheduled meeting for which you are requesting accommodation. Requests received after such time will be accommodated only if time permits.

District Office Telephone – (530) 745-2330



## Board Agenda

### *Consent/Action*

**Agenda Date:** April 11, 2013

**Prepared By:** Thomas Christofk, Air Pollution Control Officer

**Topic:** Approval of a Contract and Budget Revision for Mr. James Boyd of Clean Tech Advocates for Consulting and Advocacy Support of the District's Forest Resource Sustainability Initiatives

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**Action Requested:** Adopt Resolution #13-05 (Attachment #1) and approve Budget Revision #13-02 (Attachment #2) thereby authorizing \$30,000 (Thirty Thousand Dollars) for consulting and advocacy services to promote the District's forest resource sustainability initiatives amongst state assembly and senate legislative staff, elected members, state agencies, and other organizations; and authorize the Air Pollution Control Officer (APCO) to negotiate, sign, and amend as necessary, a consulting contract with Mr. James Boyd of Clean Tech Advocates.

**Discussion:** The District has been involved in and continues to be engaged in a broad range of initiatives related to Placer County's forested landscape in an effort to reduce wildfires and manage smoke from open burning in order to improve air quality. The initial efforts commenced with development and implementation of a forest biomass focused Supplemental Environmental Project (SEP) in concert with a negotiated Sierra Pacific Industries penalty settlement that was resolved in FY2007-2008. Since that time staff has been engaged in a number of technical studies regarding forest biomass as well as forest based greenhouse gas developments that District staff has broadly called the Forest Resource Sustainability Initiatives. These Initiatives relate to biomass to energy policies and projects; promotion of distributed generation facilities throughout the Sierra Nevada using excess forest biomass generated as a byproduct of fuels reduction activities as feedstock; market based mechanisms to promote public and private forested landscape treatments to reduce the risk of catastrophic wildfires; and efforts to protect and conserve forests in a manner that enhances water and watershed integrity and retain and increase forest carbon stocks while reducing greenhouse gas emissions. While the District has made good progress in promoting the initiatives amongst land managers, many rural forested communities, local officials, and some state agencies such as Cal Fire, the District has the need to promote them in a broader context amongst legislative staff, elected state representatives, and numerous other state agencies that are involved in implementing various aspects of the state's Global Warming Solutions Act (AB 32) and related laws.

To assist in this promotion and advocacy, staff has determined that Mr. James Boyd, Senior Advisor, Clean Tech Advocates is uniquely qualified to provide invaluable services to the District. Mr. Boyd's experience includes fifteen years as the Executive Officer of the Air Resources Board and more recently he served two five-year appointments as one of the five commissioners of the California Energy Commission, and was the prime architect of the 2006 State Bio-Energy Action Plan. Mr. Boyd brings over forty years of experience in state government in areas that are directly related to natural resources, public health, and energy.

Mr. Boyd's resume is included as Attachment #3. A proposed contract for services is included as Attachment #4.

**Fiscal Impact:** This contract will have no fiscal impact on the District's FY2012-13 budgeted "ending fund balance" because the District has collected more than was budgeted in "Air Pollution Fines (6860)". Those fines more than cover the cost of the contract with Mr. James Boyd at \$30,000. These funds have been deposited into the "Operations Fund" that contains the funding for SEP projects. The appropriation of funds that covers the contract with James Boyd will be expended out of the SEP funding not to exceed \$30,000. The contract may be augmented in the future through a budget revision or through the approval of funding in an annual District budget.

**Recommendation:** Staff recommends that the Board adopt Resolution #13-05 and approve Budget Amendment #13-02 thereby authorizing \$30,000 (Thirty Thousand Dollars) for consulting and advocacy services to promote the District's forest resource sustainability initiatives amongst state assembly and senate legislative staff, elected members, state agencies and other organizations; and authorize the Air Pollution Control Officer (APCO) to negotiate, sign, and amend as necessary, a consulting contract with Mr. James Boyd of Clean Tech Advocates.

**Attachments**

1. Resolution #13-05
2. Budget Revision # 13-02
3. Mr. James Boyd, Clean Tech Advocates, Resume
4. Proposed Contract

**ATTACHMENT #1**

**SUBJECT:**

Resolution #13-05





Board Resolution:  
*Resolution # 13-05*

Before the Placer County  
Air Pollution Control District Board of Directors

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**In the Matter Of:** Adoption of Resolution #13-05 thereby allowing the Air Pollution Control Officer to negotiate, sign and amend as needed a contract with Mr. James Boyd of Clean Tech Advocates for consulting and advocacy support of the Placer County Air Pollution Control District forest resource sustainability initiatives.

The following **RESOLUTION** was duly passed by the Placer County Air Pollution Control District Board of Directors at a regular meeting held on **April 11, 2013**, by the following vote:

Ayes: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
 Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_

Noes: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
 Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_

Abstain: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
 Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_

Signed and approved by me after its passage:

\_\_\_\_\_ Chairperson

\_\_\_\_\_ Attest: Clerk of said Board

**WHEREAS**, The Placer County Air Pollution Control District requires consulting and advocacy services to promote the forest resource sustainability resource initiatives amongst State Assembly and Senate legislative staff, elected members, state agencies, and other organizations; and

**WHEREAS**, these services generally relate to biomass to energy policies and projects; promotion of distributed generation facilities throughout the Sierra Nevada using excess forest biomass generated as a byproduct of fuels reduction activities as feedstock; market based mechanisms to promote public and private forested landscape treatments to reduce the risk of catastrophic wildfires; and efforts to protect and conserve forests in a manner that enhances water and watershed integrity and retain and increase forest carbon stocks while reducing greenhouse gas emissions; and

**WHEREAS**, Mr. James Boyd is uniquely qualified to provide such services as he has served as both the Executive Officer of the California Air Resources Board and a Commissioner of the California Energy Commission, as well as a Deputy Secretary at the California Resources Agency, in a career that spans over forty years of public service to the State of California; and

**WHEREAS**, Mr. James Boyd, while serving as a Commissioner of the California Energy Commission, was a key proponent of California's first Bio-energy Action Plan; and

**WHEREAS**, this expenditure of \$30,000 for FY 2012-2013 will be derived from the Sierra Pacific Supplemental Environmental Project funds that are contained in the District's Operations Fund.

**IT IS HEREBY RESOLVED** that the Placer County Air Pollution Control District Board of Directors does approve the expenditure and associated budget revision for this consulting and advocacy service and the authorizes the Air Pollution Control Officer to negotiate, sign, and amend as needed, a contract with Mr. James Boyd of Clean Tech Advocates.

**BE IT FURTHER RESOLVED** that additional funding for this contract for fiscal years after FY 2012-2013 may be authorized by the allocation of funds in the annual District budget for this purpose.

**ATTACHMENT #2**

**SUBJECT:**

Budget Revision #13-02







**ATTACHMENT #3**

**SUBJECT:**

Resume of Mr. James Boyd



## Resume of James D. Boyd

**James D. “Jim” Boyd** is a former California Energy Commissioner, and retired from the California Energy Commission (CEC) in December 2011, at the end of his second five-year appointment to the Commission. He was first appointed to the CEC in 2002, and he was appointed to the Vice Chair position in 2006. He was appointed to a second term in 2007. Prior to his tenure as Energy Commissioner, Boyd was Deputy Secretary, Chief of Staff and Energy Advisor at the California Resources Agency. He created and chaired the state's first Joint Agency Climate Change Team and the state's Natural Gas Working Group, and worked extensively on helping the State recover from the Electricity crisis of 2000-2001. Boyd served for fifteen years as the Chief Executive Officer of the California Air Resources Board (CARB), directing the nation's largest state air pollution control program. During this period, CARB led the nation in establishing new pollution control programs for motor vehicles and fuels, toxic air contaminants, consumer products, and industrial and area sources.

As Energy Commissioner, Boyd focused on a variety of energy programs including energy and climate research, renewable energy, bioenergy, nuclear energy and transportation fuels and technology. He was the CEC representative on the Steering Team of the California Fuel Cell Partnership, and served on the Governor's Hydrogen Highway Network Implementation Advisory Panel. He led the CEC's efforts to develop the State Alternative Fuels Plan requested by the Governor and Legislature (AB 1007). He oversaw the formulation and implementation of Assembly Bill 118, which established an Alternative and Renewable Fuel and Vehicle Technology Program at the Energy Commission. Vice Chair Boyd chaired the Bio-energy Interagency Working Group that developed the Governor's Bio-energy Action Plan and also served as the state's liaison to the Nuclear Regulatory Commission and as California's representative on the Border Governors' Conference Energy Worktable. He also served on the Governor's Climate Action Team.

He currently serves as Senior Advisor to Clean Tech Advocates and as Chairman of the California Plug-in Electric Vehicle Collaborative, a voluntary organization fostering development of electric vehicles and infrastructure for California. He serves on advisory boards to the UC-Davis Institute of Transportation Studies and UCD Urban Land Use and Transportation. He was appointed by the US Secretary of Energy to the National Petroleum Council. He serves on advisory committees to the Sandia National Laboratory, Albuquerque, NM on micro grids and UC San Diego on algae derived energy. He serves on the Board of the Center for Clean Air Policy, Washington, D.C. He is a founding Board Member of the Tahoe Fund. He served many years on the Board of CALSTART and served as its Chairman for three years. He works as a consultant on energy and environmental policy and programs. A California native, Boyd received his Bachelor of Science degree in Business Administration from the University of California, Berkeley.



**ATTACHMENT #4**

**SUBJECT:**

Proposed Contract





## CONTRACTED SERVICES AGREEMENT

**Administering Agency:** Placer County Air Pollution Control District (District)

**Contract No.** CN000755

**Contract Description:** Consultant Services Contract: Jim Boyd with Clean Tech Advocates.

**THIS AGREEMENT** is made at Auburn, California, by and between the Placer County Air Pollution Control District, ("District"), and James Boyd of Clean Tech Advocates ("Contractor"), who agree as follows:

1. **Services.** Subject to the terms and conditions set forth in this Agreement, Contractor shall provide the services described in **Exhibit A**. Contractor shall provide said services at the time, place, and in the manner specified in **Exhibit A**, and the contract term is defined within **Exhibit A**.
2. **Payment.** District shall pay Contractor for services rendered pursuant to this Agreement at the time and in the amount set forth in **Exhibit B**. The payment specified in **Exhibit B** shall be the only payment made to Contractor for services rendered pursuant to this Agreement. Contractor shall submit all billings for said services to District in the manner specified therein, or, if no manner is specified, then according to the usual and customary procedures which Contractor uses for billing clients similar to District. **The amount of the contract shall not exceed thirty thousand dollars (\$30,000.00) for fiscal year 2012/2013 Additional funding for this contract for fiscal years after 2012/2013 may be authorized by allocation of funds in the annual district budget for this purpose.**
3. **Facilities, Equipment and Other Materials, and Obligations of District.** Unless otherwise specified, Contractor shall, at its sole cost and expense, furnish all facilities, equipment, and other materials which may be required for furnishing services pursuant to this Agreement.
4. **Exhibits.** All exhibits referred to herein will be attached hereto and by this reference incorporated herein.
5. **Time for Performance.** Time is of the essence. Failure of Contractor to perform any services within the time limits set forth in **Exhibit A shall constitute material breach of this contract.**
6. **Independent Contractor.** At all times during the term of this Agreement, Contractor shall be an independent Contractor and shall not be an employee of the District. District

shall have the right to control Contractor only insofar as the results of Contractor's services rendered pursuant to this Agreement. District shall not have the right to control the means by which Contractor accomplishes services rendered pursuant to this Agreement.

7. **Licenses, Permits, Etc.** Contractor represents and warrants to District that it has all licenses, permits, qualifications, and approvals of whatsoever nature, which are legally required for Contractor to practice its profession. Contractor represents and warrants to District that Contractor shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, and approvals which are legally required for Contractor to practice its profession at the time the services are performed.
8. **Time.** Contractor shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary for the satisfactory performance of Contractor's obligations pursuant to this Agreement. Neither party shall be considered in default of this Agreement to the extent performance is prevented or delayed by any cause, present or future, which is beyond the reasonable control of the party.
9. **Hold Harmless And Indemnification Agreement.** At all times during the performance of this agreement, Contractor agrees to protect, defend, and indemnify District in accordance with the provisions contained in Exhibit C.
10. **Insurance.** Contractor shall file with District concurrently herewith a Certificate of Insurance, in companies acceptable to District, for the coverage shown in Exhibit C. All costs of complying with these insurance requirements shall be included in Contractor's fee(s). These costs shall not be considered a "reimbursable" expense under any circumstances.
11. **Contractor Not Agent.** Except as District may specify in writing Contractor shall have no authority, express or implied, to act on behalf of District in any capacity whatsoever as an agent. Contractor shall have no authority, express or implied pursuant to this Agreement to Bind District to any obligation whatsoever.
12. **Assignment Prohibited.** Contractor may assign its rights and obligations under this Agreement only upon the prior written approval of District, said approval to be in the sole discretion of District.
13. **Standard of Performance.** Contractor shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Contractor is engaged in the geographical area in which Contractor practices its profession. All products of whatsoever nature which Contractor delivers to District pursuant to this Agreement shall be prepared in a substantial first class and workmanlike manner and conform to the standards or quality normally observed by a person practicing in Contractor's profession.

14. **Termination.**

A. District shall have the right to terminate this Agreement at any time by giving notice in writing of such termination to Contractor. In the event District shall give notice of termination, Contractor shall immediately cease rendering service upon receipt of such written notice, pursuant to this Agreement. In the event District shall terminate this Agreement:

- 1) Contractor shall deliver copies of all writings prepared by it pursuant to this Agreement. The term "writings" shall be construed to mean and include: handwriting, typewriting, printing, Photostatting, photographing, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof.
- 2) District shall have full ownership and control of all such writings delivered by Contractor pursuant to this Agreement.
- 3) District shall pay Contractor the reasonable value of services rendered by Contractor to the date of termination pursuant to this Agreement not to exceed the amount documented by Contractor and approved by District as work accomplished to date; provided, however, that in no event shall any payment hereunder exceed the amount of the agreement specified in Exhibit B, and further provided, however, District shall not in any manner be liable for lost profits which might have been made by Contractor had Contractor completed the services required by this Agreement. In this regard, Contractor shall furnish to District such financial information as in the judgment of the District is necessary to determine the reasonable value of the services rendered by Contractor. The foregoing is cumulative and does not affect any right or remedy, which District may have in law or equity.

B. Contractor may terminate its services under this Agreement upon thirty- (30) working days' advance written notice to the District.

15. **Non-Discrimination.** Contractor shall not discriminate in its employment practices because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation in contravention of the California Fair Employment and Housing Act, Government Code section 12900 *et seq.*

16. **Records.** Contractor shall maintain, at all times, complete detailed records with regard to work performed under this agreement in a form acceptable to District, and District shall have the right to inspect such records at any reasonable time. Notwithstanding any other terms of this agreement, no payments shall be made to Contractor until District is satisfied that work of such value has been rendered pursuant to this agreement. However, District shall not unreasonably withhold payment and, if a dispute exists, the withheld payment shall be proportional only to the item in dispute.

18. **Ownership of Information**. All professional and technical information developed under this Agreement and all work sheets, reports, and related data shall become the property of District, and Contractor agrees to deliver reproducible copies of such documents to District on completion of the services hereunder. The District agrees to indemnify and hold Contractor harmless from any claim arising out of reuse of the information for other than this project.
17. **Waiver**. One or more waivers by one party of any major or minor breach or default of any provision, term, condition, or covenant of this Agreement shall not operate as a waiver of any subsequent breach or default by the other party.
18. **Conflict of Interest**. Contractor certifies that no official or employee of the District, nor any business entity in which an official of the District has an interest, has been employed or retained to solicit or aid in the procuring of this agreement. In addition, Contractor agrees that no such person will be employed in the performance of this agreement without immediately notifying the District.
19. **Entirety of Agreement**. This Agreement contains the entire agreement of District and Contractor with respect to the subject matter hereof, and no other agreement, statement, or promise made by any party, or to any employee, officer or agent of any party, which is not contained in this Agreement, shall be binding or valid.
20. **Alteration**. No waiver, alteration, modification, or termination of this Agreement shall be valid unless made in writing and signed by all parties, except as expressly provided in Section 15, Termination.
21. **Governing Law**. This Agreement is executed and intended to be performed in the State of California, and the laws of that State shall govern its interpretation and effect. Any legal proceedings on this agreement shall be brought under the jurisdiction of the Superior Court of the District of Placer, State of California, and Contractor hereby expressly waives those provisions in California Code of Civil Procedure §394 that may have allowed it to transfer venue to another jurisdiction.
22. **Notification**. Any notice or demand desired or required to be given hereunder including requests for payment, shall be in writing and deemed given when personally delivered or deposited in the mail, postage prepaid, and addressed to the parties as follows:

**District:**  
Tom Christofk  
PCAPCD  
110 Maple Street  
Auburn, CA 95603

**Contractor:**  
James Boyd  
Clean Tech Advocates  
1215 K. St  
Sacramento, CA 95814

Any notice so delivered personally shall be deemed to be received on the date of delivery, and any notice mailed shall be deemed to be received five (5) days after the date on which it was mailed.

**This agreement is effective on the date signed by both parties.**

**PLACER COUNTY AIR POLLUTION CONTROL DISTRICT**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Tom Christofk  
Placer County Air Pollution Control District Officer

**CONTRACTOR**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
James Boyd  
Senior Advisor, Clean Tech Advocates

**Exhibits**

- A. Scope of Work
- B. Payment for Services Rendered
- C. Hold Harmless Agreement and Insurance Requirements

## **EXHIBIT A**

### **SCOPE OF SERVICES**

Perform all work listed herein as described within this Exhibit.

Contractor shall provide consulting and advocacy in support of the Placer County Air Pollution Control District forest resource sustainability initiatives. These initiatives include, but are not limited to: biomass to energy policies and projects; promotion of distributed generation facilities throughout the Sierra Nevada's using excess forest biomass generated as a byproduct of fuels reduction activities as feedstock; market based mechanisms to promote public and private forested landscape treatments to reduce the risk of catastrophic wildfires; and efforts to protect and conserve forests in a manner that enhances water and watershed integrity and retain and increase forest carbon stocks while reducing greenhouse gas emissions. Advocacy can include the local, state or federal levels of government and could involve, but are not limited to, the issues of pricing for energy production, interconnection issues with Utility distribution companies, management of feedstock, use of the Air District biomass to energy carbon offset protocol and other protocols that may be developed, or funding support to support such activities.

Work may begin when this agreement has been signed by both parties and continue until terminated by cancellation or because the Contract is not funded by the Air District Board through its budget process or through an independent approval.

## **EXHIBIT B**

### **PAYMENT FOR SERVICES RENDERED**

#### Maximum Limit & Fee Schedule

Contractor's compensation shall be paid at an hourly rate of \$150.00. Any expert or professional assistance retained by Contractor to complete the work performed under this contract shall be borne by the Contractor. Other reasonable and customary travel and subsistence expenses will be billed at cost and submitted in writing to the APCO for approval, with any extraordinary expenses being approved in advance. Personal auto travel shall be reimbursed at the IRS rate (per mile).

Total of all payments made under this agreement shall not exceed the amount shown in Section 2 of this contract.

#### Invoices

Invoices shall be submitted to District in a form and with sufficient detail as required by District, including this contract agreement number CN000755. Work performed by Contractor will be subject to final acceptance by the District project manager(s).

#### Payment Schedule

Payments shall be made to Contractor within thirty (30) days after the billing is received and approved by District unless otherwise specified.

## EXHIBIT C

### HOLD HARMLESS AGREEMENT AND INSURANCE REQUIREMENTS

The Contractor hereby agrees to protect, defend, indemnify, and hold District free and harmless from any and all losses, claims, liens, demands, and causes of action of every kind and character including, but not limited to, the amounts of judgments, penalties, interest, court costs, legal fees, and all other expenses incurred by District arising in favor of any party, including claims, liens, debts, personal injuries, death, or damages to property (including employees or property of District) and without limitation by enumeration, all other claims or demands of every character occurring or in any way incident to, in connection with or arising directly or indirectly out of, the contract or agreement. Contractor agrees to investigate, handle, respond to, provide defense for, and defend any such claims, demand, or suit at the sole expense of the Contractor. Contractor also agrees to bear all other costs and expenses related thereto, even if the claim or claims alleged are groundless, false, or fraudulent. This provision is not intended to create any cause of action in favor of any third party against Contractor or District or to enlarge in any way the Contractor's liability but is intended solely to provide for indemnification of District from liability for damages or injuries to third persons or property arising from Contractor's performance pursuant to this contract or agreement.

As used above, the term District means District or its officers, agents, employees, and volunteers.

#### 1. Insurance Requirements

Contractor shall file with the District, concurrently herewith, Certificates of Insurance, in companies acceptable to District, with a Best's rating of no less than A: VII.

Each policy shall be endorsed with the following specific language: **Cancellation Notice: "This policy shall not be canceled or materially changed without first giving thirty (30) days prior written notice to the District Air Pollution Control District."**

#### Workers Compensation and Employers Liability Insurance

If Contractor represents that they have no employees, and does not hire Sub-Contractors with employees, then they are not required to have Workers Compensation coverage.

Worker's Compensation Insurance shall be provided as required by any applicable law or regulation. Employer's liability insurance shall be provided in amounts not less than one million dollars (\$1,000,000) each accident for bodily injury by accident, one million dollars (\$1,000,000) policy limit for bodily injury by disease, and one million dollars (\$1,000,000) each employee for bodily injury by disease.

If there is an exposure of injury to Contractor's employees under the U.S. Longshoremen's and Harbor Worker's Compensation Act, the Jones Act, or under laws, regulations, or statutes applicable to maritime employees, coverage shall be included for such injuries or claims.

Contractor shall require all Sub- Contractors to maintain adequate Workers' Compensation insurance. Certificates of Workers' Compensation shall be filed with District upon demand.

### General Liability Insurance

a) Comprehensive General Liability or Commercial General Liability insurance covering all operations by or on behalf of Contractor, providing insurance for bodily injury liability and property damage liability for the limits of liability indicated below and including coverage for:

1. Contractual liability insuring the obligations assumed by Contractor in this Agreement.

b) One of the following forms is required:

1. Comprehensive General Liability;
2. Commercial General Liability (Occurrence); or
3. Commercial General Liability (Claims Made).

c) If Contractor carries a Comprehensive General Liability policy, the limits of liability shall not be less than a Combined Single Limit for bodily injury damage, and Personal Injury Liability of:

- One million dollars (\$1,000,000) each occurrence
- One million dollars (\$1,000,000) aggregate

d) If Contractor carries a Commercial General Liability (Occurrence) policy:

1. The limits of liability shall not be less than:
  - One million dollars (\$1,000,000) each occurrence (combined single limit for bodily injury and property damage)
  - One million dollars (\$1,000,000) for Products-Completed Operation
  - One million dollars (\$1,000,000) General Aggregate
2. If the policy does not have an endorsement providing that the General Aggregate Limit applies separately, or if defense costs are included in the aggregate limits, then the required aggregate limits million dollars (\$2,000,000).

e) Special Claims Made Policy Form Provisions:

Contractor shall not provide a Commercial General Liability (Claims Made) policy without the express prior written consent of District, which consent, if given, shall be subject to the following conditions:

(1) The limits of liability shall not be less than:

- (a) One million dollars (\$1,000,000) each occurrence (combined single limit for bodily injury and property damage)
- (b) One million dollars (\$1,000,000) aggregate for Products Completed Operations
- (c) One million dollars (\$1,000,000) General Aggregate
- (d) The insurance coverage provided by CONTRACTOR shall contain language providing coverage up to six (6) months following the completion of the contract in order to provide insurance coverage for the hold harmless provisions herein if the policy is a claims-made policy.

2. **Automobile Liability Insurance**

- a. Automobile Liability insurance covering bodily injury and property damage in an amount no less than one million dollars (\$1,000,000) combined single limit for each occurrence.
- b. Covered vehicles should include owned, non-owned, and hired automobiles/trucks.



## Board Agenda

### *Action*

**Agenda Date:** April 11, 2013

**Prepared By:** Heather Kuklo, Grant Program Manager

**Topic:** Approval of the 2013 Clean Air Grant Recommended Projects

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**Action Requested:** Adopt Resolution #13-06 (Attachment #1), thereby approving the expenditure of DMV Motor Vehicle Registration Funds and Air Quality Mitigation Funds for Clean Air Grant (CAG) projects, as shown in Resolution Exhibit I, and authorizing the Air Pollution Control Officer to negotiate, sign, and amend as needed, grant agreements and contracts.

**Discussion:** A total of 22 projects were evaluated for CAG funding. Of these 22 projects 14 are recommended for Board approval for a total of \$996,060 in grant funds for the FY 2012-13 CAG program. An estimated total of 48.11 tons of NO<sub>x</sub>, PM, and ROG will be reduced from the recommended projects should the grants be approved and projects completed.

The application solicitation period ran from January 1, 2013, through February 28, 2013. After the close of the solicitation period, District Staff conducted a systematic and comprehensive evaluation in order to identify the most competitive and cost effective projects for recommendation to your Board. A detailed description of the CAG process, the methods of evaluation and project benefits can be found in the Staff Report (Attachment #2). A compact disk with copies of all applications received and all associated documentation can be found in Attachment #3.

#### Projects Recommended for Funding

There are 14 projects being recommended for funding. Grant funds from this year's CAG program will provide an overall average cost share of 44% of total project costs. This is a prime example of the competitiveness of this year's program and the leveraging of grant funds that has been achieved. Exhibit A of the Staff Report is a summary of all applications received.

#### Emissions Summary of recommended Projects

Based on the approval of the recommended projects submitted to your Board in this memorandum, there will be an estimated total of 8.29 tons of NO<sub>x</sub>, PM, and ROG reduced annually. When all of the annual emission reductions from the 2013 recommended projects are multiplied by their project lives (the number of years reductions can be claimed for each project), the total projected reduction in emissions that can be claimed is approximately 48.11 tons of NO<sub>x</sub>, ROG, and PM.

**Fiscal Impact:** Your Board has approved \$1,128,000 for the FY 2012-13 CAG program, with \$17,000 budgeted from AB2766 funds, \$667,000 from AB 923 funds, and \$444,000 from Air Quality Mitigation Funds. AB2766 surcharge funds are restricted use funds that are used to reduce emissions from motor vehicles through external grants and internal programs to

implement provisions of the California Clean Air Act. AB 923 surcharge funds are restricted use funds that can only be used for projects that are eligible for Carl Moyer funding, Lower Emission School Bus Program (LESBP) projects, agriculture sources, and voluntary light duty vehicle retirement programs. Currently, the District is recommending funding for Carl Moyer type projects under AB 923. Application of the Mitigation Funds is consistent with the Board approved Policy Regarding Land Use Air Quality Mitigation Funds, April 12, 2001, as amended on December 11, 2008.

Total budgeted grant funds for the 2012-13 CAG program is \$1,128,000. Total funding for the recommended projects amounts to \$996,060. This leaves a balance of \$131,940 in Western Mitigation Funds. Since all eligible and competitive projects are being recommended for suitable funding in this year's CAG program, Staff recommends that the remaining balance of \$131,940 in Western Mitigation funds be applied and budgeted for next year's 2013-14 CAG program.

**Recommendation:** Staff recommends that the District Board adopt Resolution #13-06, thereby approving the expenditure of DMV Motor Vehicle Registration Funds and Air Quality Mitigation Funds for recommended projects, as shown in Exhibit I of the Resolution, and authorizing the Air Pollution Control Officer to negotiate, sign, and amend as needed, grant agreements and contracts.

**Attachment(s)** #1: Resolution #13-06, including Exhibit I, Placer County Air Pollution Control District Clean Air Projects 2013  
#2: 2013 CAG Staff Report and Exhibits A, B, and C  
#3: Compact Disc with copies of all applications received and all associated documentation.

**Attachment #1**

**SUBJECT:**

Resolution #13-06





Board Resolution:  
*Resolution #13-06*

Before the Placer County  
Air Pollution Control District Board of Directors

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**In the Matter Of:** Approve the expenditure of DMV Motor Vehicle Registration Funds and Air Quality Mitigation Funds and authorize the Air Pollution Control Officer to negotiate, sign, and amend as needed, grant agreements and contracts, for the approved projects in the Table “Placer County Air Pollution Control District Clean Air Projects 2013” (Exhibit I, attached).

The following **RESOLUTION** was duly passed by the Placer County Air Pollution Control District Board of Directors at a regular meeting held on **April 11, 2013**, by the following vote:

- Ayes: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
 Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_
- Noes: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
 Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_
- Abstain: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
 Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_

Signed and approved by me after its passage:

\_\_\_\_\_ Chairperson

\_\_\_\_\_ Attest: Clerk of said Board

**WHEREAS**, pursuant to Health and Safety Code Section 44220 et seq. the Placer County Air Pollution Control District (District) receives DMV Motor Vehicle Registration Fees (AB2766 and AB923); and

**WHEREAS**, the District is required to utilize the DMV Motor Vehicle Registration Fee funds for mobile source emission reduction and California Clean Air Act implementation; and

**WHEREAS**, the District has received Air Quality Mitigation Funds to offset the impact of new development in Placer County by reducing emissions, primarily ozone precursor emissions, from sources that are not required by law to reduce emissions; and

**WHEREAS**, the District continues to strive to reduce emissions from all sources in order to meet both State and Federal ambient air quality standards; and

**WHEREAS**, the District is required as part of the 2008 Sacramento Area Regional Ozone Attainment Plan to implement programs to reduce mobile source emissions; and

**WHEREAS**, the District is required as part of the 1991 California Clean Air Act Attainment Plan to implement programs to reduce mobile source emissions; and

**WHEREAS**, the District may obtain reductions in emissions, not otherwise mandated by existing rules or regulations, by providing incentive funds for projects that reduce air pollutant emissions;

**NOW THEREFORE BE IT RESOLVED**, that the Placer County Air Pollution Control District Board does hereby approve the expenditure of DMV Motor Vehicle Registration Funds, and Air Quality Mitigation Funds for Clean Air Grants, and authorizes the Air Pollution Control Officer to negotiate, sign, and amend as needed, grant agreements and contracts, for the approved projects listed in Exhibit I (attached).

Exhibit I: Placer County Air Pollution Control District Clean Air Projects 2013

## Exhibit 1: Placer County Air Pollution Control District Clean Air Projects 2013

Application #	Applicant	Project Title	Amount Requested	Recommended Funding	Project Ranking Score
13-01	K.P. Martin Inc	Offroad Equipment Replacement	\$55,000	\$37,000	80
13-02	PCTPA	FSP	\$56,668	\$40,000	70
13-03	Sierra Pacific Industries	Offroad Equipment Replacement	\$434,236	\$315,680	92
13-04	Sierra Pacific Industries	Offroad Equipment Replacement	\$175,678	\$104,190	92
13-05	Sierra Pacific Industries	Offroad Equipment Replacement	\$175,678	\$104,190	92
13-06	Volcano Creek Enterprises, Inc.	Offroad Equipment Replacement	\$310,000	\$100,000	85
13-07	City of Auburn	Bicycle Signage Project	\$3,000	\$2,500	70
13-08	Eastern Regional Landfill	Offroad Equipment Replacement	\$187,708	\$75,000	85
13-10	Nor-Cal Construction	Offroad Equipment Replacement	\$75,000	\$40,000	85
13-11	Nor hstar Fire Department	Community Biomass Collection Program	\$29,000	\$24,300	85
13-12	North Tahoe PUD	Bicycle Rack Project	\$6,000	\$3,200	80
13-16	Placer County Library	E-Book Purchase	\$50,000	\$20,000	70
13-18	CAL FIRE	Defensible Space and Healthy Forest Handbook & Outreach	\$26,400	\$2,500*	72
13-20	Placer County DPW	Kings Beach Transit Shelters	\$130,000	\$127,500	85

\* In addition to the amount being recommended above, the District is also contributing staff time, an in-kind value estimated at \$10,000, in order to partner with CAL FIRE in the development of the Defensible Space Handbook. District staff would focus on the topics of air quality issues related to open burning.



**Attachment #2**

**SUBJECT:**

2013 CAG Staff Report



**PLACER COUNTY AIR POLLUTION CONTROL DISTRICT**

**STAFF REPORT**

**2013 Clean Air Grant Program  
Project Recommendations**

**April 11, 2013**

**Background:**

The District has solicited grant applications for the 2013 Clean Air Grant (CAG) program funds, which was authorized by your Board in the District's FY 2012-13 Budget and will be funded from the following sources:

**DMV Funds:**

Assembly Bill 2766 (Sher) and Assembly Bill 923 (Firebaugh) authorized air pollution control districts and air quality management districts to impose a Department of Motor Vehicle (DMV) surcharge fee to provide funds for air districts to meet the responsibilities mandated under the California Clean Air Act. AB2766 surcharge funds are restricted use funds that are used to reduce emissions from motor vehicles through external grants and internal programs, to implement provisions of the California Clean Air Act, to support implementation of the transportation control measures of the District's Air Quality Attainment Plan, and to provide public information and education. The District Board set the AB2766 fee at \$4 per registered motor vehicle (per year) on June 14, 2001. AB 923 surcharge funds are restricted use funds that can only be used for the Lower Emission School Bus Program, projects eligible under the Carl Moyer Program, agriculture sources, and voluntary light duty vehicle retirement programs. The AB 923 fee of \$2, increased the total DMV fees from \$4 to \$6, and was adopted by the District Board on December 9, 2004.

The Board determines the amount of DMV funds that are to be budgeted annually for implementing the District's Clean Air Grant program. Your Board has allocated **\$684,000** from the DMV fund in the FY 2012-13 Final Budget to provide incentives for external projects to reduce criteria pollutant emissions, primarily from mobile sources, through the 2013 CAG program.

**Air Quality Mitigation Funds:**

The District is making available **\$444,000** which has been paid into the District's Air Quality Mitigation Fund by new land use development projects in Placer County. The Air Quality Mitigation Funds are used primarily to reduce ozone precursor and particulate matter emissions from sources that are not required by law to reduce their emissions. District Staff apply air quality mitigation funds in close proximity to the land development projects from which the fees were collected; therefore, fund usage is broken into East-side of the Donner Summit and West-side of the Donner Summit categories and applied to projects in those areas. Out of the \$444,000, there is \$155,000 specified for East-side projects and \$289,000 specified for West-side projects.

**Total Funds Available for 2013 CAG:**

The total CAG funds available in FY 2012-13 are **\$1,128,000**.

**Discussion:**

The 2013 CAG application solicitation period was open from January 1, 2013, through February 28, 2013. The updated CAG Information and Guidelines, along with the application package was

available on the District's web site during this time. Within this eight week period, the District 1) mailed out CAG information to approximately 200 private and public entities within the County, 2) emailed several hundred notifications, including the Placer County Contractor's Association, 3) ran several ads in local papers, and 4) held two workshops in Auburn, one of which was video teleconferenced to Tahoe City in order to solicit projects and inform people in that area. The newspaper ads ran in six of the local papers managed by Gold Country Media, and in the Tahoe World. The two Auburn workshops were held on January 23<sup>rd</sup> at the District office, with a morning and an evening session.

Included with the Board Memo is a Compact Disk (Attachment #3) which contains the following information for each application received during the solicitation period:

- A copy of each application received
- Supplemental information provided by applicant during project evaluation
- Cost-effectiveness calculations when applicable
- Project Ranking Forms
- Pre-inspection information for those projects being recommended to your Board and when required
- Additional information generated/gathered by Staff during the evaluation period

Each project application has a tracking number assigned to it for the ease of identification.

### **Project Evaluation**

There were a total of twenty-two applications received during the 2013 CAG application solicitation period. Nine of the applications were submitted by public/government agencies and nine were submitted by non-public agencies (private businesses and/or nonprofit organizations). Several applicants submitted more than one application. The total amount of funds requested from all applicants was \$2,277,432. The applications received were applied to four of the six CAG application categories.

Figure 1 displays the total number of applications received per category in the 2013 CAG program. The Heavy Duty On and Off Road category received the greatest number of applications (12). This is an ideal trend for this program because the guidelines state that the primary goal of DMV funding is to reduce NOx, PM, and ROG from motor vehicle sources.

Figure 1

**Number of Applications received per Category**

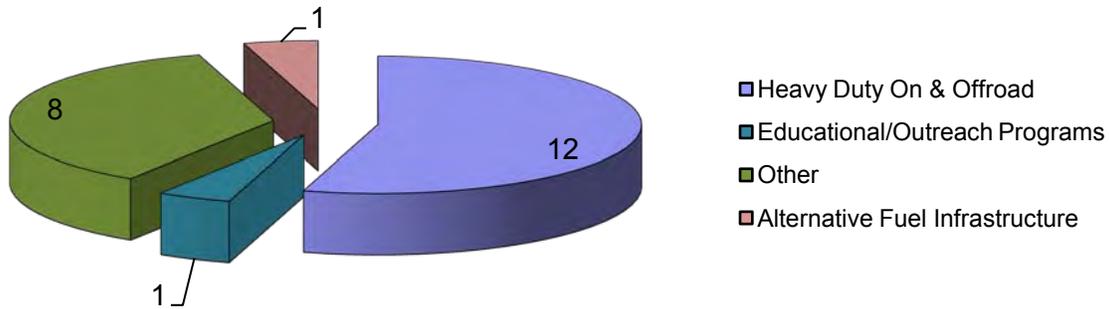
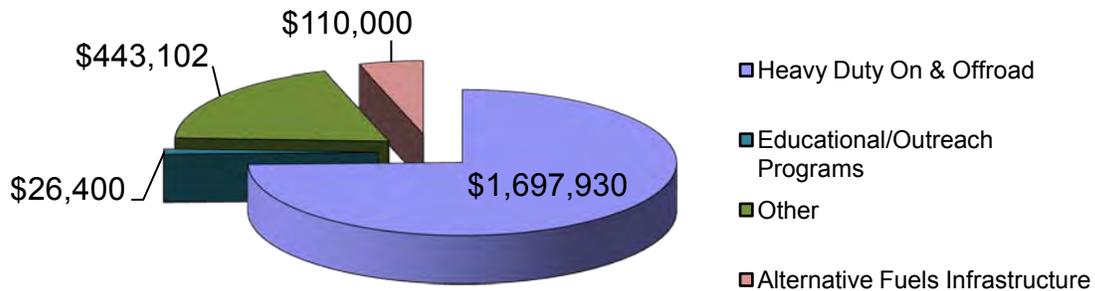


Figure 2 displays the total amount of money requested per category. The total amount of funds requested was \$2,277,432.

Figure 2

**Amount of Funding requested per Category**



After the close of the solicitation period District Staff conducted a systematic and comprehensive evaluation in order to identify the most competitive and cost effective projects for recommendation at the April Board meeting. The results of this evaluation were compiled into a single summary table of all projects received, found in Exhibit A, which includes the costs, cost-effectiveness (when applicable), emission reductions, and project ranking for each project. The major steps of the project evaluation process are described in the following discussion.

*Step 1: Project eligibility*

Each project application was reviewed to determine if it met the program's eligibility requirements which are specific to each funding source. The three major requirements of the CAG program are; 1) that projects must either cost effectively reduce or address criteria air pollutants or issues, 2) that a project cannot be funded if it is already subject to an emissions requirement at the time of application or if within the next three years, and 3) since this program is budgeted with local funds, a project must operate at least 75% of the time within Placer County. Only the activity performed within the County was considered in the evaluation process. A complete list of eligibility requirements are defined in the program's guidelines and were made available online. There were four projects which did not meet the minimum eligibility requirements for the budgeted funding sources and therefore they were not included in Steps 2 through 4 as discussed below. A list of these projects are identified in Exhibits A and C.

*Step 2: All projects received were identified as either *quantifiable* or *qualifiable**

To effectively evaluate the different project types, two versions of a Project Ranking Form were developed. The first version was used to evaluate projects that were *quantifiable* (projects that are primarily based on surplus emission reductions). Examples of these types of projects are mobile on and off-road vehicle replacements and exhaust retrofits. The second version of the form was used for projects that do not have associated emission reductions or where emission reductions could not be confidently quantified. These types of projects are referred to as *qualifiable* projects and include public education and congestion mitigation projects. The total points that can be earned on the Project Ranking Form are 100. Bonus points (up to 5) may be credited to projects which provide additional air quality benefits not otherwise considered on the form. Over the years, competitive scores have consistently ranged from the 70s and up.

For *quantifiable* projects, each project was first evaluated to determine its measurable emission reductions (for ROG, NOx, and PM) and its Phase I cost-effectiveness. The Phase I cost-effectiveness is calculated based on the amount of requested grant funding compared to the amount of emissions that can be reduced. This first round of evaluation helps to identify which *quantifiable* projects will have the potential to be competitive and cost-effectiveness at an acceptable funding amount. For projects which are quantified, the Phase I cost effectivity is listed on the right side of the table in Exhibit A.

*Qualitative* projects are not primarily based on emission reductions (such as a public education project) and therefore are not evaluated using the cost effectivity formula. Other qualitative factors are taken into consideration such as the level of project funding, the overall benefits to the community, how well a project maintains the scope of program funding, and the qualifications of the applicant to implement such a program or task.

Once each project is evaluated the results are entered into the Project Ranking Form and a project score is generated. This score helps to evaluate a project's overall competitiveness.

*Step 3: District's internal Technical Review Panel*

Once preliminary evaluations were conducted for each project, Staff scheduled a Technical Review Panel (Panel) comprised of Planning, Engineering, and Administrative staff in order to discuss each project. The Technical Review Panel was the critical step in determining what projects would be considered for funding. The Panel evaluated each project, taking into consideration eligibility requirements, emission reductions, project feasibility, consistency with program guidelines, and overall project competitiveness.

During the review, the Panel identified that some projects were not competitive at the requested amount of funding but were competitive at a lesser amount. The goal in allocating recommended funding to projects was to maintain a balanced budget while funding as many competitive projects as possible without losing opportunities for emission reductions. This is why some projects, even though they may have been competitive at the level of requested funding, were reduced to lesser amounts or were not recommended for funding at all.

Once the Panel assigned recommended funding amounts to each project, the cost effectiveness for *quantifiable* projects was re-calculated based on the recommended funding amounts from the Panel's review and was labeled Phase II cost effectivity. The Project Ranking Form was then adjusted to reflect the changes in improved cost effectivity, increased match funding from the applicant, and/or any other scoring adjustments. Normally, the lower the cost effectivity of a project or the more co-funding an applicant contributes to a project, the higher the score a project receives. In some instances, the level of funding that is cost effective for a project is not enough for the applicant to pursue and as a result, the applicant may opt out of the competitive evaluation process. If an applicant opts out of the evaluation process, or if a project is not recommended for funding even though it is competitive, then the project will not be recommended for funding and will not receive a Phase II Project Ranking score (since this score is based on funding, cost effectivity, match, and so on). This year, there was one project that opted out of being recommended for funding due to logistical issues of the business not related to the CAG program.

*Step 4: APCO final review*

Once the Panel had completed its evaluation of all of the projects, a draft list of recommended projects was generated. The Panel provided their results to the APCO for final review and approval before submitting recommendations to your Board.

### **Projects Recommended for Funding**

Out of the 22 applications received, there are 14 that are being recommended for funding. Grant funds from this year's CAG program will provide an overall average cost share of 44% of total project costs. That means that for every dollar the District spends, more than \$1 will be spent (on average) by the applicant. More specifically, for the \$996,060 of budgeted CAG funds, an estimated \$2,251,619 will be spent as a match by the applicants being recommended for funding. This is a prime example of the competitiveness of this year's program and the effort to maximize the dollars spent in this program. A list of all of the recommended projects is shown in Exhibit B. Fortunately, every project that is cost effective and competitive is being recommended for

funding in this 2012-13 CAG year. Figure 3 displays the amount of funding recommended per category.

Figure 3  
**Recommended Funding per Category**



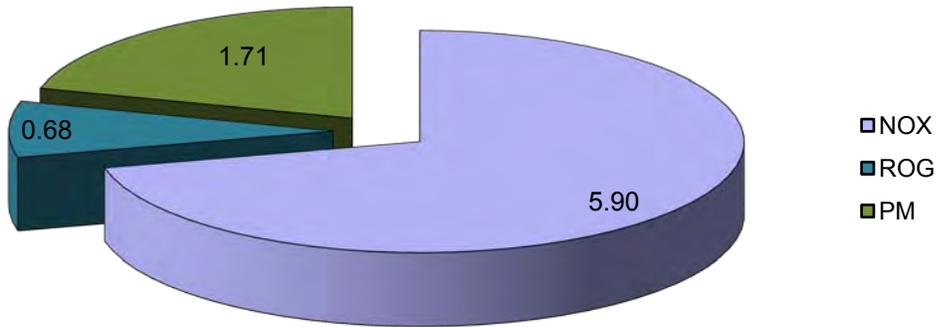
### **Projects not Recommended for Funding**

There are 8 projects that Staff is not recommending for funding due to project ineligibility (conflicts with program requirements for funding) and/or projects not being cost effective or receiving a less than competitive Project Ranking score. A list of these projects and details as to why they are not being recommended for funding can be seen in Exhibit C.

### **Emissions Summary of Recommended Projects:**

Based on the recommendations submitted to your Board in this report, there will be an estimated total of 8.29 tons of NO<sub>x</sub>, PM, and ROG reduced annually from the recommended projects. Figure 4 displays the types and amounts of annual emission reductions from the 2013 CAG program.

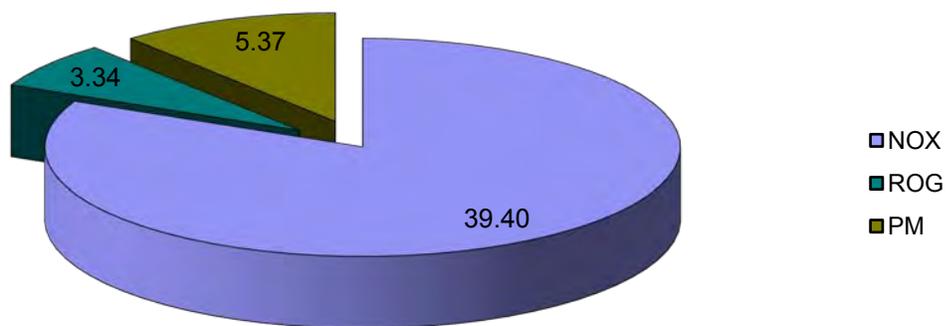
Figure 4  
**Annual Emission Reductions (tons/year)**



The District uses the State’s Carl Moyer Program Guidelines to help determine the project life for on and off-road type projects. The project life is the length of time (in years) that is used to determine the overall surplus emission reductions of a project and its cost effectivity. For projects which are awarded contracts, the contract term is also consistent with the length of the project life in order to ensure that the emission reductions measured will be obtained. For example, the replacement of a wheel loader used in logging was given a project life of 7 years.

When all of the annual project emissions from the 2013 proposed projects are multiplied by their project lives, the total reduction in emissions is approximately 48.11 tons. This will be the total estimated emission reduction benefits claimed from the recommended projects of the 2013 CAG program as shown in Figure 5 below, however future benefits beyond this time will continue to ensue.

Figure 5  
**Project Life Emission Reductions (tons)**



The overall average cost-effectiveness of the recommended projects for 2013 is \$14,203 per ton of pollution, which is cost-effective when comparing with the current cost effectiveness used by the State Carl Moyer Incentive Program (\$17,080 per ton of pollution). Assuming this year's recommended projects are approved for funding, a maximum of 998.4 tons of NO<sub>x</sub>, ROG, and PM will have been reduced since 2001 through the District's CAG program.

- Exhibits:**
- A: Summary Table of All Project Applications Received
  - B: Table of Project Applications Recommended for Funding 2013  
CAG/PCAPCD
  - C: Table of Project Applications Not Recommended for Funding 2013  
CAG/PCAPCD



**Exhibit A**

**SUBJECT:**

Summary Table of All Project Applications Received



## Exhibit A: Summary Table of All Project Applications Received 2013 CAG/PCAPCD

Category	Application Number	Applicant	Project Title	Maximum Total Project Cost	Amount Requesting	Recommended Funding	Project Life	Measured in Tons				Nox Reduction per Year	PM Reduction per Year	ROG Reduction per Year	Nox + PM + ROG Reduction Per Year	Nox + PM + ROG Project Life Reduction	Phase I Cost Effectivity Based on Requested Amount (\$/Ton)	Phase II Cost Effectivity Based on Funding Amount (\$/Ton)	Project Ranking based on final Project Evaluation (100 total pts.)		
								AB 2766	AB 923	West Mit.	East Mit.										
On/Off Road HD Vehicles	13-01	K.P. Martin Inc	Offroad Equipment Replacement	\$55,000	\$55,000	\$37,000	7	\$17,000		\$20,000			0.11	0.01	0.03	0.15	1.05	\$43,428	\$17,746	80	
	13-03	Sierra Pacific Industries	Offroad Equipment Replacement	\$434,236	\$434,236	\$315,680	7		\$293,620	\$22,060			3.14	0.37	0.13	3.64	25.48	\$14,983	\$8,010	92	
	13-04	Sierra Pacific Industries	Offroad Equipment Replacement	\$175,678	\$175,678	\$104,190	7		\$104,190				0.54	0.10	0.04	0.68	4.76	\$24,496	\$10,581	92	
	13-05	Sierra Pacific Industries	Offroad Equipment Replacement	\$175,678	\$175,678	\$104,190	7		\$104,190				0.93	0.05	0.13	1.11	7.77	\$18,932	\$8,177	92	
	13-06	Volcano Creek Enterprises, Inc.	Offroad Equipment Replacement	\$310,000	\$310,000	\$100,000	7		\$90,000	\$10,000			0.46	0.02	0.05	0.53	3.71	\$141,628	\$18,320	85	
	13-08	Eastern Regional Landfill	Offroad Equipment Replacement	\$207,708	\$187,708	\$75,000	7		\$75,000					0.28	0.05	0.02	0.35	2.45	\$58,736	\$17,092	85
	13-10	Nor-Cal Construction	Offroad Equipment Replacement	\$104,000	\$75,000	\$40,000	7			\$40,000				0.09	0.01	0.03	0.13	0.91	\$47,528	\$18,461	85
	13-13	Roseville JUHSD	School Bus Replacement	\$130,971	\$100,971	\$0								0.00	0.00	0.00	0.00	0.00		N/A*	62
	13-14	Roseville JUHSD	School Bus Replacement	\$151,537	\$121,537	\$0								0.00	0.00	0.00	0.00	0.00		N/A*	62
	13-15	Roseville JUHSD	School Bus Retrofit	\$39,352	\$39,352	\$0								Projects are not eligible - they do not meet minimum funding source requirements							
	13-17	Vince Wetherbee Transfer	Dump Truck Replacement	unknown	unknown	\$0								Projects are not eligible - they do not meet minimum funding source requirements							
13-21	J.D. Pasquetti Inc.	Offroad Equipment Replacement	\$22,770	\$22,770	\$0								Projects are not eligible - they do not meet minimum funding source requirements								
Public Ed/Outreach	13-18	CAL FIRE	Defensible Space and Healthy Forest Handbook & Outreach	\$37,040	\$26,400	\$2,500				\$2,500										N/A*	72
Alternative Fuels Infrastructure	13-09	Tahoe Truckee Sierra Disposal	CNG Fueling Station	\$893,554	\$110,000	\$0	5						Applicant withdrew application								
Other (VMT and traffic reducing projects)	13-02	PCTPA	FSP	\$312,880	\$56,668	\$40,000	1			\$40,000										N/A*	70
	13-07	City of Auburn	Bicycle Signage Project	\$3,000	\$3,000	\$2,500	1			\$2,500										N/A*	70
	13-11	Northstar Fire Department	Community Biomass Collection Program	\$90,000	\$29,000	\$24,300	1				\$24,300		0.30	1.10	0.23	1.63	1.63	\$18,186	\$15,239	85	
	13-12	North Tahoe PUD	Bicycle Rack Project	\$10,000	\$6,000	\$3,200	1				\$3,200									N/A*	80
	13-16	Placer County Library	E-Book Purchase	\$76,399	\$50,000	\$20,000	5			\$20,000			0.05	0.00	0.02	0.07	0.35			N/A*	70
	13-19	Teichert, Inc.	Employee Bike Purchase Program	\$27,500	\$25,000	\$0	1						0.00	0.00	0.00	0.00	0.00			N/A*	42
	13-20	Placer County DPW	Kings Beach Transit Shelter	\$260,000	\$130,000	\$127,500					\$127,500									N/A*	85
13-22	Western Placer Waste Management Authority	Evaluation of Odor Neutralizing Products	\$216,434	\$143,434	\$0							Project not eligible - does not meet minimum funding source requirements									
<b>Total</b>				<b>\$3,733,737</b>	<b>\$2,277,432</b>	<b>\$996,060</b>			<b>\$17,000</b>	<b>\$667,000</b>	<b>\$157,060</b>	<b>\$155,000</b>	<b>Reduced Emission Totals from Recommended Projects</b>					<b>Avg. C.E.</b>	<b>Avg. Ranking</b>		
								AB 2766	AB923	West Mit.	East Mit.	5.90	1.71	0.68	8.29	48.11	→	\$14,203	→	82	
<b>Remaining Fund Balance</b>				<b>\$131,940</b>	<b>\$0</b>	<b>\$0</b>	<b>\$131,940</b>	<b>\$0</b>	<b>Reduced Emission Totals from non-Recommended Projects</b>					<b>Avg. C.E.**</b>	<b>Avg. Ranking</b>						
												0.00	0.00	0.00	0.00	0.00	→	None	→	55	

**Total CAG Budget \$1,128,000**

\* Cost Effectivity is a quantifiable measurement used to evaluate projects which are based on criteria pollutant emission reductions only.

\*\* The projects not being recommended for funding do not have a cost effectivity component applied to them and therefore cannot be averaged.



**Exhibit B**

**SUBJECT:**

Table of Project Applications Recommended for Funding 2013 CAG/PCAPCD



## Exhibit B: Table of Project Applications Recommended for Funding 2013 CAG/PCAPCD

Application #	Applicant	Project Title	Amount Requested	Recommended Funding	Project Ranking Score
13-01	K.P. Martin Inc	Offroad Equipment Replacement	\$55,000	\$37,000	80
13-02	PCTPA	FSP	\$56,668	\$40,000	70
13-03	Sierra Pacific Industries	Offroad Equipment Replacement	\$434,236	\$315,680	92
13-04	Sierra Pacific Industries	Offroad Equipment Replacement	\$175,678	\$104,190	92
13-05	Sierra Pacific Industries	Offroad Equipment Replacement	\$175,678	\$104,190	92
13-06	Volcano Creek Enterprises, Inc.	Offroad Equipment Replacement	\$310,000	\$100,000	85
13-07	City of Auburn	Bicycle Signage Project	\$3,000	\$2,500	70
13-08	Eastern Regional Landfill	Offroad Equipment Replacement	\$187,708	\$75,000	85
13-10	Nor-Cal Construction	Offroad Equipment Replacement	\$75,000	\$40,000	85
13-11	Nor hstar Fire Department	Community Biomass Collection Program	\$29,000	\$24,300	85
13-12	North Tahoe PUD	Bicycle Rack Project	\$6,000	\$3,200	80
13-16	Placer County Library	E-Book Purchase	\$50,000	\$20,000	70
13-18	CAL FIRE	Defensible Space and Healthy Forest Handbook & Outreach	\$26,400	\$2,500*	72
13-20	Placer County DPW	Kings Beach Transit Shelters	\$130,000	\$127,500	85

\* In addition to the amount being recommended above, the District is also contributing staff time, an inkind value estimated at \$10,000, in order to partner with CAL FIRE in the development of the Defensible Space Handbook. District staff would focus on the topics of air quality issues related to open burning.



**Exhibit C**

**SUBJECT:**

Table of Project Applications Not Recommended for Funding 2013 CAG/PCAPCD



Exhibit C: Table of Project Applications not Recommended for Funding 2013 CAG/PCAPCD

Application Number	Applicant	Project Title	Reasons for not Recommending Funding (check all that apply)					Project Ranking Score	Additional Comments
			Not Cost Effective	Project does not strongly maintain the scope or intent program funding	Not enough Funding to implement Project	Does not meet program eligibility criteria or funding source requirements			
13-09	Tahoe Truckee Sierra Disposal	CNG Fueling Station					N/A	See Note 1	
13-13	Roseville JUHSD	School Bus Replacement	X	X			62	See Note 2	
13-14	Roseville JUHSD	School Bus Replacement	X	X			62	See Note 2	
13-15	Roseville JUHSD	School Bus Retrofit	X			X	N/A	See Note 3	
13-17	Vince Wetherbee Transfer	Dump Truck Replacement	X			X	N/A	See Note 3	
13-19	Teichert, Inc.	Employee Bike Purchase Program	X	X			42		
13-21	J.D. Pasquetti Inc.	Offroad Equipment Replacement	X			X	N/A	See Note 3	
13-22	Western Placer Waste Management Authority	Evaluation of Odor Neutralizing Products				X	N/A	See Note 3 and 4	

**Note 1** Though cost effective and eligible for funding at requested amount, applicant withdrew application after District review due other logistical issues not related to the CAG program. Applicant will consider resubmitting their project again next year.

**Note 2** Grant funds require the prioritization of projects which are in use and have cost effective emission reductions and benefits. The existing buses the applicant wishes to replace are not in operation.

**Note 3** Project does not meet minimum eligibility requirements for funding sources and therefore was not included in the review process.

**Note 4** Though not eligible for CAG funding, due to the nature of the project, applicant was encouraged to apply for District TAP (Technology Assessment Program) funds.



**Attachment #3**

**SUBJECT:**

Compact Disc with copies of all applications received and all associated documentation





## Board Agenda Item

### *Public Hearing/Action*

**Agenda Date:** April 11, 2013

**Prepared By:** John Finnell, Manager, Permitting and Engineering

**Topic:** Adoption of Amendment to Rule 206, Incinerator Burning, and New Rule 241, Crematories

---

#### **Action Requested:**

- 1) Conduct a Public Hearing regarding the proposed amendment of Rule 206, Incinerator Burning, and the proposed new Rule 241, Crematories.
- 2) Adopt Resolutions #13-03 (Attachment #1) and #13-04 (Attachment #2), thereby approving the amended Rule 206, Incinerator Burning, and the new Rule 241, Crematories, as revisions to the District Rules and Regulations and to the State Implementation Plan; and approving all of the required findings in the Staff Report (Attachments #3).

**Discussion:** District staff is proposing to move the requirements for crematories from Rule 206, Incinerator Burning, and place them in a new Rule 241, Crematories.

The addition of a new rule is being proposed for the following reasons:

- The owner of Crossroads Final Family Care, the only human crematory currently operating in Placer County, has requested the District amend the design and operating requirements in the rule to fix an operational and safety issue.
- To clarify the operating requirements for crematories handling animal remains. Currently it appears that both Rule 206, Incinerator Burning, and Rule 222, Reduction of Animal Matter, are applicable and contain conflicting requirements. To address these conflicts the requirements for human crematories and animal crematories are separately stated. Specifically, the new Rule 241 requires human crematories to operate the afterburner at 1600 degrees F with a residence time of 1 second and the primary chamber to be operated at 1400 degrees F except during initial startup and cool down. Animal crematories are required to operate the afterburner at 1600 degrees F with a residence time of 0.3 second and the primary chamber to be operated at 1400 degrees F except during initial startup and cool down.
- In addition, Rule 206, Incinerator Burning, contains requirements for non-crematory waste incineration. Placing the crematory requirements in a separate new rule will make it easier for new facilities to identify the appropriate rule and requirements.

Currently the District has permits for one incinerator at Squaw Valley Ski Resort and a crematory at Crossroads Final Family Care in Rocklin. The incinerator at Squaw Valley Resort was installed prior to 1992 and is exempt from Rule 206.

Rule 206 currently exempts crematories from the emission limitations in Section 301, Emission Limitations. Crematories currently must meet the design and operating requirements in Section 302, Operating Requirements, plus other sections except Section 301.

The crematory owner, Mr. Jon Brown, has requested that the District address a compliance issue caused by the requirement that the primary chamber be maintained at no less than 1400 degrees Fahrenheit. District staff propose a change to the wording to allow these operations and to move the requirements for crematories from Rule 206, Incinerator Burning, to this new Rule 241, Crematories. District staff also proposes to add an emission limitation to Rule 241 which prohibits opacity greater than or equal to 10% for an aggregate of three minutes in any hour and any opacity greater than or equal to 20%. Currently the operations are prohibited from emitting opacity greater than or equal to 20% for an aggregate of three minutes in any hour.

In addition, adding a new, separate rule will help to clarify the requirements for crematories used for animal remains. Currently it appears that both in Rule 206, Incinerator Burning, and Rule 222, Reduction of Animal Matter, may be applicable but have different temperature and residence time requirements

**Fiscal Impact:** None.

**Public Outreach:** Public notice was published on March 10, 2013. In addition, the owner of the crematory, Crossroads Final Family Care, has been notified of the proposed amendment.

**Recommendation:** Staff recommends adoption of Resolutions #13-03 (Attachment #1) and #13-04 (Attachment #2), thereby approving the amended Rule 206, Incinerator Burning, and the new Rule 241, Crematories, as revisions to the District Rules and Regulations and to the State Implementation Plan; and approving all of the required findings in the Staff Report (Attachments #3).

Attachments      1: Resolution #13-03, Adoption of Amendment to Rule 206, Incinerator Burning  
                         2: Resolution #13-04, Adoption of New Rule 241, Crematories  
                         3: Staff Report

**ATTACHMENT #1**

**Subject:**

Resolution #13-03, Adoption of Amended Rule 206, Incinerator Burning





**Board Resolution:**  
*Resolution # 13-03*

**Before the Placer County  
Air Pollution Control District Board of Directors**

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**In the Matter Of:** Adopt a Resolution to Approve Amendments to District Rule 206, Incinerator Burning, as shown in Exhibit I.

The following **RESOLUTION** was duly passed by the Placer County Air Pollution Control District Board of Directors at a regular meeting held on **April 11, 2013**, by the following vote:

- Ayes: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
 Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_
- Noes: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
 Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_
- Abstain: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
 Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_

Signed and approved by me after its passage:

\_\_\_\_\_ Chairperson

\_\_\_\_\_ Attest: Clerk of said Board

**WHEREAS**, Section 40001 of the Health and Safety Code of the State of California authorizes the Placer County Air Pollution Control District to adopt and enforce Rules and Regulations to achieve and maintain ambient air quality standards within the District; and

**WHEREAS**, Section 40702 of the Health and Safety Code of the State of California requires a district to adopt rules and regulations and do such acts as may be necessary or proper to execute the powers and duties granted; and

**WHEREAS**, amendment of this regulation is categorically exempt from CEQA pursuant to Title 14, California Administrative Code, Section 15308, as an action by a regulatory agency for the protection of the environment; and

**WHEREAS**, these proceedings were held in a public hearing and were properly noticed pursuant to Section 40725 of the Health and Safety Code of the State of California; with any evidence having been received concerning the proposed adoption of this Resolution and this Board having duly considered such evidence;

**WHEREAS**, the District has considered the relative cost effectiveness of the measure as well as other factors, as required by Health and Safety Code Section 40922, and made reasonable efforts to determine the direct costs expected to be incurred by regulated parties pursuant to Health and Safety Code Section 40703; and

**NOW THEREFORE BE IT RESOLVED**, that this Board approves and adopts amended Rule, Rule 206, Incinerator Burning as shown in Exhibit I.

**BE IT ALSO RESOLVED AND ORDERED** that the Air Pollution Control Officer is hereby authorized and directed to submit this adopted rule, in the form required by the California Air Resources Board, on behalf of the Placer County Air Pollution Control District, and to perform such acts as are necessary to carry out the purpose of this resolution.

**BE IT FURTHER RESOLVED AND ORDERED** that the Air Pollution Control Officer is hereby authorized and directed to submit this adopted rule for approval as a revision of the State Implementation Plan (SIP).

**EXHIBIT I**

Amended Rule 206, Incinerator Burning



# RULE 206 INCINERATOR BURNING

Adopted 11-12-74

(Amended 05-24-77, 12-19-78, 05-20-85, 02-04-92, 11-03-94, 10-09-08, 04-12-13)

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## 100 GENERAL

- 101 APPLICABILITY:** This rule applies to any incinerator which burns combustible or flammable waste or refuse-derived fuel.
- 102 EXEMPTION, BIOMASS BOILERS:** This rule shall not apply to boilers which have a primary energy source of biomass consisting of a minimum of 75 per cent of the total annual heat input and which are subject to the requirements of Rule 232, BIOMASS SUSPENSION BOILERS, or Rule 233, BIOMASS BOILERS.
- 103 EXEMPTION, CREMATORY INCINERATORS:** This Rule shall not apply to crematories. Crematories are subject to Rule 241, CREMATORIES.
- 104 EXEMPTION, EXISTING INCINERATORS:** This rule shall not apply to an existing incinerator for which an Authority to Construct was issued by the Air Pollution Control Officer before February 4, 1992.
- 105 EXEMPTION, MEDICAL WASTE INCINERATORS:** This rule shall not apply to those incinerators which are subject to the requirements of Rule 906, AIRBORNE TOXIC CONTROL MEASURE - MEDICAL WASTE INCINERATORS.
- 106 EXEMPTION, RESIDENTIAL WASTE INCINERATORS:** This rule shall not apply to the burning of wood waste from trees, vines, or bushes burned on the property where grown; or rubbish originating from a single or two family dwelling on its premises, provided that the requirements of Regulation 3 are met; nor to an incinerator used exclusively in connection with a structure designed for and used exclusively as a dwelling for not more than four families.
- 107 EXEMPTION, TREATMENT UNITS:** This rule shall not apply to treatment units associated with aeration of contaminated soil, air stripping, and vapor extraction operations.

## 200 DEFINITIONS

- 201 ARB:** State of California Air Resources Board.
- 202 BIOMASS:** Any organic material not derived from fossil fuels, such as agricultural crop residues, bark, lawn, yard and garden clippings, leaves, silvicultural residue, tree and brush pruning, wood and wood chips, and wood waste, including these materials when separated from other waste streams. Biomass does not include material containing sewage sludge, industrial sludge, medical waste, hazardous waste, or radioactive waste.
- 203 CONTROL EQUIPMENT:** Any device which reduces emissions.
- 204 CREMATORY INCINERATOR:** A furnace or other enclosed fire chamber where corpses are burned.
- 205 DIOXINS:** Dibenzo-p-dioxins and dibenzofurans chlorinated in the 2, 3, 7, and 8 positions and containing 4, 5, 6, or 7 chlorine atoms and is expressed as 2, 3, 7, 8 tetrachlorinated dibenzo-para-dioxin equivalents using current California Environmental Protection Agency toxic equivalency factors.
- 206 EXCESS AIR:** The air supplied in excess of that necessary to completely burn compounds.

- 207 INCINERATOR:** Any furnace or other closed fire chamber used to dispose of combustible or flammable materials by burning and from which the products of combustion are directed through a flue, chimney, or smoke stack. For the purposes of this rule incinerators shall include boilers heated by the burning of waste, unless otherwise exempted in Section 100.
- 208 MULTIPLE-CHAMBER INCINERATOR:** An incinerator consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, inter-connected by gas passage ports or ducts employing adequate design parameters necessary for maximum combustion of the materials to be burned.
- 209 MULTIPLE-CHAMBER STARVED-AIR INCINERATOR (or Controlled Air Incinerator):** An incinerator which is designed to burn waste in two independent chambers:
- 209.1 Primary Chamber: where the majority of waste volume reduction occurs operated at sub-stoichiometric conditions.
- 209.2 Secondary Chamber: operates at excess air conditions; where destruction of gas-phase combustion products occurs. Passage ports, ducts, flues, chimneys, or stacks with burners shall not be considered controlled air secondary chambers unless the combustion zone exhibits design measures for the retention of the gas stream in the chamber, turbulence or mixing, and the availability of excess air, as determined by engineering analysis.
- 210 REFUSE-DERIVED FUEL:** Treated or processed solid waste that is used as a fuel.
- 211 STOICHIOMETRIC AIR:** An amount of air (theoretical combustion air) theoretically required for the complete combustion of compounds with total depletion of oxygen.
- 212 SUB-STOICHIOMETRIC AIR:** An amount of air (theoretical combustion air) less than that required for the complete combustion of compounds.
- 213 UNCONTROLLED EMISSIONS:** The emissions measured from the incinerator at a location downstream of the last combustion chamber, but prior to any air pollution control equipment.
- 214 WASTE:** All discarded putrescible and nonputrescible solid, semisolid, and liquid materials, including garbage, trash, refuse, paper, rubbish, food, ashes, plastics, industrial wastes, demolition and construction wastes, equipment, instruments, utensils, appliances, manure, and human or animal solid and semi-solid wastes or remains.
- 215 WASTE CHARGING RATE:** The amount of waste charged or fed into the incinerator per unit of time, usually expressed in terms of pounds per hour or kilograms per hour.

**300 STANDARDS**

- 301 EMISSION LIMITATIONS:** No person shall operate an incinerator subject to this rule unless:
- 301.1 Oxides of Nitrogen emissions, expressed as Nitrogen Dioxide (NO<sub>2</sub>), do not exceed 50 parts per million by volume, dry basis, (ppmdv) corrected to 12% carbon dioxide (CO<sub>2</sub>), for any 1 hour average emission rate.
- 301.2 Sulfur Dioxide emissions, expressed as Sulfur Dioxide (SO<sub>2</sub>), do not exceed 30 ppmdv, corrected to 12% carbon dioxide (CO<sub>2</sub>), for any 1 hour average emission rate.

- 301.3 Carbon Monoxide (CO) emissions do not exceed 100 ppm<sub>dv</sub>, corrected to 12% carbon dioxide (CO<sub>2</sub>), for any 1 hour average emission rate.
- 301.4 Particulate Matter emissions do not exceed 0.015 grains per dry cubic foot of gas at standard conditions, corrected to 12% carbon dioxide (CO<sub>2</sub>). The concentration limit shall apply to particulate matter measured using ARB Test Method 5.
- 301.5 Total Hydrocarbon emissions (THC) emissions expressed as equivalent methane do not exceed 10 ppm<sub>dv</sub>, corrected to 12% carbon dioxide (CO<sub>2</sub>), for any 1 average hour emission rate.
- 301.6 Total Hydrochloric Acid (HCl) emissions do not exceed 30 ppm<sub>dv</sub>, corrected to 12% carbon dioxide (CO<sub>2</sub>), for any 1 hour average emission rate.
- 301.7 Dioxins emissions have been reduced to 10 nanograms or less per kilogram of waste burned.

**302 OPERATING REQUIREMENTS:** No person shall operate an incinerator subject to this rule and not exempt under Section 102 and Section 103, unless control equipment is installed and used in a manner which has been demonstrated and approved by the Air Pollution Control Officer to meet the following requirements:

- 302.1 For any equipment subject to the emission limitations in Section 301, the flue gas temperature at the outlet of the control equipment shall not exceed 300 degrees Fahrenheit, unless it has been demonstrated to, and approved in writing by, both the ARB and the Air Pollution Control Officer that lower emissions are achieved at a higher outlet temperature;
- 302.2 Only multiple-chamber starved-air incinerators may be used. The primary combustion chamber shall be maintained at no less than 1400 degrees Fahrenheit, and the secondary chamber shall be maintained at no less than 1600 degrees Fahrenheit; and
- 302.3 The furnace design shall provide for a residence time in the secondary chamber for combustion gas of at least one second. Residence time shall be calculated using the following equation:

$$\text{Residence Time} = \frac{V}{Q_C}$$

Where: V = means the volume, as expressed in cubic feet, from the point in the incinerator where the maximum temperature has been reached until the point where the temperature has dropped to 1600°F.

Q<sub>C</sub> = means the combustion gas flow through V, as expressed in actual cubic feet per second, which is measured according to ARB Test Method 2, after adjusting the measured flow rate to the maximum combustion chamber temperature (T<sub>C</sub>) by using T<sub>C</sub> instead of T<sub>STD</sub> in the ARB Test Method 2 calculation for Q<sub>C</sub>.

The volumetric flow rate measured at the sampling points must be adjusted to chamber pressures.

Alternative methods may be used if conditions for determining the combustion gas flow rate by Method 2 are unacceptable. The determination shall be equivalent to, and within the guidelines of, ARB Test Method 2 and approved by the Air Pollution Control Officer and the U.S. Environmental Protection Agency (EPA).

$T_c$  = means the maximum temperature, in degrees Fahrenheit, that has been reached in the incinerator.

302.4 For equipment subject to the emission limitations of Section 301, no person shall operate a waste or refuse-derived fuel incinerator unless the following equipment is installed and maintained in an operable condition:

302.4.1 A continuous data recording system as specified in Section 501.

302.4.2 Primary and secondary combustion chamber temperature indication.

302.4.3 Equipment for determining and recording the weight of waste charged to the incinerator.

302.4.4 An automated ram waste feeder with airlock, for batch fed incinerators, such that no ingress of external air occurs during the process of feeding waste to the primary combustion chamber.

**303 AUXILIARY FUEL:** Auxiliary fuels shall be natural gas, liquefied petroleum gas, or equivalent gaseous fuel.

**304 ASH HANDLING:** No person shall operate a waste incinerator unless the bottom ash, fly ash and scrubber residuals are handled and stored in a manner that prevents entrainment into ambient air.

#### 400 ADMINISTRATIVE REQUIREMENTS

##### 401 COMPLIANCE SCHEDULE:

401.1 By November 3, 1995, any person subject to the emission limitations in Section 301 shall submit an application for Authority to Construct for any modifications required to achieve compliance with this rule.

401.2 By November 3, 1996, any person subject to the emission limitations in Section 301 shall demonstrate final compliance with all applicable standards and requirements of this rule.

**402 UPSET NOTIFICATION:** Any violation, malfunction, or upset condition on the incinerator, the air pollution control equipment, or the continuous data recording system shall be reported to the District within 1 hour of occurrence or by 9:00 AM the next business day if the malfunction occurs outside normal business hours and the District does not maintain a radio room or an answering machine.

**403 OPERATOR CERTIFICATION:** No person shall operate a waste incinerator subject to the emission limitations of Section 301, unless each individual who operates or maintains the incinerator obtains either a certificate of training in waste incineration issued by the American Society of Mechanical Engineers within nine months of the commencement of

operation, or equivalent training as determined by the Air Pollution Control Officer. Copies of the training certificates for the operators and maintenance engineers shall be submitted to the District and the original certificates shall be available for inspection at the facility with the permit to operate.

**404 OPERATION AND MAINTENANCE PLAN:** Any person using an emission control device as a means of complying with the emission limitations of Section 301 shall submit an Operation and Maintenance Plan with the application for Authority to Construct for the emission control device.

404.1 The Operation and Maintenance Plan shall specify:

404.1.1 Operation and maintenance procedures that will demonstrate continuous operation of the emission control device during emission-producing operations; and

404.1.2 Records that must be kept to document the operation and maintenance procedures.

404.2 The records must comply with Sections 501, 505, and 506.

404.3 The Operation and Maintenance Plan shall be implemented upon approval by the Air Pollution Control Officer.

404.4 After completing the construction of the emission control device, the Operation and Maintenance Plan shall be resubmitted annually for approval.

## **500 MONITORING AND RECORDS**

**501 MONITORING:** Any person operating an incinerator subject to the emission limitations of Section 301 of this rule shall maintain a data recording system which provides for each day of operation continuous recording of:

501.1 Primary and secondary combustion chamber temperatures;

501.2 Carbon monoxide emissions;

501.3 Hourly waste charging rates;

501.4 The opacity of stack emissions or other indicator of particulate matter which is approved by the Air Pollution Control Officer; and

501.5 Key operating parameters of the air pollution control equipment, as specified by the Air Pollution Control Officer.

**502 DETERMINATION OF COMPLIANCE:** For purposes of demonstrating initial or continued compliance with the emission limits of Section 301, any person operating an incinerator subject to this rule shall conduct the following source tests in the manner specified in Section 503:

502.1 Source test for Oxides of Nitrogen using ARB Test Method 100, Title 17, CCR, Section 94114, Procedures for Continuous Emission Stack Sampling, or EPA Test Method 7E.

- 502.2 Source test for Sulfur Dioxide using ARB Test Method 6, Title 17, CCR, Section 94106, Determination of Sulfur Dioxide Emissions from Stationary Sources, or ARB Test Method 100.
- 502.3 Source test for Carbon Monoxide using ARB Test Method 10, Title 17, CCR, Section 94109, Determination of Carbon Monoxide Emissions from Stationary Sources, or ARB Test Method 100.
- 502.4 One source test for Particulate Matter using ARB Test Method 5, Title 17, CCR, Section 94105, Determination of Particulate Matter Emissions from Stationary Sources, including non-volatile impinger catch.
- 502.5 One source test for Total Hydrocarbons using ARB Test Method 100, measured as equivalent methane.
- 502.6 One source test for Hydrochloric Acid using ARB Test Method 421, Title 17, CCR, Section 94131, Determination of Hydrochloric Acid Emissions from Stationary Sources, for waste or refuse-derived fuel incinerators, excluding crematoria.
- 502.7 One source test for Dioxins using ARB Test Method 428, Title 17, CCR, Section 94139, Determination of Polychlorinated Dibenzo-p-Dioxin (PCDD), Polychlorinated Dibenzofuran (PCDF), and Polychlorinated Biphenyl (PCB) Emissions from Stationary Sources, for waste or refuse-derived fuel incinerators, excluding crematoria. The high resolution mass spectrometry option of ARB Test Method 428 shall be used.
- 502.8 Source test for Carbon Dioxide using ARB Test Method 100, or EPA Test Method 3A.

Further source testing may be required by the Air Pollution Control Officer in accordance with Rule 501, Section 304, Provision of Sampling and Testing Facilities. The installed continuous emissions monitoring systems specified by Section 501 shall demonstrate compliance or non-compliance with the emission limitations of Section 301.

### **503 TEST REQUIREMENTS**

- 503.1 Test Plan: At least sixty (60) days prior to any testing, a written test plan (two copies) detailing the test methods and procedures to be used shall be submitted for approval by the Air Pollution Control Officer. The plan shall cite the test methods to be used for the determination of compliance with the emission limitations of this rule, including any use of alternate test methods proposed in accordance with Section 504. The plan shall provide the proposed procedures for the characterization of the representative waste to be burned during testing.
- 503.2 Test Performance and Reporting: For purposes of determining compliance with Section 301, the source testing shall be conducted at the stack. Information regarding the composition (moisture content, heating value in British Thermal Units, and amount of the total waste, by weight percent that is paper or cardboard, plastics, glass, wet garbage, or that is hazardous or radioactive) and feed rate of the waste and auxiliary fuel charged during the source test shall be provided with the test results. The Air Pollution Control Officer can require additional necessary information regarding the composition of the waste. Source testing shall be conducted at the maximum waste firing capacity (∇ 10 percent) allowed by the air district permit. A copy of all source test results conducted for

purposes of demonstrating compliance with this rule shall be provided to the ARB at the same time that it is provided to the District.

- 504 ALTERNATE TEST METHODS:** Alternate test methods, may be used to demonstrate compliance with Section 301 in lieu of the specified test methods of Section 503 only if approved in writing by, both the Air Pollution Control Officer and the U.S. EPA. Such test methods may include EPA test methods specified in 40 CFR 60 Appendix A, required for sources subject to New Source Performance Standards.
- 505 RECORDKEEPING:** Maintenance records shall be kept for the incinerator, control equipment, and monitoring equipment; and calibration records for the monitoring equipment.
- 506 DURATION OF RECORDS:** All records maintained pursuant to this rule shall be retained for at least two years from date of entry, with the exception that sources subject to the requirements of Rule 507, FEDERAL OPERATING PERMIT PROGRAM, shall retain records at least five years. Records shall be made available for inspection by the Air Pollution Control Officer upon request.

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**ATTACHMENT #2**

**Subject:**

Resolution #13-04, Adoption of New Rule 241, Crematories





Board Resolution:  
*Resolution # 13-03*

# Before the Placer County Air Pollution Control District Board of Directors

**In the Matter Of:** Approve a Resolution to Adopt New District Rule 241, Crematories, as Shown in Exhibit I.

The following **RESOLUTION** was duly passed by the Placer County Air Pollution Control District Board of Directors at a regular meeting held on **April 11, 2013**, by the following vote:

- Ayes: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
       Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_
- Noes: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
       Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_
- Abstain: Holmes, M. \_\_\_\_\_ Barkle \_\_\_\_\_ Nader \_\_\_\_\_ Weygandt \_\_\_\_\_ Ucovich \_\_\_\_\_  
        Holmes, J. \_\_\_\_\_ Ruslin \_\_\_\_\_ Montgomery \_\_\_\_\_ Garcia \_\_\_\_\_

Signed and approved by me after its passage:

\_\_\_\_\_ Chairperson

\_\_\_\_\_ Attest: Clerk of said Board

**WHEREAS**, Section 40001 of the Health and Safety Code of the State of California authorizes the Placer County Air Pollution Control District to adopt and enforce Rules and Regulations to achieve and maintain ambient air quality standards within the District; and

**WHEREAS**, Section 40702 of the Health and Safety Code of the State of California requires a district to adopt rules and regulations and do such acts as may be necessary or proper to execute the powers and duties granted; and

**WHEREAS**, amendment of this regulation is categorically exempt from CEQA pursuant to Title 14, California Administrative Code, Section 15308, as an action by a regulatory agency for the protection of the environment; and

**WHEREAS**, these proceedings were held in a public hearing and were properly noticed pursuant to Section 40725 of the Health and Safety Code of the State of California; with any evidence having been received concerning the proposed adoption of this Resolution and this Board having duly considered such evidence;

**WHEREAS**, the District has considered the relative cost effectiveness of the measure as well as other factors, as required by Health and Safety Code Section 40922, and made reasonable efforts to determine the direct costs expected to be incurred by regulated parties pursuant to Health and Safety Code Section 40703; and

**NOW THEREFORE BE IT RESOLVED**, that this Board approves and adopts amended Rule, Rule 241, Crematories, as shown in Exhibit I.

**BE IT ALSO RESOLVED AND ORDERED** that the Air Pollution Control Officer is hereby authorized and directed to submit this adopted rule, in the form required by the California Air Resources Board, on behalf of the Placer County Air Pollution Control District, and to perform such acts as are necessary to carry out the purpose of this resolution.

**BE IT FURTHER RESOLVED AND ORDERED** that the Air Pollution Control Officer is hereby authorized and directed to submit this adopted rule for approval as a revision of the State Implementation Plan (SIP).

## **EXHIBIT I**

Rule 241, Crematories



# RULE 241 CREMATORIES

Adopted 04-11-13

- 100 GENERAL**
  - 101 APPLICABILITY
  
- 200 DEFINITIONS**
  - 201 CREMATORY
  - 202 RESIDENCE TIME
  
- 300 STANDARDS**
  - 301 EMISSION LIMITATIONS
  - 302 CREMATORY OPERATIONS: HUMAN REMAINS
  - 303 CREMATORY OPERATIONS: ANIMAL REMAINS
  
- 400 ADMINISTRATIVE REQUIREMENTS**
  - 401 MAINTENANCE OF EQUIPMENT
  
- 500 MONITORING AND RECORDS**
  - 501 MONITORING
  - 502 RECORDKEEPING
  - 503 DURATION OF RECORDS

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**100 GENERAL**

**101 APPLICABILITY:** This rule applies to any crematory where human or animal remains are burned.

**200 DEFINITIONS**

**201 CREMATORY:** A furnace or other enclosed fire chamber where human or animal remains are burned and reduced to ashes.

**202 RESIDENCE TIME:** Residence time shall be calculated using the following equation:

$$\text{Residence Time} = \frac{V}{Q_C}$$

Where:  $V =$  means the volume, as expressed in cubic feet, from the point in the incinerator where the maximum temperature has been reached until the point where the temperature has dropped to 1600°F.

$Q_C =$  means the combustion gas flow through  $V$ , as expressed in actual cubic feet per second, which is measured according to ARB Test Method 2, after adjusting the measured flow rate to the maximum combustion chamber temperature ( $T_C$ ) by using  $T_C$  instead of  $T_{STD}$  in the ARB Test Method 2 calculation for  $Q_C$ .

The volumetric flow rate measured at the sampling points must be adjusted to chamber pressures.

Alternative methods may be used if conditions for determining the combustion gas flow rate by Method 2 are unacceptable. The determination shall be equivalent to, and within the guidelines of, ARB Test Method 2 and approved by the Air Pollution Control Officer and the U.S. Environmental Protection Agency (EPA).

$T_C =$  means the maximum temperature, in degrees Fahrenheit, that has been reached in the incinerator.

**300 STANDARDS**

**301 EMISSION LIMITATIONS**

301.1 Stack emission opacity greater than or equal to 10% opacity for a period or periods aggregating more than three (3) minutes in any one hour is prohibited. At no time shall opacity be greater than or equal to 20%.

**302 CREMATORY OPERATIONS: HUMAN REMAINS**

The following requirements apply to a crematory used for human remains.

302.1 Only multiple-chamber crematories may be used.

302.2 The afterburner (secondary chamber) shall be heated to a temperature of at least 1600 degrees Fahrenheit prior to firing the primary chamber. The afterburner

(secondary chamber) shall be maintained at this temperature until the burn is complete and the cool down cycle begins.

302.3 The primary chamber shall be charged and then heated to the operating temperature of at least 1400 degrees Fahrenheit. The primary chamber shall be maintained at this temperature until the burn is complete and the cool down cycle begins.

302.4 The furnace design shall provide for a residence time in the secondary chamber for combustion gas of at least one (1) second.

### **303 CREMATORY OPERATIONS: ANIMAL REMAINS**

The following requirements apply to a crematory used exclusively for animal remains.

303.1 Only multiple-chamber crematories may be used.

303.2 The afterburner (secondary chamber) shall be heated to a temperature of at least 1600 degrees Fahrenheit prior to firing the primary chamber. The afterburner (secondary chamber) shall be maintained at this temperature until the burn is complete and the cool down cycle begins.

303.3 The primary chamber shall be charged and then heated to the operating temperature of at least 1400 degrees Fahrenheit. The primary chamber shall be maintained at this temperature until the burn is complete and the cool down cycle begins.

303.4 The furnace design shall provide for a residence time in the secondary chamber for combustion gas of at least one-third (0.33) second.

### **400 ADMINISTRATIVE REQUIREMENTS**

**401 MAINTENANCE OF EQUIPMENT:** A person operating equipment subject to this rule shall provide, properly install, and maintain in calibration and in good working order, operational devices to measure temperatures in the primary and secondary chamber.

### **500 MONITORING AND RECORDS**

**501 MONITORING:** A data recording system shall be installed which provides for each day of operation continuous recording of primary and secondary chamber operating temperatures.

**502 RECORDKEEPING:** Maintenance records shall be kept for the temperature monitoring equipment.

**503 DURATION OF RECORDS:** All records maintained pursuant to this rule shall be retained for at least two years from date of entry, with the exception that sources subject to the requirements of Rule 507, FEDERAL OPERATING PERMIT PROGRAM, shall retain records at least five years. Records shall be made available for inspection by the Air Pollution Control Officer upon request.

**ATTACHMENT #3**

**Subject:**

Staff Report



**PLACER COUNTY  
AIR POLLUTION CONTROL DISTRICT**

**STAFF REPORT**

**PROPOSED AMENDMENT TO  
RULE 206, INCINERATOR BURNING**

**AND**

**NEW RULE 241, CREMATORIES**

**April 11, 2013**

## **SUMMARY**

District staff is proposing to move the requirements for crematories from Rule 206, Incinerator Burning and place them in a new Rule 241, Crematories.

The addition of a new rule is being proposed for the following reasons:

- The owner of Crossroads Final Family Care, the only human crematory currently operating in Placer County, has requested the District amend the design and operating requirements in the rule to fix an operational and safety issue. The change requested will allow charging the primary chamber at temperatures lower than 1400 degrees and also allows operating in cool down mode. This does cause some concern about potential smoke and we are proposing to include an additional opacity requirement.
- To clarify the operating requirements for crematories handling animal remains. Currently it appears both Rule 206, Incinerator Burning and Rule 222, Reduction of Animal Matter are applicable but Rule 222 is less stringent. Specifically, the new Rule 241 requires human crematories to operate the afterburner at 1600 degrees F with a residence time of 1 second and the primary chamber to be operated at 1400 degrees F except during initial startup and cool down. Animal crematories are required to operate the afterburner at 1600 degrees F with a residence time of 0.3 second and the primary chamber to be operated at 1400 degrees F except during initial startup and cool down.
- Placing the crematory requirements in a new rule will make it easier for new facilities to identify the appropriate rule and requirements.

Currently the District has permits for one incinerator at Squaw Valley Ski Resort and a crematory at Crossroads Final Family Care in Rocklin. The incinerator at Squaw Valley Resort was installed prior to 1992 and is exempt from Rule 206. An Authority to Construct for a large animal crematory has been issued but it has not been constructed.

## **BACKGROUND**

The District adopted Rule 206, Incinerator Burning, originally in 1977, to regulate the emissions from incinerators. An incinerator is defined as any furnace or other closed fire chamber used to dispose of combustible or flammable materials by burning and from which products of combustion are directed through a flue, chimney or stack.

The Rule was revised in 1994 so that there would be standards for emissions from incineration. The standards were drawn from the medical waste incinerator toxics regulation that primarily addressed the formation in combustion of dioxins and furans from the plastics that often accompany hospital infectious waste and California Air Resources Board test data and recommendations for resource recovery facilities. NOx and other emissions limits were also included.

Historically, one crematory was in operation in Placer County by Lasilla's in Colfax. This crematory ceased operation in 2000. It was exempt from Rule 206.

In 2007, one proposal for a pet crematory could not be permitted because the applicant could not find a crematory unit that would meet the emission standards in Rule 206 without the additional of very expensive control equipment. The applicant withdrew and moved to Sacramento County. No other crematories had been installed or operated in Placer County until the rule was amended in 2008 to provide a partial exemption from the strict emission standards in Section 301.

The 2008 rule amendment was made in response to a request by applicant Crossroads Final Family Care who proposed to apply for an air permit for a crematory in the Sunset Whitney Ranch industrial area. They indicated that crematories could not meet the standards listed in this Rule; specifically the nitrogen oxide (NOx) limit of 50 ppmv @ 12% and the PM limit of 0.015 grains per dry standard cubic foot. The company provided emission data from the source test of a crematory in Vancouver, Washington indicating actual NOx levels of 167 ppmv @ 3% O<sub>2</sub> and PM levels of 0.019 @12% CO<sub>2</sub>.

A 2008 review of the regulations of other air districts in California found that the Placer County's regulations were the most stringent in the state. Other air district's incinerator rules require use of a multiple chamber incinerator or one equally as effective but did not establish emission standards. As a consequence, manufacturers do not make incinerators that meet the emission standards of the current Rule 206, and the opportunities for crematory equipment sales in Placer County are not sufficient for manufacturers to develop units that meet the Rule 206 emission standards. Accordingly, while perhaps technologically feasible, meeting the NOx emission standards and other emission standards for small crematory units would require expensive re-design and add-on controls and would not be cost effective. Rule 206 was amended to provide an exemption for crematories from the emission standards but they were required to meet other provisions of the Rule.

Crossroad Final Family Care was able to obtain a permit for a crematory after Rule 206 was amended in 2008 to include the partial exemption.

## **DISCUSSION OF PROPOSED RULE AMENDMENTS**

The primary reason for proposing these rule amendments is to address the issue caused by the current requirement that the primary chamber shall be maintained at no less than 1400 degrees Fahrenheit. This prohibits the operation of the crematory unit primary chamber at lower temperatures, during initial startup, and while in cool down mode prior to opening the door and removing the ashes. The proposed new rule allows the primary chamber to be charged and then heated to the operating temperature of at least 1400 degrees Fahrenheit. The primary chamber temperature must be maintained until the burn is complete and the cool down cycle begins. The afterburner, also called the secondary chamber, is used to burn off particulate emissions. The afterburner must be heated to a temperature of 1600 degrees F first before the body is inserted in the primary chamber for cremation. The afterburner may be turned off when the burn is complete and cool down begins.

A section, Rule 241, Section 303, Crematory Operations: Animals Remains, was added to cover crematories used for animals. The secondary chambers of these units used for animals are

typically smaller and the retention time in the afterburner ranges from 0.3 to 0.5 seconds. This section sets the limit at a minimum of 0.3 seconds.

The District received several comments from the Air Resources Board (ARB) after the Rule 206 was amended in 2008 suggesting that rather than removing emission limits for crematories, the Rule should include alternative emission limits that are technically feasible. ARB also suggested that if not already done, crematories should be evaluated under the AB2588 “Hot Spots” program. See Attachment #1.

Staff checked to see if any air district had established emission limits for crematories and found only one; the South Coast Air Quality Management (SCAQMD) had adopted emission limits in Rule 1147, NO<sub>x</sub> Reductions From Miscellaneous Sources which includes a 60 ppm v @3% O<sub>2</sub> NO<sub>x</sub> emission limitation for crematories. Staff contacted SCAQMD and was informed that the NO<sub>x</sub> requirements do not apply when cremation is taking place, only when burners are lit separately for testing but not during normal operation. While new units must meet this limit, crematories manufactured after 1997 are not required to comply until 15 years after the date of manufacture.

The NO<sub>x</sub> emissions from a single crematory are very low. The potential to emit of Crossroads Final Family Care is approximately 3 tons of NO<sub>x</sub> with actual emissions less than 300 pound per year of NO<sub>x</sub>. Since, the District does not have a State Implementation Plan (SIP) commitment to reduce NO<sub>x</sub> from crematories, and any potential reductions would be insignificant, District staff believes establishing emission limits for NO<sub>x</sub> is not warranted.

The main concern is to have equipment operated properly and at sufficient temperatures, so there is no smoke from the stack. This is both an esthetics issue (the public would not want human ashes exhausted) and air pollution issue intended to minimize particulates. Rule 241, Crematories, specifies operating requirements and opacity requirements.

## **CHANGES TO RULE 206 INCINERATOR BURNING**

### **Applicability:**

No Change.

### **Exemptions:**

Revised Exemption, Section 103; Crematory Incinerators, to remove statement that Section 301 does not apply to crematories and added statement that Rule 206 does not apply to crematories. Crematories are subject to Rule 241, Crematories.

Revised Exemption, Section 104; Existing Incinerators, which had allowed a partial exemption for incinerators from Section 302, Operating Requirements, to indicate an exemption from Rule 206.

### **Definitions:**

No Change.

**Standards:**

No Change.

**Administrative:**

No Change

**Monitoring and Records:**

No Change.

**RULE 241, CREMATORIES**

**Applicability:**

The rule is applicable to any crematory where human or animal remains are burned.

**Exemptions:**

There are no exemptions in this rule. Previously, Rule 206 had a partial exemption from the emission limitations for crematories.

**Definitions:**

The definition of crematory was changed to add the wording “reduced to ashes” at the end.

**Standards:**

Opacity limits were added to the standards section. Stack opacity may not be greater than or equal to 10% opacity more than three (3) minutes in any one hour. Opacity may not greater than or equal to 20% at any time.

Previously Rule 206, Section 302.2 required “Only multiple-chamber starved-air incinerators may be used. The primary combustion chamber shall be maintained at no less than 1400 degrees Fahrenheit, and the secondary chamber shall be maintained at no less than 1600 degrees Fahrenheit”. This has been changed to allow the crematory primary chamber to be charged and then heated, as long as the secondary chamber (afterburner) is heated to 1600 degrees. Also the temperature does not have to remain at these levels during the cool down cycle.

Section 302 contains the operating requirements for burning human remains. Section 303 contains the operating requirements for burning animal remains. The only difference is that the minimum required retention time in the afterburner is one (1) second for crematories burning human remain and one-third (0.33) seconds for crematories burning animal remains.

**Administrative:**

Operators must install and maintain in good working condition devices to measure temperatures in the primary and secondary chambers.

**Monitoring and Records:**

A data recording system must be installed which provides continuous recording of primary and secondary chamber operating temperatures. Maintenance records shall be kept for the temperature monitoring equipment. Records must be kept for two years, unless the facility is a Title V facility where records must be kept for five years.

**FINDINGS**

<b>FINDING</b>	<b>DEFINITION</b>	<b>REFERENCE</b>
Authority	The District is permitted or required to adopt, amend, or repeal the rule by a provision of law or a state or federal regulation.	California Health and Safety Code, Section 40702 and Section 41010; 1990 Federal Clean Air Act, Section 110(a) (2) (H) and Section 182(d).
Necessity	The District has demonstrated that a need exists for the rule, or for its amendment or repeal.	It is necessary for the District to adopt this rule in order address a source category in Placer County. There is no SIP commitment for reductions from this source category.
Clarity	The rule is written or displayed so that its meaning can be easily understood by the persons directly affected by it.	There is no indication at this time that the rule is not written in such a manner that the person affected by the rule can easily understand it.
Consistency	The rule is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.	The District has found that the rule is consistent with existing state and federal guidelines.
Non-duplication	The rule does not impose the same requirements as an existing state or federal regulation, unless the District finds that the requirements are necessary or proper to execute the powers and duties granted to, and imposed upon the District.	There are no other duplicate requirements.
Reference	Any statute, court decision, or other provision of law that the District implements, interprets, or makes specific by adopting, amending, or repealing the rule. An example of this would be the 1988 EPA State Implementation Plan call to revise District rules.	This rule is being proposed because of the requirements of the Federal Clean Air Act Amendments of 1990.

**SUMMARY**

District staff recommends the District Board approve the required findings in the Staff Report and adopt the proposed Amended Rule 206, Incinerator Burning and new Rule 241, Crematories.

Attachment #1: ARB Comments on 2008 amendment to Rule 206

**ATTACHMENT #1**

**SUBJECT:**

**ARB COMMENTS ON 2008 RULE 206 AMENDMENTS**

**STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
AIR RESOURCES BOARD**



P. O. Box 2815  
Sacramento, California 95812

December 22, 2008

**Transmittal  
of  
ARB Staff Rule Review Comments**

**To:** Thomas Christofk, Air Pollution Control Officer  
Placer County Air Pollution Control District  
Telephone Number: (530) 889-7130  
e-mail: tchristo@placer.ca.gov

**From:** Alex Krichevsky, (916) 324-6222  
e-mail: akrichev@arb.ca.gov

The following rule, which was amended at a hearing held by your District Board on October 9, 2008, was received by us on November 6, 2008, for our review:

**Rule 206                      Incinerator Burning**

We have reviewed the rule and have the comment on the following page. We believe that our comment is important to the effectiveness and enforceability of Rule 206.

The rule was examined by the Stationary Source Division, the Enforcement Division, and by the Monitoring and Laboratory Division.

As you have requested, the rule will be forwarded to the U.S. Environmental Protection Agency as a revision to the State Implementation Plan.

If you have any questions about our comment, please contact Mr. Robert Krieger, Manager of the Emissions Evaluation Section, Emissions Assessment Branch, Stationary Source Division at (916) 323-1202.

**Rule review comment is on the following page**

Date: December 22, 2008

Air Resources Board Staff Comments on  
Placer County Air Pollution Control District  
Rule 206

Rule 206 Incinerator Burning

1. **General:** We have several comments on the amendment of Rule 206 with respect to the removal of emission standards for crematories. Rather than removing emission limits for crematories, the district could consider alternative emission limits that are technologically feasible and protective of public health. If the district has not already done so, district staff should also evaluate crematories under the AB 2588 "Hot Spots" Program. Crematories not meeting the exclusion for "low level" as specified in Appendix E of the Emission Inventory Criteria and Guidelines for the Air Toxics "Hot Spots" Program would be subject to the "Hot Spots" Program. The district should also consider any source test data, if available, for toxic air contaminants, especially mercury. Any available data should be considered in evaluating the health impacts to nearby receptors.

**ATTACHMENT #2**

**SUBJECT:**

**Strikeout Copy of Rule 206**



# RULE 206 INCINERATOR BURNING

Adopted 11-12-74  
(Amended 05-24-77, 12-19-78, 05-20-85, 02-04-92, 11-03-94, 10-09-08, [04-12-13](#))

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## 100 GENERAL

- 101 APPLICABILITY:** This rule applies to any incinerator which burns combustible or flammable waste or refuse-derived fuel.
- 102 EXEMPTION, BIOMASS BOILERS:** This rule shall not apply to boilers which have a primary energy source of biomass consisting of a minimum of 75 per cent of the total annual heat input and which are subject to the requirements of Rule 232, BIOMASS SUSPENSION BOILERS, or Rule 233, BIOMASS BOILERS.
- 103 EXEMPTION, CREMATORY INCINERATORS:** ~~Section 301, Emission Limitations shall not apply to crematory incinerators which are exclusively used for human or animal remains. This Rule shall not apply to crematories. Crematories are subject to Rule 241, CREMATORIES.~~
- 104 EXEMPTION, EXISTING INCINERATORS:** ~~The operating requirements of Section 302~~ This rule shall not apply to an existing incinerator for which an Authority to Construct was issued by the Air Pollution Control Officer before February 4, 1992.
- 105 EXEMPTION, MEDICAL WASTE INCINERATORS:** This rule shall not apply to those incinerators which are subject to the requirements of Rule 906, AIRBORNE TOXIC CONTROL MEASURE - MEDICAL WASTE INCINERATORS.
- 106 EXEMPTION, RESIDENTIAL WASTE INCINERATORS:** This rule shall not apply to the burning of wood waste from trees, vines, or bushes burned on the property where grown; or rubbish originating from a single or two family dwelling on its premises, provided that the requirements of Regulation 3 are met; nor to an incinerator used exclusively in connection with a structure designed for and used exclusively as a dwelling for not more than four families.
- 107 EXEMPTION, TREATMENT UNITS:** This rule shall not apply to treatment units associated with aeration of contaminated soil, air stripping, and vapor extraction operations.

## 200 DEFINITIONS

- 201 ARB:** State of California Air Resources Board.
- 202 BIOMASS:** Any organic material not derived from fossil fuels, such as agricultural crop residues, bark, lawn, yard and garden clippings, leaves, silvicultural residue, tree and brush pruning, wood and wood chips, and wood waste, including these materials when separated from other waste streams. Biomass does not include material containing sewage sludge, industrial sludge, medical waste, hazardous waste, or radioactive waste.
- 203 CONTROL EQUIPMENT:** Any device which reduces emissions.
- 204 CREMATORY INCINERATOR:** A furnace or other enclosed fire chamber where corpses are burned.
- 205 DIOXINS:** Dibenzo-p-dioxins and dibenzofurans chlorinated in the 2, 3, 7, and 8 positions and containing 4, 5, 6, or 7 chlorine atoms and is expressed as 2, 3, 7, 8 tetrachlorinated dibenzo-para-dioxin equivalents using current California Environmental Protection Agency toxic equivalency factors.
- 206 EXCESS AIR:** The air supplied in excess of that necessary to completely burn compounds.

- 207 INCINERATOR:** Any furnace or other closed fire chamber used to dispose of combustible or flammable materials by burning and from which the products of combustion are directed through a flue, chimney, or smoke stack. For the purposes of this rule incinerators shall include boilers heated by the burning of waste, unless otherwise exempted in Section 100.
- 208 MULTIPLE-CHAMBER INCINERATOR:** An incinerator consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, inter-connected by gas passage ports or ducts employing adequate design parameters necessary for maximum combustion of the materials to be burned.
- 209 MULTIPLE-CHAMBER STARVED-AIR INCINERATOR (or Controlled Air Incinerator):** An incinerator which is designed to burn waste in two independent chambers:
- 209.1 Primary Chamber: where the majority of waste volume reduction occurs operated at sub-stoichiometric conditions.
- 209.2 Secondary Chamber: operates at excess air conditions; where destruction of gas-phase combustion products occurs. Passage ports, ducts, flues, chimneys, or stacks with burners shall not be considered controlled air secondary chambers unless the combustion zone exhibits design measures for the retention of the gas stream in the chamber, turbulence or mixing, and the availability of excess air, as determined by engineering analysis.
- 210 REFUSE-DERIVED FUEL:** Treated or processed solid waste that is used as a fuel.
- 211 STOICHIOMETRIC AIR:** An amount of air (theoretical combustion air) theoretically required for the complete combustion of compounds with total depletion of oxygen.
- 212 SUB-STOICHIOMETRIC AIR:** An amount of air (theoretical combustion air) less than that required for the complete combustion of compounds.
- 213 UNCONTROLLED EMISSIONS:** The emissions measured from the incinerator at a location downstream of the last combustion chamber, but prior to any air pollution control equipment.
- 214 WASTE:** All discarded putrescible and nonputrescible solid, semisolid, and liquid materials, including garbage, trash, refuse, paper, rubbish, food, ashes, plastics, industrial wastes, demolition and construction wastes, equipment, instruments, utensils, appliances, manure, and human or animal solid and semi-solid wastes or remains.
- 215 WASTE CHARGING RATE:** The amount of waste charged or fed into the incinerator per unit of time, usually expressed in terms of pounds per hour or kilograms per hour.

### 300 STANDARDS

- 301 EMISSION LIMITATIONS:** No person shall operate an incinerator subject to this rule unless:
- 301.1 Oxides of Nitrogen emissions, expressed as Nitrogen Dioxide (NO<sub>2</sub>), do not exceed 50 parts per million by volume, dry basis, (ppmdv) corrected to 12% carbon dioxide (CO<sub>2</sub>), for any 1 hour average emission rate.

- 301.2 Sulfur Dioxide emissions, expressed as Sulfur Dioxide (SO<sub>2</sub>), do not exceed 30 ppm<sub>dv</sub>, corrected to 12% carbon dioxide (CO<sub>2</sub>), for any 1 hour average emission rate.
- 301.3 Carbon Monoxide (CO) emissions do not exceed 100 ppm<sub>dv</sub>, corrected to 12% carbon dioxide (CO<sub>2</sub>), for any 1 hour average emission rate.
- 301.4 Particulate Matter emissions do not exceed 0.015 grains per dry cubic foot of gas at standard conditions, corrected to 12% carbon dioxide (CO<sub>2</sub>). The concentration limit shall apply to particulate matter measured using ARB Test Method 5.
- 301.5 Total Hydrocarbon emissions (THC) emissions expressed as equivalent methane do not exceed 10 ppm<sub>dv</sub>, corrected to 12% carbon dioxide (CO<sub>2</sub>), for any 1 average hour emission rate.
- 301.6 Total Hydrochloric Acid (HCl) emissions do not exceed 30 ppm<sub>dv</sub>, corrected to 12% carbon dioxide (CO<sub>2</sub>), for any 1 hour average emission rate.
- 301.7 Dioxins emissions have been reduced to 10 nanograms or less per kilogram of waste burned.

**302 OPERATING REQUIREMENTS:** No person shall operate an incinerator subject to this rule and not exempt under Section 102 and Section 103, unless control equipment is installed and used in a manner which has been demonstrated and approved by the Air Pollution Control Officer to meet the following requirements:

- 302.1 For any equipment subject to the emission limitations in Section 301, the flue gas temperature at the outlet of the control equipment shall not exceed 300 degrees Fahrenheit, unless it has been demonstrated to, and approved in writing by, both the ARB and the Air Pollution Control Officer that lower emissions are achieved at a higher outlet temperature;
- 302.2 Only multiple-chamber starved-air incinerators may be used. The primary combustion chamber shall be maintained at no less than 1400 degrees Fahrenheit, and the secondary chamber shall be maintained at no less than 1600 degrees Fahrenheit; and
- 302.3 The furnace design shall provide for a residence time in the secondary chamber for combustion gas of at least one second. Residence time shall be calculated using the following equation:

$$\text{Residence Time} = \frac{V}{Q_C}$$

Where: V = means the volume, as expressed in cubic feet, from the point in the incinerator where the maximum temperature has been reached until the point where the temperature has dropped to 1600°F.

Q<sub>C</sub> = means the combustion gas flow through V, as expressed in actual cubic feet per second, which is measured according to ARB Test Method 2, after adjusting the measured flow rate to the maximum combustion chamber temperature (T<sub>C</sub>) by using T<sub>C</sub> instead of T<sub>STD</sub> in the ARB Test Method 2 calculation for Q<sub>C</sub>.

The volumetric flow rate measured at the sampling points must be adjusted to chamber pressures.

Alternative methods may be used if conditions for determining the combustion gas flow rate by Method 2 are unacceptable. The determination shall be equivalent to, and within the guidelines of, ARB Test Method 2 and approved by the Air Pollution Control Officer and the U.S. Environmental Protection Agency (EPA).

$T_C$  = means the maximum temperature, in degrees Fahrenheit, that has been reached in the incinerator.

302.4 For equipment subject to the emission limitations of Section 301, no person shall operate a waste or refuse-derived fuel incinerator unless the following equipment is installed and maintained in an operable condition:

- 302.4.1 A continuous data recording system as specified in Section 501.
- 302.4.2 Primary and secondary combustion chamber temperature indication.
- 302.4.3 Equipment for determining and recording the weight of waste charged to the incinerator.
- 302.4.4 An automated ram waste feeder with airlock, for batch fed incinerators, such that no ingress of external air occurs during the process of feeding waste to the primary combustion chamber.

**303 AUXILIARY FUEL:** Auxiliary fuels shall be natural gas, liquefied petroleum gas, or equivalent gaseous fuel.

**304 ASH HANDLING:** No person shall operate a waste incinerator unless the bottom ash, fly ash and scrubber residuals are handled and stored in a manner that prevents entrainment into ambient air.

#### **400 ADMINISTRATIVE REQUIREMENTS**

##### **401 COMPLIANCE SCHEDULE:**

401.1 By November 3, 1995, any person subject to the emission limitations in Section 301 shall submit an application for Authority to Construct for any modifications required to achieve compliance with this rule.

401.2 By November 3, 1996, any person subject to the emission limitations in Section 301 shall demonstrate final compliance with all applicable standards and requirements of this rule.

**402 UPSET NOTIFICATION:** Any violation, malfunction, or upset condition on the incinerator, the air pollution control equipment, or the continuous data recording system shall be reported to the District within 1 hour of occurrence or by 9:00 AM the next business day if the malfunction occurs outside normal business hours and the District does not maintain a radio room or an answering machine.

**403 OPERATOR CERTIFICATION:** No person shall operate a waste incinerator subject to the emission limitations of Section 301, unless each individual who operates or maintains the incinerator obtains either a certificate of training in waste incineration issued by the American Society of Mechanical Engineers within nine months of the commencement of operation, or equivalent training as determined by the Air Pollution Control Officer. Copies of the training certificates for the operators and maintenance engineers shall be submitted to the District and the original certificates shall be available for inspection at the facility with the permit to operate.

**404 OPERATION AND MAINTENANCE PLAN:** Any person using an emission control device as a means of complying with the emission limitations of Section 301 shall submit an Operation and Maintenance Plan with the application for Authority to Construct for the emission control device.

404.1 The Operation and Maintenance Plan shall specify:

404.1.1 Operation and maintenance procedures that will demonstrate continuous operation of the emission control device during emission-producing operations; and

404.1.2 Records that must be kept to document the operation and maintenance procedures.

404.2 The records must comply with Sections 501, 505, and 506.

404.3 The Operation and Maintenance Plan shall be implemented upon approval by the Air Pollution Control Officer.

404.4 After completing the construction of the emission control device, the Operation and Maintenance Plan shall be resubmitted annually for approval.

## **500 MONITORING AND RECORDS**

**501 MONITORING:** Any person operating an incinerator subject to the emission limitations of Section 301 of this rule shall maintain a data recording system which provides for each day of operation continuous recording of:

501.1 Primary and secondary combustion chamber temperatures;

501.2 Carbon monoxide emissions;

501.3 Hourly waste charging rates;

501.4 The opacity of stack emissions or other indicator of particulate matter which is approved by the Air Pollution Control Officer; and

501.5 Key operating parameters of the air pollution control equipment, as specified by the Air Pollution Control Officer.

**502 DETERMINATION OF COMPLIANCE:** For purposes of demonstrating initial or continued compliance with the emission limits of Section 301, any person operating an incinerator subject to this rule shall conduct the following source tests in the manner specified in Section 503:

- 502.1 Source test for Oxides of Nitrogen using ARB Test Method 100, Title 17, CCR, Section 94114, Procedures for Continuous Emission Stack Sampling, or EPA Test Method 7E.
- 502.2 Source test for Sulfur Dioxide using ARB Test Method 6, Title 17, CCR, Section 94106, Determination of Sulfur Dioxide Emissions from Stationary Sources, or ARB Test Method 100.
- 502.3 Source test for Carbon Monoxide using ARB Test Method 10, Title 17, CCR, Section 94109, Determination of Carbon Monoxide Emissions from Stationary Sources, or ARB Test Method 100.
- 502.4 One source test for Particulate Matter using ARB Test Method 5, Title 17, CCR, Section 94105, Determination of Particulate Matter Emissions from Stationary Sources, including non-volatile impinger catch.
- 502.5 One source test for Total Hydrocarbons using ARB Test Method 100, measured as equivalent methane.
- 502.6 One source test for Hydrochloric Acid using ARB Test Method 421, Title 17, CCR, Section 94131, Determination of Hydrochloric Acid Emissions from Stationary Sources, for waste or refuse-derived fuel incinerators, excluding crematoria.
- 502.7 One source test for Dioxins using ARB Test Method 428, Title 17, CCR, Section 94139, Determination of Polychlorinated Dibenzop-Dioxin (PCDD), Polychlorinated Dibenzofuran (PCDF), and Polychlorinated Biphenyl (PCB) Emissions from Stationary Sources, for waste or refuse-derived fuel incinerators, excluding crematoria. The high resolution mass spectrometry option of ARB Test Method 428 shall be used.
- 502.8 Source test for Carbon Dioxide using ARB Test Method 100, or EPA Test Method 3A.

Further source testing may be required by the Air Pollution Control Officer in accordance with Rule 501, Section 304, Provision of Sampling and Testing Facilities. The installed continuous emissions monitoring systems specified by Section 501 shall demonstrate compliance or non-compliance with the emission limitations of Section 301.

### 503 TEST REQUIREMENTS

- 503.1 Test Plan: At least sixty (60) days prior to any testing, a written test plan (two copies) detailing the test methods and procedures to be used shall be submitted for approval by the Air Pollution Control Officer. The plan shall cite the test methods to be used for the determination of compliance with the emission limitations of this rule, including any use of alternate test methods proposed in accordance with Section 504. The plan shall provide the proposed procedures for the characterization of the representative waste to be burned during testing.
- 503.2 Test Performance and Reporting: For purposes of determining compliance with Section 301, the source testing shall be conducted at the stack. Information regarding the composition (moisture content, heating value in British Thermal Units, and amount of the total waste, by weight percent that is paper or

cardboard, plastics, glass, wet garbage, or that is hazardous or radioactive) and feed rate of the waste and auxiliary fuel charged during the source test shall be provided with the test results. The Air Pollution Control Officer can require additional necessary information regarding the composition of the waste. Source testing shall be conducted at the maximum waste firing capacity (∇ 10 percent) allowed by the air district permit. A copy of all source test results conducted for purposes of demonstrating compliance with this rule shall be provided to the ARB at the same time that it is provided to the District.

- 504 ALTERNATE TEST METHODS:** Alternate test methods, may be used to demonstrate compliance with Section 301 in lieu of the specified test methods of Section 503 only if approved in writing by, both the Air Pollution Control Officer and the U.S. EPA. Such test methods may include EPA test methods specified in 40 CFR 60 Appendix A, required for sources subject to New Source Performance Standards.
- 505 RECORDKEEPING:** Maintenance records shall be kept for the incinerator, control equipment, and monitoring equipment; and calibration records for the monitoring equipment.
- 506 DURATION OF RECORDS:** All records maintained pursuant to this rule shall be retained for at least two years from date of entry, with the exception that sources subject to the requirements of Rule 507, FEDERAL OPERATING PERMIT PROGRAM, shall retain records at least five years. Records shall be made available for inspection by the Air Pollution Control Officer upon request.

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## Board Agenda

### *Information*

**Agenda Date:** April 11, 2013

**Prepared By:** Todd K. Nishikawa, Deputy Air Pollution Control Officer

**Topic:** Information on the Air Pollution Control District's Strategic Information Technology Master Plan

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**Action Requested:** No action is requested. District Staff wish to provide information and obtain feedback from the District Board of Directors on the recently completed Strategic Information Technology Master Plan.

**Discussion:** For over a decade the Air Pollution Control District has steadily pursued increased operational efficiencies through the use of information technology (IT) solutions, which translate into reduced costs. These technology solutions include an internal database system that provides many different air pollution specific tracking features (e.g. invoice and receivable tracking, initial and renewal stationary source permit issuance and tracking, and compliance and enforcement tracking) and the initial phases in the development of an Electronic Document Handling System (EDHS).

Since a key goal of the District's mission is "*to improve internal business processes and internal operations in order to provide cost effective and quality service to the citizens and industries of Placer County*", District management determined that the next step in improving the information technology of the District's IT capabilities was to have an Strategic Information Technology Master Plan (Plan) developed. As local government agencies continue to experience reduced funding and staffing levels, information technology solutions are being relied upon to bridge these gaps. The need to identify new and innovative ways to lower costs and continue to provide quality customer service through sustainable service delivery models centered on information technologies has never been greater. Information Technology is one of the key elements of sustainable service delivery models that will enable the District to continue providing cost-effective quality service throughout the years to come.

In June of 2012, a contract to have Clark Moots (an independent consultant and former Placer County Administrative Services Director) assist the District in the development of a Strategic Information Technology Master Plan was approved by your Board. District management recently received the completed Placer County Air Pollution Control District's Strategic Information Technology Master Plan and a copy is provided as an enclosure. The Plan provides the District with IT strategies that identify the key information technology initiatives for the next several years and will also assist in prioritizing specific District technology efforts and programs. The District's intent is to make technology investments that result in improved service to the public, including expanded hours of service and business process improvements for all District business sections. This will allow the District to build upon and enhance the technology solutions that are already in place.

The Plan delineates a broad range of technology based improvements, including: database enhancements; implementing an electronic document handling system; providing wireless applications for field staff; providing improved service and access to clients and the public; and reducing the District's reliance upon Placer County IT services through cloud computing.

After reviewing the Plan, District management have concluded that District program priorities and resource limitations dictate that changes must be made to the Plan's proposed project implementation schedule. Specifically, external support for the Electronic Document Handling System (EDHS) is postponed from FY 2013-2014 to FY 2014-15; the external support for District Website Enhancements is indefinitely postponed while the District staff instead support the implementation of Placer County's Website Redesign Project which incorporates many of the enhancements envisioned by the Plan; and lastly, the Client Portal Access Application Development is postponed from FY 2014-2015 to no earlier than FY 2015-2016. The external EDHS work could be brought forward to FY 2013-2014 if implementation funding and resources are available.

Approval for Strategic Information Technology Master Plan projects will be presented to your Board for final determination and approval through the budget approval process, and through the Board's approval of contracts for IT services.

**Fiscal Impact:** In the current fiscal year, FY 2012-2013, your Board authorized the expenditure of \$25,000 for the services of Mr. Clark Moots for the preparation of the Strategic Information Technology Master Plan, and an additional \$8,000 for initial tasks associated with improving the existing database to provide a strong foundation for later Plan implementation.

The Plan's Implementation Roadmap provides a schedule and shows internal and external costs. Because the cost of internal (existing staff) resources is already included in District budgets and no increases to internal staffing is proposed for this work, the increase in costs from the implementation of the Plan's projects is solely through contracted services for project management, applications development and software programming, and off-the-shelf software and hardware. For the project schedule that is recommended by District management, implementation of the Plan will require additional funds for IT services of approximately \$85,341 in FY 2013-2014. Approximately the same amount will be required in FY 2014-2015.

Staff plan on requesting the funds that are required for implementation of management's amended proposal in the FY 2013-2014 budget.

**Recommendation:** This is an information item. District staff would welcome the Board to provide input and direction regarding the proposed implantation beginning in FY 2013-2014 budget elements of the Air Pollution Control District's Strategic Information Technology Master Plan.

**Enclosure:** Strategic Information Technology Master Plan



## Board Agenda

### *Closed Session/Action*

**Agenda Date:** April 11, 2013

**Prepared By:** Thomas Christofk, Air Pollution Control Officer

**Topic:** Air Pollution Control Officer's Performance Evaluation

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**Action Requested:** Conduct the annual performance evaluation of the Air Pollution Control Officer for the period April 12, 2012, through the present.

**Discussion:** The Employment Agreement between Placer County, the Placer County Air Pollution Control District and Thomas Christofk (Air Pollution Control Officer/Director of Air Pollution Control) specifies that the Employer shall evaluate the Employee's performance at least annually. Section 3 of the Memorandum of Understanding (MOU) between the District and the County specifies that with respect to District business: 1) the APCO receives his/her direction from and reports only to the District Board (§3B); 2) the District Board shall have the authority to set the salary of the APCO and the District Board's determination in this regard shall not be subject to the provisions of any County compensation plan (§3C); 3) All performance and other personnel-type related evaluations of the APCO will be performed by the District Board (§3D).

The Board of Directors and the Placer County Executive Officer (CEO) are identified in the Employment Agreement as Employers. The MOU indicates that the CEO may, at the CEO's discretion, provide input to the District Board and/or the APCO, and that input may be given to the District Board in closed session. Furthermore, when authorized by the Chairperson, such input may be given to the Board in closed session without the APCO present. For this evaluation, the CEO has indicated that he does not intend to provide written input to the Board, but is available to meet with the Chair or the Board if requested. Furthermore, he indicated that perhaps in the future he may have meaningful feedback to contribute to the evaluation process.

In past evaluations a form has been utilized to capture comments from individual Board members, and has proven to be an effective tool in conducting the review. A copy of that form is included as Attachment 1.

Attachment 2 contains a listing of functions and work related goals by section for the District for FY 2012-2013. These goals were established or updated in concert with the annual budget process and define the basis of the resource allocations for the fiscal year. Many of the items listed are projects or initiatives beyond the mandated regulatory functions required of our District, and their accomplishment will enhance internal business processes and efficiencies or provide cost savings, generate direct public service benefits, or provide for air quality improvements. Progress towards accomplishment on the majority of the items has

been satisfactory, with a number of them completed. Others are evolving, sometimes as a result of changing circumstances, and may require additional resource investments. In my opinion, overall District Operations are relatively efficient, with the numerous regulatory functions and service delivery requirements being accomplished within appropriate resource allocations, and that the District is making steady progress towards the vision of achieving and maintaining clean air standards throughout Placer County.

**Fiscal Impact:** The APCO/District Director's salary and benefits are included in the budget for the fiscal year.

**Recommendation:** It is recommended that your Board conduct the annual performance evaluation of the APCO/Director of Air Pollution Control.

**Attachment(s)**            1: Annual Evaluation Form  
                                      2: PCAPCD 2012-2013 Specific Section Goals with Mission Statement

**ATTACHMENT #1**

**Subject:**

APCO Evaluation Form



**Annual Performance Evaluation for Thomas Christofk, APCO, for FY 2012-2013**

*unacceptable*  
*needs improvement*  
*standard*  
*exceeds standard*  
*outstanding*

**COMMUNICATIONS**

- Clearly states staff positions during Board meetings
- Keeps Board Members informed of his activities
- Responds to communications in a timely manner
- Provides concise, clean and sound advise

1	2	3	4	5
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**DECISION MAKING**

- Effectively defends Board positions
- Considers the needs of all Board Members
- Accepts responsibility for decisions
- Protects the Air Pollution Control District interests

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**BUDGET**

- Keeps the Air Pollution Control District within budget
- Implements budget saving measures

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**PERSONNEL**

- Effectively delegates tasks and responsibilities
- Monitors staff for their effectiveness
- Maintains good relationships with Board Members

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<input type="checkbox"/>				
<input type="checkbox"/>				

**RESOURCE ALLOCATION AND PLANNING**

- Develops and implements plans to achieve District goals and objectives
- Establishes cooperative Agreements with governmental and private agencies
- Leverages District resources to meet regulatory and operational commitments

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<input type="checkbox"/>				
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**ASSETS AND STRENGTHS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**AREAS FOR IMPROVEMENT:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Jennifer Montgomery, Chair**  
**PCAPCD Board of Directors**

**Thomas Christofk**  
**Air Pollution Control Officer**

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date



**ATTACHMENT #2**

**Subject:**

PCAPCD FY 2012-13 Specific Section Goals and the District's Mission Statement



## Placer County Air Pollution Control District Fiscal Year 2012-2013 Section Goals

### Permitting and Engineering Section:

### Mission Goal/Objective

The Permitting and Engineering Section has the primary responsibility of permitting stationary sources of emissions in accordance with applicable state and federal laws and District regulations. Specific responsibilities of the Section include:

- Evaluation of new Authority to Construct applications and annually review Permits to Operate prior to renewal. 1(a), 1(c), 1(d)
- Supporting the Hearing Board’s consideration of Variances and Abatement Orders. 2(a), 2(d), 3(a), 3(b)
- Administering the Emission Reduction Credit (ERCs) banking program by issuing ERCs and tracking in a Registry. 1(a), 2(c)
- Implementing the AB 2588 Hot Spots program and evaluation of airborne toxic emissions from new and modified facilities. 2(a), 2(b)
- Preparation and review of annual information requests sent to stationary sources to gather information used to calculate emissions and determine compliance. 1(a), 1(b), 4(a)
- Conducting comparison of state and federal control measure guidelines to adopted District rules and emission sources in order to demonstrate compliance or rule deficiencies that will need to be corrected through new future rules or rule amendments. 1(a), 1(e), 2(g)
- Reviewing state and federal regulations for applicability to District emission sources that would need to be regulated. 1(a), 1(e), 2(g)
- Assisting in regulation compliance education and response to business inquiries and public information requests about sources. 1(c), 2(f), 3(a)
- Identifying business operations that should be permitted by the District through a permitting outreach effort, or “Harvest” program, in conjunction with Compliance and Enforcement Section staff. 1(a), 1(b), 1(c), 2(d), 2(f), 3(a), 3(b)

In addition to the section general functions noted above, specific tasks to be completed in the 2012-2013 fiscal year are:

- Document Handling System Support: Testing and review of the document processing system in cooperation with the Administrative Services Section to manage documents by scanning them and linking to the database for easy access. 5(c), 8
- Air Toxics: Continue a review of stationary sources for compliance with AB 2588 “Air Toxics Hot Spots” program requirements and develop a Toxics Program Plan to guide future work in this area. Update the toxic emission inventory for reporting to CARB. 2(a), 2(b)
- California Environmental Quality Act (CEQA) Requirements for Permitting: Implementation of CEQA compliance procedures, such as ministerial permit evaluation procedures, and CEQA checklists, with the 1(a), 8

- assistance of the Planning and Monitoring Section.
- Rule 206, Incinerator Burning: Amend to address startup temperatures in the primary chamber of a crematory and work with EPA to gain SIP approval. 1(e)
- Annual Information Requests: Improve the creation and handling of the annual information requests sent to sources, automating the creation of the throughput request letters, and evaluating throughput requests made through e-mail and the submittal of throughput information via on-line reporting. 1(b), 4(a)
- Emission Data Review: In cooperation with the Planning and Monitoring Section, develop a review process for throughput data where the data is only entered into a database once for both emission fees, compliance, and emission inventory purposes, and where emissions are recalculated for Emission Inventory sources, including Major Sources and Synthetic Minor Sources, and sources that have been modified or that reported significant increases in throughput. 1(b), 4(a), 8

**Planning & Monitoring Section:**

**Mission  
Goal/Objective**

The Planning and Monitoring Section is responsible for air quality planning that is required to guide local emission reduction efforts and to demonstrate that these efforts satisfy state and federal planning requirements. The Section also conducts assessments of land use projects with respect to their impact on air quality. The air quality planning effort, and the determination of whether state and local emission control measures have been successful, is verified by the air monitors that measure ambient air quality in the District. The Section is also responsible for preparing inventories of emissions in the District, regulating open burning and burning from wood-fired appliances, and managing the Clean Air Grant Program. Specific activities of the Section include:

- Working with Federal, State, and the other local agencies to develop regional planning documents to attain State and Federal ambient air quality standards. 4(b), 4(d), 5(a), 5(b)
- Ensuring compliance with federal conformity requirements. 7(b)
- Developing emission inventories and new or amended rules and regulations for adoption. 1(e), 2(g), 4(a), 4(b)
- Assisting in the development of land use plans, such as specific and general plans. 4(c), 5(a), 7(b)
- Reviewing environmental documents submitted by lead agencies in compliance with the California Environmental Quality Act (CEQA). 4(c), 5(a), 7(b)
- Preparing environmental documents when the District is the lead agency. 2(a), 2(g), 4(c)
- Inspecting new development projects to verify mitigation measures were implemented. 1(b), 4(c), 4(d)
- Administering the Clean Air Grant and Offsite Mitigation Programs. 1(d), 2(c), 2(e), 4(c), 4(d), 5(a), 7
- Providing public outreach and information. 1(c), 2(f)
- Operating air monitoring equipment at three existing locations and developing additional air monitoring sites. 4(a), 8

- Submitting air monitoring data to the State and Federal governments. 4(a), 8
- Overseeing the District burn program to minimize smoke impacts, including residential burning, rice burning, and forest management prescribed burning – through smoke management plan approval, permitting, burn project authorization, and burn day declarations. 1(a), 1(b), 2(f), 5(b)

In addition to the section functions noted above, specific tasks to be completed during the 2012-2013 fiscal year are:

- Air Quality Plans for the Federal and State Standards: Work with CARB and other local air districts in Sacramento federal nonattainment area to prepare two regional air quality plans which will demonstrate the regional efforts to attain and maintain the attainment status for the federal 24-hour PM<sub>2.5</sub> and 1-hour ozone standards, respectively. In addition to the plans for federal standards, Staff will prepare a triennial progress report (2008-2011) to assess the progress made towards attaining the state air quality standards in Placer County. 1(a), 1(e), 2(f), 2(g), 4(a), 4(b), 4(d), 5(b)
- Emission Inventory Reconciliation and Enhancement: Review and reconcile the emission inventory data for criteria pollutants and air toxics emitted from the facilities and area-wide sources in the County to produce more accurate baseline emissions data for future rule development and regional air quality planning work. 4(a), 8
- Emission Data Review: Staff will assist the Permitting and Engineering Section to develop a review process for throughput data where the data is only entered into a database once for both emission fees, compliance, and emission inventory purposes, and where emissions are recalculated for sources, including major and synthetic minor sources, and sources that have been modified or that reported significant increase in throughput. 1(b), 4(a), 8
- Air Monitoring Improvements: Improve the existing monitoring stations operation and monitoring data reporting managed by the District. The improvement includes developing internal protocols for field operations, laboratory operations, and data handling procedures to enhance the data quality assurance and the ability for providing air monitoring data instantly to officials and public. 4(a), 8
- CEQA Handbook: Continue the development of the District CEQA Guide/Handbook for facilitating the evaluation and review of air quality impacts for land use development projects in the County. The first draft was released in November 2011 to the lead agencies for review and comment. Staff is preparing the second version of the Handbook based on the comments received; it will include the upgraded CalEEMod model when it is available. 4(c), 4(d), 5(a), 5(b), 8
- Regional CEQA GHG Thresholds: Continue working with the other local air districts within the Sacramento area to develop CEQA GHG thresholds of significance for land use development projects. The anticipated product would be a guideline to provide a recommendation to the lead agencies on way to determine the level of the land use project's related GHG impacts and to identify the appropriate mitigation measures to offset the project's impacts within the project's environmental documents. 4(b), 4(c), 4(d), 5(b)

- Land Use Project Tracking Database: Work to develop a land use tracking database which could be integrated into the existing District permitting database in the future to support the District’s CEQA review program to track the land development related documents including comments and recommended mitigation measures and to monitor the project’s status and the implementation of mitigation measures. 4(c), 8
- Outreach to Jurisdictions: Outreach to City and County jurisdictions to address a number of District regulatory issues, including naturally-occurring asbestos and dust control for development, wood-fired appliance requirements, District permit requirements, and statutory mandates upon building departments with regard to hazardous materials storage and emission sources near schools – through a supplemental questionnaire and the provision of informational resources. 1(a), 1(b), 1(c), 2(d), 2(f), 3(a), 3(c), 5(a), 8
- District Sustainable Initiatives Webpage: Work to design a webpage regarding the “sustainable initiatives” which will integrate the information from the existing District programs and the tools/programs developed by the other agencies or organizations to promote the energy efficiency, renewable fuel usage, transportation improvement, land use and green building initiatives design. 2(f), 6, 8

**Mission  
Goal/Objective**

**Compliance and Enforcement Section:**

The Compliance and Enforcement Section is responsible for ensuring compliance with permit conditions, District rules and regulations, and applicable state and federal air pollution laws through investigations and on-site inspections, and, if violations are found, pursuing enforcement actions. Specific responsibilities of the Section include:

- Inspection of permitted and unpermitted stationary sources of air pollution (i.e. facilities) for compliance with applicable rules and regulations, including the inspection of Portable Equipment that is registered with the state. 1(a), 1(b), 1(c), 2(a), 2(b), 2(d), 3(a), 3(b), 3(c)
- Inspection of new home construction in the unincorporated areas of Placer County for compliance with land use mitigation conditions on wood burning appliances. 1(c), 4(c), 3(c)
- Investigation and resolution of air pollution complaints from the public regarding odors or air pollutant emissions from any source, including smoke from burning and dust from construction and other activities. 1(a), 1(b), 2(a), 2(b), 2(d), 2(f), 3(a), 3(b), 3(c)
- Review and observation of source tests, monitoring data, and reports, for compliance with applicable rules and regulations. 1(a), 1(b)
- Issuing Notices of Violation or Corrective Action Notices. 2(d), 3(a), 3(b)
- Resolving enforcement cases for violations of District, state, and federal air pollution laws and regulations through mutual civil settlement, orders of abatement through the District’s Hearing Board, or by referral of the case to the Placer County District Attorney’s Office or the State Attorney General’s Office. 3(b)
- Education of the public and permitted sources on air pollution rules and regulations. 1(c), 2(f)

- Assistance with control measure and rule development. 1(e), 2(g), 4(b)

Additional tasks to be accomplished or to be moved significantly further toward completion in Fiscal Year 2012-13 include:

- Inspections: Evaluate, and work toward implementing automated procedures to improve field investigation and source inspection efficiency – including the in-field use of portable electronic devices that communicate with the District database, enhancements to reduce data entry duplication, and use of source-specific checklists and violation notices that are electronically compatible with the District database. Establish a program for sample evidence collection, tracking, and analysis. Expand staff knowledge and inspection capabilities, including that for gas dispensing facilities and odor nuisance response. 1(a), 1(b), 2(a), 2(b), 2(d), 2(f), 8
- Enforcement Settlement: Use Small Claims Court to efficiently settle violation enforcement cases that are not resolved through Mutual Settlement. Streamline the issuance, tracking, and processing of violation notices. Develop a monetary penalty assessment structure and/or schedule to assist in the establishment of consistent and defensible fines for enforcement case settlement. 3(b), 3(c), 8
- Greenhouse Gases: Provide greenhouse gas emissions verification services for the CARB Mandatory Reporting Rule. Emission Offset Projects, and Cap and Trade programs. 2(a), 3(b), 4(a), 4(b), 4(c), 5(b)
- Biomass: Continue to advance and support forest management projects that reduce air pollution through: utilization of waste biomass for energy as an alternative to open burning; hazardous fuel reduction thinning and defensible space clearing; and the development of tools that quantify and provide monetary value to emission reductions. 1(a), 1(c), 1(d), 2(a), 2(c), 2(e), 2(f), 2(g), 5(a), 5(c), 6
- Inter-agency Cooperation: Enhance working relationships with local partner agencies, including County and City building and public works departments, law enforcement, Fire Districts, code enforcement, weights and measures, animal control, and environmental health. 3(c), 5(a), 5(b), 5(c)

**Administrative Services Section:**

**Mission  
Goal/Objective**

The Administrative Services Section is responsible for providing overall administrative services and support for the District. Specific responsibilities of the Section include:

- Preparation of monthly fiscal statements and review for management and Board information. 8
- Clerk of the Board functions including preparation of the Board Meeting Agenda and preparation of the Board Packet that includes information and action items. 8
- Tracking, filing, and archiving of District documents. The conduct of this function is being improved through the implementation of an electronic document handling system (EDHS). 5(c), 8
- Handling of payroll, accounts receivable, accounts payable, purchasing, cost accounting/cost allocation and conducting a bi-annual outside audit. 5(b), 8

- Preparation, oversight, management, and administration of grant and professional services contracts, including inter-agency MOUs. 5(a), 5(b), 5(c), 8
- Assisting the APCO in the preparation of the annual budget and providing the APCO with fiscal status summaries each month and performance statistics for the District each quarter. 8
- Maintenance of the District's networked computers and office equipment, and recommendations for equipment replacement. 5(b), 5(c), 8
- Maintenance and upgrade of the District database program and training of District Staff on the use of this in-house program. 5(b), 5(c), 8
- Overseeing the maintenance of District motor vehicles and their sign-out by staff. 5(b), 5(c), 8
- Maintenance and control of personnel files and training logs (Personnel Liaison). 8
- Facility maintenance and operations for the District offices at 110 Maple Street, Auburn, including management of repairs and scheduled preventive maintenance, and oversight of building related service contracts. 5(c), 8
- Complete office management functions, including answering caller inquiries and directing the public to the proper staff and facilitating all business transactions with the District. 8

In addition to the section functions noted above, specific tasks to be completed within the Fiscal Year 2012-13 are:

- Technology Improvement Program: Management of a multi-branched effort to assess options for the District to better utilize electronic information technology and communications tools, to identify the best process improvement pathways, and to manage program implementation. Among the technology improvement areas are increasing the efficiency of field staff through providing access in the field to permit holder information and improved communications; to provide District clients with on-line access to District permit and billing information and client contact profiles; and to fully implement the electronic document handling system (EDHS), deferred in the prior year. 1(a), 1(b), 3(b), 5(c), 8
- Database Improvements: Continue and complete the improvements identified or started in the prior year, including enhancing the functionality of the existing in-house database program through screen and data reporting improvements, and data accuracy checks. 5(c), 8
- County-district MOU Update: Continue and complete the amendment of the County-District MOU to address recent revisions to the County policies and their organization, as well as changes required by the District to facilitate its operations. In addition, prepare and adopt policies and procedures to ensure internal control and to address areas where the District practices diverge from usual County policies and procedures. 5(b), 8

# The Placer County Air Pollution Control District

## What we are all about...

*Our vision is to achieve and maintain clean air standards throughout Placer County*



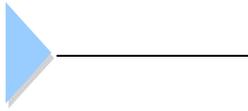
*We strive towards this end by managing the County's air quality in a manner to protect and promote public health by controlling and seeking reductions of air pollutants while recognizing and considering the economical and environmental impacts*



*We do this by focusing on eight specific goals and applying our resources toward accomplishing their associated objectives*



1. ***Regulate air pollutant emissions from stationary sources***
  - a. Evaluate emissions, potential emissions, and establish permit limitations consistent with District rules and regulations and applicable air pollution control laws
  - b. Develop and maintain a vigilant inspection program to ensure compliance of permitted terms and conditions
  - c. Provide guidance on implementation of rules and regulations to regulated sources
  - d. Establish partnerships with industry by providing both a technical and personal level of service to promote innovative reductions of emissions
  - e. Adopt such rules and regulations as are necessary to further the goals of the District and to meet state and federal mandates
2. ***Seek quantitative reductions in amounts of air pollutants being released within the County***
  - a. Identify and regulate new sources of emissions
  - b. Alleviate toxic and nuisance emission impacts upon the public
  - c. Provide economic incentives for emission reductions
  - d. Deter emission violations through the enforcement of District rules, and air pollution control laws
  - e. Increase resources applied to mitigation measures
  - f. Provide public education about sources, effects, and methods of reduction
  - g. Modify and/or incorporate new rules and regulations as appropriate to obtain reductions suited for the County
3. ***Respond to and investigate non-compliant events and sources of emissions in an efficient manner***
  - a. Initiate measures to allow sources to gain compliance by providing quality service within acceptable limits
  - b. Establish a hierarchical enforcement system that yields appropriate sanctions based on severity, frequency, and quantity of pollution
  - c. Partner with other agencies when feasible to assist in field response and inspections/investigations
4. ***Mitigate effects of growth through quality planning measures***
  - a. Maintain and enhance a data and information collection system regarding emission inventory and air shed properties throughout the basins
  - b. Prepare and update air quality plans to effectively maintain or achieve attainment of air quality standards through measures best suited for the County
  - c. Review development plans for impacts on air quality and work toward mitigating those impacts through programs that reduce emissions
  - d. Develop and implement initiatives to address the growth of the County with respect to maintaining and improving air quality



5. *Pool resources with other agencies, districts, and jurisdictions*
  - a. Partner with local municipalities in areas of mutual interest and where mandates cross jurisdictional boundaries
  - b. Form strategic alliances with other air districts and agencies as appropriate to develop technical resources and gain needed assistance
  - c. Contract out for services/program management to areas where the cost/benefit of doing such is favorable



6. *Market and promote the positive impacts the District is making on the air quality in the County*



7. *Reduce mobile source emissions through collaborative efforts with planning and transportation entities*
  - a. Support zero emission, alternative, and renewable fuels technologies, and accompanying infrastructure, including waste to energy and biomass to energy initiatives, as well as cleaner burning fossil fuels.
  - b. Assist in the implementation/funding of Transportation Control Measures (TCMs) called for in Air Quality Plans



8. *Improve District business processes and internal operations so as to provide cost effective and quality service to the citizens and industry of Placer County.*

**ADOPTED BY THE DISTRICT BOARD APRIL 13, 2000**