

2009

## 2009 Annual Report Bay Area Air Management Quality District

Bay Area Air Quality Management District

Follow this and additional works at: [https://digitalcommons.law.ggu.edu/caldocs\\_agencies](https://digitalcommons.law.ggu.edu/caldocs_agencies)



Part of the [Environmental Law Commons](#)

---

### Recommended Citation

Bay Area Air Quality Management District, "2009 Annual Report Bay Area Air Management Quality District" (2009). *California Agencies*. 441.

[https://digitalcommons.law.ggu.edu/caldocs\\_agencies/441](https://digitalcommons.law.ggu.edu/caldocs_agencies/441)

This Cal State Document is brought to you for free and open access by the California Documents at GGU Law Digital Commons. It has been accepted for inclusion in California Agencies by an authorized administrator of GGU Law Digital Commons. For more information, please contact [jfischer@ggu.edu](mailto:jfischer@ggu.edu).

ANNUAL REPORT

BAY AREA  
**AIR  
QUALITY**  
MANAGEMENT  
DISTRICT

2009



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

[WWW.BAAQMD.GOV](http://WWW.BAAQMD.GOV)

**Jack P. Broadbent**  
Executive Officer  
Air Pollution Control Officer



**In 2009, the Air District** continued to take a flexible and multifaceted approach in our efforts to improve air quality in the region.

Last year, we concentrated many of our resources at the local level, as we worked to ensure that all Bay Area residents, regardless of economic circumstance, have clean air to breathe. As part of our Clean Air Communities Initiative, we identified six communities that are especially impacted by toxic air contaminants. In these communities, the Air District will conduct enhanced air monitoring, provide grants and incentives, and offer assistance to local jurisdictions to encourage community-wide approaches to solving air pollution problems.

High levels of particulate matter pollution have been linked to a range of health problems, from chronic bronchitis and high blood pressure to heart attacks and increased overall mortality rates. In West Oakland, diesel particulate pollution contributes to a cancer risk from ambient air pollution that is three times the regional average. Our \$22 million port truck program enabled the retrofit or replacement of 1,100 dirty truck engines, thereby significantly reducing the pollution burden in that community.

In the wintertime, we continued to educate the public about the hazards of particle pollution from fireplaces and woodstoves. Air District public opinion surveys showed that seasonal wood-burning has dropped more than 50 percent since our wood-burning regulation was passed in 2008.

We strengthened and enhanced our core programs in the past year, revising rules such as the Toxics New Source Review regulation. The new rule amendments increased the rigor of our permitting requirements by a factor of two to three, making it especially protective of infants and children.

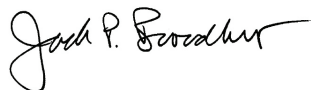
“...we will continue to pursue  
our vision of providing a healthy  
breathing environment for every  
Bay Area resident.”

In 2009, we began work on our *2010 Clean Air Plan*, which for the first time will consider strategies for reducing ozone, particulate matter, air toxics, and greenhouse gases all together in a comprehensive and integrated manner. In conjunction with that effort, the Air District continued revising our *CEQA Guidelines*, which will help local cities and counties identify and reduce potential air quality impacts from development projects over which they have decision-making authority. Both documents are tools that will help local jurisdictions in their planning efforts as California's SB 375 land use legislation goes into effect.

Throughout the year, the Air District worked to incorporate climate protection into our traditional programs. In May, we hosted a Climate Action Leadership Summit for local government agencies. In December, the Air District's Deputy Air Pollution Control Officer traveled to Copenhagen to take her place on a panel at the international United Nations Climate Change Conference. Since climate change is arguably the greatest global air quality challenge of our time, it is important for local agencies like us to do our part to control our regional greenhouse gas impacts.

The Bay Area Air District is proud of our 55-year history of air quality success, but as the region continues to grow, there is still more work to be done. In the years to come, we will continue to pursue our vision of providing a healthy breathing environment for every Bay Area resident. Working together with the state, cities and counties in our region, and the public, we are confident we can achieve this goal.

On behalf of the Air District's dedicated employees, it is my pleasure to present our 2009 Annual Report.



Jack P. Broadbent  
Executive Officer  
Air Pollution Control Officer



## Bay Area Air Quality

---

### 2009 EXCEEDANCES OF AIR QUALITY STANDARDS

---

#### OZONE

Days over National 8-Hour Standard	8
Days over California 1-Hour Standard	11
Days over California 8-Hour Standard	13

---

#### PARTICULATE MATTER

Days over National 24-Hour PM <sub>10</sub> Standard	0
Days over California 24-Hour PM <sub>10</sub> Standard	1
Days over National 24-Hour PM <sub>2.5</sub> Standard	11

## Rulemaking Activity

### 2009 RULES ADOPTED OR AMENDED

#### MARCH 4

Regulation 11: Hazardous Pollutants

**Rule 16:** Perchloroethylene and Synthetic Solvent Dry Cleaning Operations (Amended)

Regulation 8: Organic Compounds

**Rule 17:** Non-Halogenated Solvent Dry Cleaning Operations (Amended)

Regulation 8: Organic Compounds

**Rule 27:** Synthetic Solvent Dry Cleaning Operations (Deleted)

Regulation 2: Permits

**Rule 1:** General Provisions (Amended)

#### APRIL 15

Regulation 8: Organic Compounds

**Rule 33:** Gasoline Bulk Terminals and Gasoline Cargo Tanks (Amended)

Regulation 8: Organic Compounds

**Rule 39:** Gasoline Bulk Plants and Gasoline Cargo Tanks (Amended)

#### MAY 20

Regulation 3: Fees (Amended)

#### JULY 1

Regulation 8: Organic Compounds

**Rule 3:** Architectural Coatings (Amended)

#### AUGUST 5

Regulation 8: Organic Compounds

**Rule 32:** Wood Products Coatings (Amended)

**Manual of Procedures, Volume I, Part 6**  
Emissions Averaging Procedure (Amended)

#### DECEMBER 2

Regulation 8: Organic Compounds

**Rule 50:** Polyester Resin Operations (Amended)

## Permitting Activity

### 2009 BAY AREA PERMITTED FACILITIES

Refineries	5
Gasoline-Dispensing Facilities	2,562
Major Facilities Excluding Refineries	87
Smaller Industrial Facilities	7,628
<b>Total</b>	<b>10,282</b>

### 2009 NEW PERMIT APPLICATIONS RECEIVED

Major Facility Review (Title V)	53
Gasoline-Dispensing Facilities	905
Other Facilities	1,014
<b>Total</b>	<b>1,972</b>

## Toxics Program Activity

### 2009 HEALTH RISK SCREENING ANALYSES

Diesel Engines	284
Gasoline-Dispensing Facilities	13
Other Commercial/Industrial	40
<b>Total Number of Analyses</b>	<b>337</b>
<b>Total Number of Facilities</b>	<b>309</b>

# Compliance & Enforcement Activity

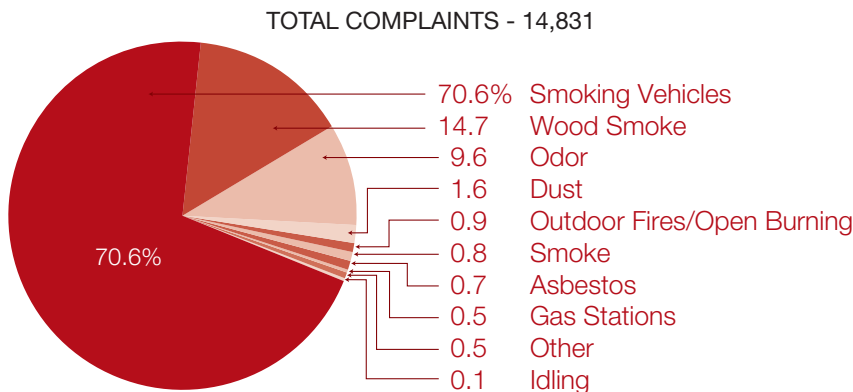
## 2009 COMPLIANCE INSPECTIONS

Source Inspections	8,336
Air Pollution Complaints (Excluding Smoking Vehicles)	4,367
Gasoline-Dispensing Facility Inspections	447
Asbestos Inspections	1,620
Reportable Compliance Activities	577
Diesel Compliance and Grant Inspections	2,575
<b>Total</b>	<b>17,922</b>

## 2009 VIOLATIONS AND PENALTIES

Violations Resolved	643
Civil Penalties Collected	\$1,814,848

## AIR POLLUTION COMPLAINT CATEGORIES





## Source Test Activity

### 2009 NUMBER OF SOURCE TESTS

Refinery Source Tests	407
Compliance Rate	99.3%
Title V Facility Source Tests (excluding Refineries)	347
Compliance Rate	97.4%
Gasoline Cargo Tank Source Tests	412
Compliance Rate	97.1%
Gasoline-Dispensing Facility Source Tests	12,741
Compliance Rate	99.6%
Other Miscellaneous Source Tests	245
Compliance Rate	94.3%
<b>Total Source Tests</b>	<b>14,152</b>
<b>Total Violations</b>	<b>84</b>
<b>Compliance Rate</b>	<b>99.4%</b>

## Laboratory Activity

### 2009 SAMPLES ANALYZED IN LAB\*

PM <sub>10</sub>	686
PM <sub>2.5</sub>	2,432
Toxics	663
Cartridge/Aldehyde	145
VOC and Speciation	36
Aldehyde	26
Metals	23
Asbestos	44
Microscopy	13
VOC	39
Misc.	37
<b>Total</b>	<b>4,144</b>

\*The lab was partially shut down for renovation in November and December.





## Grant and Incentive Programs

### CARL MOYER PROGRAM / MOBILE SOURCE INCENTIVE FUND – 2009

Total Funds Awarded	\$21.9 M
Number of Engines Covered by Grant Projects	239
Percent of Funding Awarded to Projects in Impacted Communities	75
Estimated Lifetime Emissions Reduction for the Projects Funded (tons)	
Reactive Organic Gases (ROG)	56
Oxides of Nitrogen (NO <sub>x</sub> )	1,416
Particulate Matter (PM <sub>10</sub> )	88
<b>Total</b>	<b>1,560</b>

### GOODS MOVEMENT PROGRAM – 2009

Total Funds Awarded	\$6.9 M
Number of Engines Covered by Grant Projects	423
Percent of Funding Awarded to Projects in Impacted Communities	100
Estimated Lifetime Emissions Reduction for the Projects Funded (tons)	
Oxides of Nitrogen (NO <sub>x</sub> )	14
Particulate Matter (PM <sub>10</sub> )	43
<b>Total</b>	<b>57</b>

### TFCA REGIONAL FUND GRANTS – 2009

Total Funds Awarded	\$3.8 M
Number of Projects/Programs Awarded Grants	10
Estimated Lifetime Emissions Reduction for the Projects Funded (tons)	
ROG	37
NO <sub>x</sub>	40
PM <sub>10</sub>	24
<b>Total</b>	<b>101</b>
Carbon Dioxide (CO <sub>2</sub> ) - a Greenhouse Gas (tons)	47,629

**TFCA COUNTY PROGRAM MANAGER FUND GRANTS – FY 2009/2010**

Total Funds Awarded	\$8.5 M
Number of Projects Awarded Grants	60
Estimated Emissions Reduction for the Projects Funded (tons)	
ROG	94
NO <sub>x</sub>	127
PM <sub>10</sub>	46
<b>Total</b>	<b>267</b>
CO <sub>2</sub>	103,000

**VEHICLE BUY BACK PROGRAM – 2009**

Number of Vehicles Scrapped in 2009	6,616
Estimated Emissions Reduction (tons):	
ROG	437
NO <sub>x</sub>	304
PM <sub>10</sub>	4
<b>Total</b>	<b>745</b>
Number of Vehicles Scrapped since Program Inception (June 1996 to end of 2009)	49,426

**BICYCLE FACILITY PROGRAM – FY 2009/2010**

Total Funds Awarded	\$601,500
Number of Projects Awarded Grants	13

**WOOD SMOKE REDUCTION REBATE PROGRAM – 2009**

Number of Conversions	158
-----------------------	-----



## Public Outreach Activities

### 2009 SPARE THE AIR PROGRAM

Spare the Air Days	14
AirAlert Registrations	97,974
Employers Registered	2,025
Schools Registered	58
Winter Spare the Air Alerts	9

### 2009 SMOKING VEHICLE PROGRAM

Vehicles Reported	10,464
-------------------	--------

### 2009 COMMUNITY OUTREACH MEETINGS/EVENTS

Local Community Meetings	35
Impacted Communities/CARE Program/Goods Movement	44
Youth Outreach/Events	15
Community Grants and Climate Change	5
Fairs and Events	71
<b>Total</b>	<b>170</b>



## CARE Program

---

### 2009 MAJOR ACCOMPLISHMENTS

---

- Worked with the Air District's Engineering Division staff and the Cumulative Impacts Working Group to consider and propose updates to the District's *Regulation 5, Rule 2, Toxics New Source Review* (which was amended on January 6, 2010).
  - Worked with the Air District's Strategic Incentives Division staff to target incentive funds in the six impacted communities identified through the CARE program.
  - In partnership with the Desert Research Institute, conducted community-scale saturation monitoring in West Oakland with dozens of air quality measurement sites supplementing a central monitor. Mobile sampling was begun with the Air District's Mobile Sampling Laboratory, a van that supports fast-response instruments for both gaseous and particulate pollutants, including black carbon. The supplemental monitoring will be used to map pollutant gradients, compare them with the recently completed West Oakland Health Risk Assessment, and help quantify the risk from on-road trucks and other sources of diesel PM.
  - Worked with the Air District's Technical Services Division to monitor for fine particulate metals at multiple locations upwind and downwind of a metal melting and recycling facility in West Oakland. The data will be analyzed, compared with a health risk assessment for the facility, and used to address community concerns and support development of a draft regulation for metal melting facilities.
  - Developed a proposed set of air quality thresholds of significance for toxic compounds and fine particulate matter for California Environmental Quality Act, or CEQA, analyses within the Air District's jurisdiction. The proposed thresholds for local risks and hazards are documented in the *Revised Draft Options and Justification Report – California Environmental Quality Act Thresholds of Significance* (Draft Options Report; BAAQMD; October 2009).
-



## 2009 Legislative Summary

The Air District formally adopted positions on 21 bills during 2009. Last year, California's fiscal crisis outweighed all other issues in Sacramento, and very few measures that had significant costs were passed by the Legislature, including measures that would reduce air pollution.

None of the seven bills the Air District opposed moved past their first policy committee, let alone became law. The following seven measures supported by the Air District were passed by the Legislature:

- AB 96 (Ruskin), which makes changes to the gasoline underground storage tank grant program.
- AB 318 (Emmerson), which cleans up smog check amnesty qualification requirements.
- AB 892 (Furutani), which allows simpler reallocation of Prop 1B Goods Movement air quality projects.
- AB 1527 (Lieu), which would allow a single motor vehicle emission reduction project to be funded from multiple grant programs.
- SB 406 (DeSaulnier), which would allow increases of \$1 or \$2 in vehicle registration fees to implement SB 375.
- SB 728 (Lowenthal), which allows cities, counties, and air districts to enforce existing parking cash-out law.
- SB 811 (DeSaulnier), which would require specially constructed vehicles from out-of-state to meet emissions requirements for their year of manufacture.

Four of these bills were signed into law by the Governor. The Governor vetoed AB 1527, SB 406, and SB 811.

---

In addition, the Air District sponsored AB 1431 by Assemblyman Jerry Hill, which would require the Port of Oakland to have a more stringent emissions reduction program. Strongly opposed by the Port and business interests, the measure failed to advance past the Assembly Transportation Committee.

## Executive Management Staff

### **Jack P. Broadbent**

Executive Officer / Air Pollution Control Officer

### **Brian C. Bunger**

District Counsel

### **Jeff McKay**

### **Jean Roggenkamp**

Deputy Air Pollution Control Officers

### **Jennifer Chicconi**

Manager, Executive Operations

## Division Directors

### **Brian Bateman**

Engineering

### **Damian Breen**

Strategic Incentives

### **John Chiladakis**

Information Systems Services

### **Jack M. Colbourn**

Administrative Services

### **Lisa Fasano**

Communications and Outreach

### **Henry Hilken**

Planning, Rules and Research

### **Eric Stevenson**

Technical Services

### **Kelly Wee**

Compliance and Enforcement

## 2009 Board of Directors

### **Alameda County**

Tom Bates, Secretary  
Scott Haggerty  
Jennifer Hosterman  
Nate Miley

### **Contra Costa County**

John Gioia  
Mark Ross  
Michael Shimansky  
Gayle B. Uilkema

### **Marin County**

Harold C. Brown, Jr.

### **Napa County**

Brad Wagenknecht, Vice Chair

### **San Francisco County**

Chris Daly  
Eric Mar  
Gavin Newsom

### **San Mateo County**

Carole Groom  
Carol L. Klatt

### **Santa Clara County**

Susan Garner  
Yoriko Kishimoto  
Liz Kniss  
Ken Yeager

### **Solano County**

James Spring

### **Sonoma County**

Pamela Torliatt, Chair  
Shirlee Zane





#### Websites

[www.baaqmd.gov](http://www.baaqmd.gov)  
[www.sparetheair.org](http://www.sparetheair.org)  
[www.twitter.com/@sparetheair](https://twitter.com/sparetheair)  
[www.facebook.com/pages/  
Spare-the-Air-Bay-Area  
/47318701051](https://www.facebook.com/pages/Spare-the-Air-Bay-Area/47318701051)



#### Daily Air Quality Forecasts

- Spare the Air Advisories
  - Agricultural Burn Days
  - Informational Materials
- (800) HELP AIR (435-7247)



#### Report Smoking Vehicles

(800) EXHAUST (394-2878)  
[www.1800exhaust.org](http://www.1800exhaust.org)



#### Air Pollution Complaints

(800) 334-ODOR (6367)



#### Winter Spare the Air Alerts

(877) 4-NO-BURN (466-2876)



#### General Business

(415) 771-6000

#### Public Information

(415) 749-4900

#### Compliance Assistance

(415) 749-4999

#### Engineering Services

(415) 749-4990

#### Vehicle Buy Back Program

(888) 690-2274



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

[WWW.BAAQMD.GOV](http://WWW.BAAQMD.GOV)