

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT
ADVISORY COMMITTEE MEETING
October 25, 2022
MINUTES

Chair Sara Head convened the meeting at approximately 6:05 p.m.

I. Director's Report

Ali R. Ghasemi, Air Pollution Control Officer, shared On July 14 EPA issued a proposed rule that Ventura County attained the 2008 National Ambient Air Quality Standard (NAAQS) for ozone. On October 22, 2022 EPA issued notice of final rulemaking confirming Ventura County attained the 2008 ozone NAAQS. Staff has been working on the 2022 Air Quality Management Plan, also referred to as a State Implementation Plan or SIP, to demonstrate attainment of the 2015 ozone NAAQS. We held a workshop on September 29, 2022, and no public comments were received at the workshop. There were a few comments received by email and they were just editorial recommendations that have been incorporated. Plan to take to Board on December 10, 2022.

Also we have been showcasing the District's activities and programs at various events, including Clean Air Day on October 5, 2022, National Drive Electric Week the last week of September, and a Clean Air Summit on October 12, 2022, hosted by Cold Coast Transit District where I was a panelist. Other than that, we still have some vacancies. Tyler is just moving into the Planning Division manager position. The Engineering and Monitoring manager positions are still vacant. Since Tyler moved into the Planning Manger position, his former Supervising engineer position is now vacant as well. We are also recruiting for a public information officer.

II. Call to Order

Chair Sara Head called the meeting to order at approximately 6:14 p.m.

III. Roll Call – conducted prior to Director's Report as introductions

Present

Donald Bird

Edward Carloni

Jan Hauser

Michael Hughes

Hugh McTernan

Richard Nick

Joan Burns

Stephen Frank

Sara Head

Kirsten Marble

Paul Meehan

Excused

Jay Berger
Leslie Cornejo
Rainford Hunter
Aracely Preciado

Steve Colomé
Jennifer Hernández
Thomas Lucas

Staff

Ali Ghasemi
Keith Macias
Henrik Lehnerer

Tyler Harris
John Henkelman
Juli Cromer

Public

none

IV. Minutes

Sara Head asked if any members would like to make a motion to approve the minutes. Steve Frank moved to approve the minutes of the March 25, 2021 Advisory Committee Meeting. Hugh McTernan seconded the motion. The Committee voted 11 yes, 0 no.

V. Chairman's Report/Comments from the Committee

No Chairman's report and the Sara Head asked if any other committee members had comments and none were offered.

VI. Public Comment

There was no public comment.

VII. Officer Elections

There was discussion of whether elections were needed. Ali Ghasemi noted the Clerk of the Air Pollution Control Board (APCB) sent notice that seven or eight of the current members are beyond their term, and need to be reappointed by the APCB. This will go before the APCB in January. Then the members will be known for the next terms and we can vote in new officers.

Sara Head, the current Committee Chair, shared she was willing to continue serving as Chair, if the committee decided so. The Committee agreed by consensus to have Sara Head continue as Chair for 2022 and hold elections in the first meeting of 2023.

Paul Meehan, current Vice-Chair, shared he was willing to serve again as Vice-Chair, if the committee decided so. The Committee agreed by consensus to have Paul Meehan continue as Vice-Chair for 2022 and hold elections in the first meeting of 2023.

Joan Burns asked how committee member appointments will be handled. Ali Ghasemi answered that the District will inform the various jurisdictions of the need to appoint committee members, either keep the same person if they are willing or appoint new members. The APCB will then appoint new committee members in January or February 2023.

Ali Ghasemi also discussed the loss of long-time APCB member Carmen Ramirez, and that her replacement was appointed by the Governor. Sara Head noted when Steve Bennett was elected to the State Assembly, she reached out to his replacement on the Ventura County Board of Supervisors, Matt LaVere and offered to continue serving. So if members want to remain on the committee, it is acceptable to reach out to new elected officials and city staff to let them know you are willing to continue. If you do this, ask them to contact the District and let us know what they want to do.

VIII. Old Business

There was no Old Business.

IX. New Business

Proposed Amendments to Rule 26.1 New Source Review – Definitions

Ali Ghasemi provided an overview of the proposal to amend Rule 26.1 and a brief PowerPoint presentation. EPA updated their definition of Volatile Organic Compounds (VOC) by adding new exempt counties. The District updated their definition of Reactive Organic Compounds (ROC) in Regulation 2, but the District decided not to exempt certain compounds due to their toxicity so the District could continue monitoring and controlling these emissions.

EPA determined it was unacceptable for facilities to create emission reduction credits (ERC) when reducing emissions of exempt compounds. So the District decided to adopt the EPA definition of VOC in our New Source Review (NSR) regulation for the purposes of generating ERC.

Ed Carloni asked about the difference between a ROC and VOC. Ali Ghasemi stated there are various terms used for essentially the same issue, such as VOC, ROC, or reactive organic gases (ROG) as used at other agencies. Sara Head noted for practical and regulatory purposes, all of the various terms are treated the same, except in this situation where one agency added exempt compounds that complicate a regulatory activity like NSR and ERC generation.

Ali Ghasemi noted that in the proposed rule amendment we are adding a new definition of ROC for the purposes of NSR and ERC. He then discussed the history of Rule 26.1 as shown on the presentation slides. Last time the rule was amended in November of 2006 the District added publicly owned biosolids processing as an essential public service.

The new definition of ROC for NSR purposes is based on 40 CFR 51.100(s), which includes all of the exempt compounds in EPA's definition of VOCs. A member asked about the exempt compounds, and Ali listed them and noted they are in the staff report. The compounds are:

1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea)

HCF2OCF2OCF2H (HFE-236cal2)

HCF2OCF2CF2OCF2H (HFE-338pcc13)

HCF2OCF2OCF2CF2OCF2H (H-Galden 1040x or H-Galden ZT 130 (or 150 or 180))

trans 1-chloro-3,3,3-trifluoroprop-1-ene

1,1,1-Tetrafluorodimethyl ether (HFE-134)

Another member asked if any facility had tried to create an ERC or use an exemption with any of these exempt compounds. So is it safe to say this amendment will have no impact on any existing facility or exemption. Ali Ghasemi responded that this is correct, these compounds were never used in the District and are not in our database.

Sara Head called for a motion. Ed Carloni made a motion to recommend the APCB approve the proposed amendments to Rule 26.1. Stephen Frank seconded the motion. The committee voted unanimously in favor of the motion.

Proposed Amendments to Rule 45.2 Asbestos Removal Fees

Ali Ghasemi provided an overview of the proposed amendments to Rule 45.2, which sets fees for operations regulated by the National Emission Standards for Hazardous Air Pollutants (NESHAP) for asbestos and District Rule 62.7 Asbestos – Demolition and Renovation. It was last amended in 2020 after 28 years.

The proposal is to remove the non-refundable fee language and adding language to refund fees less the cancellation fee.

Keith Macias stated that removing the nonrefundable language will be better for the constituents since it allows the District to refund fees and many of these are paid by small businesses. Right now everyone is submitting electronically and they pay right away, and this amendment will set up a better process. The intent of the regulation is to include our time for the investigation and review of the asbestos project. Our fees are slightly less than the neighboring districts.

Sara Head asked about the fiscal impact. There was significant discussion and it was determined the loss of revenue for the district will be insignificant.

A committee member asked if we were refunding fees anyway even with the nonrefundable language. Keith said recently we were refunding anyway, even though it was not authorized in the regulation. However, it became much more common for contractors to request a refund, 5 or 6 per month or more, and the cost of our time to process the notifications and refunds was not

being recovered. This will allow us to keep the cancellation fee and meet the intent of the regulation which is to cover our cost for administering the asbestos regulations.

Another committee member asked about the slight increase in the fees. Ali Ghasemi responded that the District is allowed to adjust fees by the Consumer Price Index (CPI). So since we are amending the rule, we did not want to send the wrong message by keeping the old fees from two years ago that have since been adjusted by the CPI. The fees listed in the rule revisions are not an increase from the fees currently imposed by the District.

Ali Ghasemi completed his presentation discussing the schedule for public process and adoption. There was no public workshop because the changes were administrative. The rule is scheduled to go before the APCB on January 10, 2023.

Richard Nick made a motion that the Committee recommend the rule amendments be adopted as written by staff. Hugh McTernan seconded the motion. The committee voted unanimously in favor of the motion.

Tyler Harris noted that the Advisory Committee Bylaws state the regular meetings are scheduled for the fourth Tuesday of the month. He stated the fourth Tuesday of November is the Tuesday before Thanksgiving and many people are unavailable that week. He asked the Committee to schedule the next regular meeting on the fifth Tuesday of November, which is the week after Thanksgiving, on November 29, 2022. There was no objection, so the next meeting will be November 29, 2022 at 6:00 PM.

Ali Ghasemi asked if the committee members would like to still receive hard copies, or is it acceptable to send a link or the whole packet by email. The committee members present agreed this would be good to move toward paperless operations. Ali said he will plan to send the packet a week before the meeting so it does not get lost if sent a month before the meeting.

X. Adjournment

Having no further business, the Chair adjourned the meeting at approximately 6:56 p.m.

Prepared by:

Tyler Harris

Air Pollution Control District Staff