

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT
ADVISORY COMMITTEE MEETING
May 26, 2009
MINUTES

Chairman Vander Pluym convened the meeting at approximately 7:30 p.m.

I. Director's Report

Mike Villegas, APCO, stated that the Board approved the amendment to Rule 42, Permit Fees, including a 3.5 percent fee increase.

The District's proposed fiscal year 2009-10 budget looks to be balanced.

The U.S. Environmental Protection Agency will be promulgating a direct final rule stating that Ventura County has attained the old federal 1-hour 120 parts per billion air quality standard for ozone.

II. Call to Order

Chairman Vander Pluym called the meeting to order at approximately 7:35 p.m.

III. Roll Call

Present

Stephen Garfield	Keith Moore
Sara Head	Michael Moore
Steven Kane	Greg Patterson
Kim Lim	Ron Peterson
Hugh McTernan	James Tovias
Marilyn Miravete-Smith	Duane Vander Pluym

Absent

Scott Blough (excused)	Stan Greene
Cameron Williams (excused)	Aaron Hanson
Michael Kuhn (excused)	

Staff

Mike Villegas	Stan Cowen
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Public

None

IV. Minutes

The minutes of the February 24, 2009, meeting were approved as drafted.

V. Committee Comment

Committee member James Tovas asked if staff had information regarding the proposed pyrolysis unit at the Toland landfill. Mike Villegas stated that pyrolysis is the process of thermal decomposition of materials in the absence of oxygen. The material volume is greatly reduced and creates a byproduct known as char. This process is being studied as an alternative to landfills. International Environmental Systems (IES) has proposed to cite a research unit at the Toland Landfill. APCD staff have met with Ventura Regional Sanitation District staff and an IES representative on very preliminary discussions regarding this proposal. One of the concerns some people have expressed regarding this technology is air toxics (dioxins). Any APCD permit for this type of unit would require any risk from air toxics to be controlled to a less than significant level. APCD staff has not had any recent contact with the project proponents.

Committee member Miravete-Smith asked about a newspaper article stating that Naval Base Ventura County was a significant source of toxics. Mike Villegas responded that the article was based on the U.S. EPA's Toxic Release Inventory data. The main source of toxics in the inventory was lead from the shooting range, which was not an air toxics issue.

Committee member Miravete-Smith asked about the newspaper article stating Ventura County received an "F" for ozone air quality. She stated she was under the impression that air quality was improving. Mike Villegas responded that air quality in Ventura County has been and continues to improve in the County. Ventura County attained the old federal one-hour 120 parts per billion ozone air quality standard in 2003. The District is working on our air quality management plan to attain the federal eight-hour 84 parts per billion ozone standard. Recently the U.S. EPA lowered the eight-hour ozone standard to 75 parts per billion. By 2013, we must develop a plan to attain this new standard. Receiving a passing grade requires attainment of the federal ozone standard. As one can see it is getting more difficult to receive a passing grade, even as air quality improves.

Committee member Keith Moore asked about the status of the gasoline station air pollution control equipment upgrades. Mike Villegas responded that the upgrades were proceeding, as equipment availability had improved. Mr. Villegas noted that the root of the problem could stem from having too many facilities subject to a requirement at once when implementing statewide rules. Perhaps starting a compliance clock from the time two or more systems are certified could help. Mr. Villegas noted that the District had not yet assessed any penalties. This turned out to be a good decision, as the state legislature had considered both extending the compliance deadline and limiting penalties.

VI. Public Comment

There was no public comment.

VII. New Business

Proposed New Rules 55.1, Paved Roads and Public Unpaved Roads, and 55.2, Street Sweeping Equipment

Stan Cowen, of APCD staff, gave an overview of the proposed new rules. The main points were as follows:

Rule 55.1:

- The owner of a public paved road would need to begin removal of any visible roadway accumulation covering over 200 square feet within 72 hours of notification by the APCD. Complete removal would need to be performed within 10 days of notification. The owner could request an extension of up to 90 days. This requirement would not apply to roadways with under 1,000 average daily trips.
- New construction and widening of paved roads with 1,000 or more average daily trips would need to have curbs and paved shoulders. Alternatives to paved shoulders would be allowed. An additional requirement applies to paved roads with medians.
- Dust emissions from construction equipment on an unpaved public road would be limited by two visible emission standards: 1) no more than a 100 foot dust plume; and 2) no visible dust that results in 20 percent or more opacity.

Rule 55.2:

- All newly purchased and leased street sweepers would need to be PM-10 certified pursuant to SCAQMD Rule 1186. No person would be allowed to operate a street sweeper for routine sweeping unless the sweeper is PM-10 certified.
- All routine sweepers would need to be properly maintained and operated. The proposed rule exempts construction sweepers, parking lot sweepers, and sweepers used on private roads.

Committee member Head asked if the Rule 55.1 requirements for unpaved roads could impact the banking of PM emission reductions from the paving of unpaved roads. Mike Villegas responded that the Rule 55.1 requirements for unpaved roads apply only to construction equipment, so there will not be an impact on banking.

Committee member Keith Moore asked if Rule 55.2 required the sweeping of streets. Stan Cowen replied no; however, if a sweeper is being used it would need to be PM-10

certified. Rule 55.1 would require the removal of material accumulations on roadways, in certain cases.

Committee member Michael Moore stated that proposed legislation (AB 1409) could adversely impact the County's ability to amend a contract to comply with these rules.

Chairman Vander Pluym stated that the provisions of Rule 55.1.B.2.a and b, should apply only in cases where there is adequate public right of way. Also rolled curbs should be allowed as they are beneficial to wildlife in some areas. Staff agreed these suggestions should be included in the rule.

Committee member Keith Moore suggested that Rule 55.1.B.2.a.1) be amended to allow "curbs or swales." Staff agreed this should be included in the rule.

It was moved (Head) and seconded (Peterson) to recommend adoption of Rule 55.1 as proposed by staff including the amendments related to curbs. The motion passed with 9 yes votes and 2 no votes.

It was moved (Peterson) and seconded (McTernan) to recommend adoption of Rule 55.2 as proposed by staff. The motion passed unanimously.

VIII. Adjournment

The meeting was adjourned at approximately 8:50 p.m.

Prepared by:

Mike Villegas
Air Pollution Control District Staff