

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT
ADVISORY COMMITTEE MEETING
FEBRUARY 27, 2007
MINUTES

Chairman Kuhn convened the meeting at approximately 7:35 p.m.

I. Director's Report

APCO Mike Villegas briefed the Committee on the BHP LNG facility proposed to be located in Ventura County waters. He said the District made a finding that Rule 26, New Source Review, would apply to the facility and require offsets and BACT. The District sent a letter informing the U.S. EPA of the District's position. EPA has not yet responded. The Coastal Commission may also make a determination that Rule 26 should apply to the proposed facility.

The District will be working with SBCAPCD and SLOCAPCD to develop identical registration programs to implement the state Air Toxics Control Measures for stationary and portable agricultural diesel engines.

II. Call to Order

Chairman Kuhn called the meeting to order at 7:45 p.m.

III. Roll Call

Present

Marilyn Miravete-Smith
Duane Vander Pluym
John Procter
Ryan Kinsella

Manuel Ceja
Michael Kuhn
Sara Head
Hugh McTernan

Absent

Stan Greene (excused)
Hector Irigoyen (excused)
Gayle Washburn (excused)
Scott Blough (excused)

Keith Moore (excused)
Stephen Garfield (excused)
Aaron Hanson

Staff

Don Price
Mike Villegas

Chris Frank

Public
Gregory Patterson
Ronald Peterson

IV. Minutes

The minutes of the January 23, 2007, meeting were approved as submitted.

V. Committee Comment

The Committee discussed the new nitrogen dioxide standard and proposed new ozone standard.

VI. Public Comment

There was no public comment.

VII. Old Business

Discussion of Advisory Committee member's proposal to form a subcommittee to explore ideas to restructure the APCD's finances.

The committee agreed to postpone discussion of this item until the next meeting.

VIII. New Business

Proposed Amendments to Rule 42 – Permit Fees

Staff member Don Price gave a presentation on the proposed rule amendments described in the staff report and memorandum to the Committee. The APCO gave the Committee additional details on financial challenges to the District, focusing especially on increased retirement fund contributions, and the recent reduction in District staffing to cut costs.

Committee members discussed the size of this year's proposed fee increase and the size of historical District fee increases.

The potential for cuts to the District's federal funding was discussed.

Committee member Kinsella suggested that the District consider coordinating with the city governments to collect fees for the purpose of recovering the costs of implementing the upcoming fugitive dust rule. The APCO said that the idea had been discussed with the cities and they wanted to District to take over all enforcement of dust requirements if fees were to be shared.

Committee member Ceja asked if fee increases could be automatically built into the rule rather than having yearly rulemaking. Staff member Frank responded that state law limits annual fee increases to an amount not exceeding the increase in the Consumer Price Index unless formal rulemaking and consideration by the Board in a public hearing is conducted.

Committee member Vander Pluym noted that staff is projecting that a 12.5 percent fee increase this year and an eight percent fee increase next year will be necessary. He asked why not two ten percent increases instead. The APCO responded that a higher increase this year would be easier to justify in light of the recent staff cuts and other cost cutting measures that have been implemented.

The Committee also discussed whether the air toxics fees should be increased. The APCO said the current fees charged for the air toxics program are sufficient to recover the costs of that program.

Committee member Head made a motion to recommend adoption of the proposed rule amendments. Committee member Miravete-Smith seconded the motion and it was approved unanimously.

IX. Adjournment

The meeting was adjourned at approximately 8:25 p.m.

Prepared by:
Chris Frank, APCD Staff