



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## BOARD OF DIRECTORS REGULAR MEETING JUNE 6, 2018

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:30 a.m. in the 1<sup>st</sup> Floor Board Room at the Air District Headquarters, 375 Beale Street, San Francisco, California 94105.

### Questions About an Agenda Item

The name, telephone number and e-mail of the appropriate staff Person to contact for additional information or to resolve concerns is listed for each agenda item.

### Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:30 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

This meeting will be webcast. To see the webcast, please visit [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas) at the time of the meeting. Closed captioning may contain errors and omissions, and are not certified for their content or form.

## Public Comment Procedures

Persons wishing to make public comment must fill out a Public Comment Card indicating their name and the number of the agenda item on which they wish to speak, or that they intend to address the Board on matters not on the Agenda for the meeting.

**Public Comment on Non-Agenda Matters, Pursuant to Government Code Section 54954.3** Speakers wishing to address the Board on non-agenda matters will be heard at the end of the agenda, and each will be allowed up to three minutes to address the Board at that time.

Members of the Board may engage only in very brief dialogue regarding non-agenda matters, and may refer issues raised to District staff for handling. In addition, the Chairperson may refer issues raised to appropriate Board Committees to be placed on a future agenda for discussion.

**Public Comment on Agenda Items** The public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.

Speakers may speak for up to three minutes on each item on the Agenda. However, the Chairperson or other Board Member presiding at the meeting may limit the public comment for all speakers to fewer than three minutes per speaker, or make other rules to ensure that all speakers have an equal opportunity to be heard. The Chairperson or other Board Member presiding at the meeting may, with the consent of persons representing both sides of an issue, allocate a block of time (not to exceed six minutes) to each side to present their issue.

# BOARD OF DIRECTORS REGULAR MEETING AGENDA

WEDNESDAY  
JUNE 6, 2018  
9:30 A.M.

BOARD ROOM  
1<sup>ST</sup> FLOOR

## CALL TO ORDER

Chairperson, David Hudson

1. **Opening Comments**  
**Roll Call**  
**Pledge of Allegiance**

*The Chair shall call the meeting to order and make opening comments. The Clerk of the Boards shall take roll of the Board members. The Chair shall lead the Pledge of Allegiance.*

## CONSENT CALENDAR (ITEMS 2-7)

Staff/Phone (415) 749-

2. Minutes of the Board of Directors Special Meeting Budget Hearing of May 2, 2018 and Regular Meeting of May 2, 2018  
Clerk of the Boards/5073

*The Board of Directors will consider approving the draft minutes of the Board of Directors Special Meeting Budget Hearing of May 2, 2018 and Regular Meeting of May 2, 2018.*

3. Board Communications Received from May 2, 2018 through June 5, 2018

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*A copy of communications directed to the Board of Directors received by the Air District from May 2, 2018 through June 5, 2018, if any, will be at each Board Member's place.*

4. Air District Personnel on Out-of-State Business Travel

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*In accordance with Section 5.4 (b) of Air District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memorandum lists Air District personnel who have traveled on out-of-state business in the preceding month.*

5. Notices of Violations Issued and Settlements in excess of \$10,000 during the month of April 2018

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*In accordance with Resolution No. 2012-08, the Board of Directors will receive a list of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the month of April 2018.*

6. Quarterly Report of the Executive Office and Division Activities for the Months of January 2018 – March 2018  
J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*A summary of the Board of Directors, Hearing Board and Advisory Council meeting activities for the first quarter is provided for information only. Also included is a summary of the Executive Office and Division Activities for the months of January 2018 – March 2018.*

7. Authorization to Execute Contract Amendments for Production System Office  
J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to execute contract amendments with C&G Technology, Clearsparc, Trinity, Cylogy, Malinda Lai, Farrallon Geographics, Avant Page and Rightpoint in an amount not to exceed \$569,557 for software development, website management support, interactive mapping, and language translation infrastructure support.*

### **COMMITTEE REPORTS**

8. Report of the **Personnel Committee** Meeting of May 7, 2018  
CHAIR: J. Spering

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee received the following reports:*

**A) Recommend Reappointment of Five Incumbents and Interview and Recommend Applicants for Advisory Council Vacancies**

- 1) *Approval of up to two candidates for appointment and recommend reappointment of five incumbents to serve an additional two-year term to the Air District's Advisory Council.*
  - a) *The reappointment of Advisory Council incumbents (Chairperson) Stan Hayes, Severin Borenstein, Ph.D., (Vice Chairperson) Michael Kleinman, Ph.D., Tim Lipman, Ph.D., and Jane Long, Ph.D., to serve additional two-year terms; and*
  - b) *The appointment of Gina Solomon, M.D., M.P.H. to the Advisory Council to serve a two-year term; and*
  - c) *The appointment of Linda Rudolph, M.D., M.P.H. to the Advisory Council to serve a two-year term.*

For the full Committee agenda packet and materials, click on the link below:  
[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

9. Report of the **Stationary Source Committee** Meeting of May 21, 2018  
CHAIR: J. Gioia

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee received the following reports:*

**A) Update on the Preliminary Best Available Retrofit Control Technology (BARCT) Evaluation and Identification of Potential Rule Development Projects**

1) *None; receive and file.*

**B) Update on the Air District's Basin-Wide Methane Strategy**

1) *None; receive and file.*

**C) Update on Regulation 11, Rule 18 – Reduction of Risk from Air Toxic Emissions at Existing Facilities**

1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

10. Report of the **Mobile Source Committee** Meeting of May 24, 2018

CHAIR: S. Haggerty

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee received the following reports:*

**A) Projects and Contracts with Proposed Grant Awards Over \$100,000**

1) *None; receive and file.*

**B) Fiscal Year Ending (FYE) 2019 Transportation Fund for Clean Air (TFCA) Regional Fund Policies & Evaluation Criteria**

1) *None; receive and file.*

**C) New Program: Clean and Electric Vehicle Adoption in Disadvantaged Communities**

1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

11. Report of the **Climate Protection Committee** Meeting of June 4, 2018

CHAIR: T. Barrett

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee received the following reports:*

**A) Climate Protection Grants**

1) *The Committee will consider recommending Board of Directors' approval of proposed projects for the 2018 Climate Protection Grant Program and authorization for the Executive Officer/APCO to execute grant agreements for the recommended projects.*

**B) Consumption-Based Greenhouse Gas Emissions Inventory**

2) *None; receive and file.*

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

12. Report of the **Ad Hoc Building Oversight Committee** Meeting of June 6, 2018  
**CHAIR: M. Ross** **J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee received the following reports:*

**A) Discussion of Space on the Eighth Floor of 375 Beale Street and Recommendation to Purchase**

- 1) *The Committee will consider recommending that the Board of Directors approve the purchase of approximately 11,400 rentable square feet (rsf), but not more than 13,000 rsf, on the 8th Floor of 375 Beale Street, in substantially the form of Attachment A, Purchase and Sale Agreement (PSA) and Joint Escrow Instructions, at a price of \$385/rsf, with a total purchase price not to exceed \$5,005,000, and authorize the Executive Officer to negotiate and execute the Purchase and Sale Agreement and Joint Escrow Instructions with the Bay Area Headquarters Authority (BAHA), and to negotiate and execute amended Covenants, Conditions, and Restrictions (CC&Rs).*
- 2) *Closed Session: Real Property Negotiations – (Government Code Section 54956.8) The Committee will meet in closed session pursuant to Government Code Section 54956.8 to confer with real property negotiators to discuss acquisition of real property.*

*Property* 3033, 3065, and 3095 Richmond Parkway, Richmond, CA 94806

*Air District Negotiators:* Jack P. Broadbent, Executive Officer/APCO  
Rex Sanders, Chief Administrative Officer

Negotiating Parties: Wang Brothers Investment, LLC

*Under Negotiation: Price and Terms*

For the full Committee agenda packet and materials, click on the link below:

[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)

## PRESENTATION

13. Governor's Global Climate Action Summit 2018 J. Broadbent/5052  
jbbroadbent@baaqmd.gov

*Staff will update the Board of Directors on Air District plans for hosting a high-level event in conjunction with Governor Brown's Global Climate Action Summit 2018, to be held in San Francisco in September of 2018.*

## **PUBLIC HEARINGS**

14. Public Hearing to Consider Adoption of Proposed Amendments to Air District Regulation 3: Fees, and Approval of the Filing of a Notice of Exemption from the California Environmental Quality Act

**J. Broadbent/5052**

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider adoption of proposed amendments to Air District Regulation 3: Fees that would become effective on July 1, 2018, and approval of a Notice of Exemption from the California Environmental Quality Act.*

15. Public Hearing to Consider Adoption of the Air District's Proposed Budget for Fiscal Year Ending (FYE) 2019

**J. Broadbent/5052**

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will hold a final Public Hearing and will consider the adoption of a resolution to approve the Proposed Budget for FYE 2019 and various budget related actions.*

## **PUBLIC COMMENT ON NON-AGENDA MATTERS**

16. **Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

*Speakers will be allowed up to three minutes each to address the Board on non-agenda matters.*

## **BOARD MEMBERS' COMMENTS**

17. *Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

## **OTHER BUSINESS**

18. Report of the Executive Officer/APCO

19. Chairperson's Report

20. Time and Place of Next Meeting:

*Wednesday, July 18, 2018, at Beale Street, San Francisco, CA 94105 at 9:30 a.m.*

21. Adjournment

*The Board meeting shall be adjourned by the Board Chair.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**  
[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Members of the Board of Directors” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

**Accessibility and Non-Discrimination Policy**

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at [www.baaqmd.gov/accessibility](http://www.baaqmd.gov/accessibility) to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at [rsanders@baaqmd.gov](mailto:rsanders@baaqmd.gov).

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
**375 BEALE STREET, SAN FRANCISCO, CALIFORNIA 94105**  
**FOR QUESTIONS PLEASE CALL (415) 749-4941**

**EXECUTIVE OFFICE:**  
**MONTHLY CALENDAR OF AIR DISTRICT MEETINGS**

**JUNE 2018**

| <b><u>TYPE OF MEETING</u></b>                                                                                                                              | <b><u>DAY</u></b> | <b><u>DATE</u></b> | <b><u>TIME</u></b> | <b><u>ROOM</u></b>               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------|--------------------|----------------------------------|
| <b>Board of Directors Ad Hoc Building Oversight Committee</b><br><i>(At the Call of the Chair)</i>                                                         | Wednesday         | 6                  | 9:00 a.m.          | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Regular Meeting</b><br><i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>                             | Wednesday         | 6                  | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Executive Committee</b><br><i>(At the Call of the Chair)</i><br>- CANCELLED AND RESCHEDULED TO MONDAY,<br>JULY 23, 2018 AT 9:30 A.M. | Monday            | 18                 | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Regular Meeting</b><br><i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i><br>- CANCELLED              | Wednesday         | 20                 | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Technology Implementation Office Steering Committee</b><br><i>(At the Call of the Chair)</i>                                         | Thursday          | 21                 | 1:00 p.m.          | 1st Floor, Ohlone Room #107      |
| <b>Board of Directors Budget &amp; Finance Committee</b> <i>(Meets on the 4<sup>th</sup> Wednesday of each Month)</i><br>- CANCELLED                       | Wednesday         | 27                 | 9:30 a.m.          | 1st Floor, Yerba Buena Room #109 |
| <b>Board of Directors Mobile Source Committee</b> <i>(Meets on the 4<sup>th</sup> Thursday of each Month)</i><br>- CANCELLED                               | Thursday          | 28                 | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room |

**JULY 2018**

| <b><u>TYPE OF MEETING</u></b>                                                                                                                 | <b><u>DAY</u></b> | <b><u>DATE</u></b> | <b><u>TIME</u></b> | <b><u>ROOM</u></b>               |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------|--------------------|----------------------------------|
| <b>Board of Directors Regular Meeting</b><br><i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i><br>- CANCELLED | Wednesday         | 4                  | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Personnel Committee</b><br><i>(At the Call of the Chair)</i>                                                            | Thursday          | 12                 | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Stationary Source Committee</b> <i>(Meets on the 3<sup>rd</sup> Monday of every other Month)</i>                        | Monday            | 16                 | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Regular Meeting</b><br><i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>                | Wednesday         | 18                 | 9:30 a.m.          | 1 <sup>st</sup> Floor Board Room |

## JULY 2018

| <u>TYPE OF MEETING</u>                                                                                                               | <u>DAY</u> | <u>DATE</u> | <u>TIME</u> | <u>ROOM</u>                      |
|--------------------------------------------------------------------------------------------------------------------------------------|------------|-------------|-------------|----------------------------------|
| <b>Board of Directors Climate Protection Committee</b><br><i>(Meets on the 3<sup>rd</sup> Thursday of every other Month)</i>         | Thursday   | 19          | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Executive Committee</b><br><i>(At the Call of the Chair)</i>                                                   | Monday     | 23          | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Budget &amp; Finance Committee</b> <i>(Meets on the 4<sup>th</sup> Wednesday of each Month)</i><br>- CANCELLED | Wednesday  | 25          | 9:30 a.m.   | 1st Floor, Yerba Buena Room #109 |
| <b>Board of Directors Ad Hoc Refinery Oversight Committee</b> <i>(At the Call of the Chair)</i>                                      | Wednesday  | 25          | 9:30 a.m.   | 1st Floor, Yerba Buena Room #109 |
| <b>Board of Directors Mobile Source Committee</b> <i>(Meets on the 4<sup>th</sup> Thursday of each Month)</i>                        | Thursday   | 26          | 9:30 a.m.   | 1st Floor, Yerba Buena Room #109 |

## AUGUST 2018

| <u>TYPE OF MEETING</u>                                                                                                         | <u>DAY</u> | <u>DATE</u> | <u>TIME</u> | <u>ROOM</u>                      |
|--------------------------------------------------------------------------------------------------------------------------------|------------|-------------|-------------|----------------------------------|
| <b>Board of Directors Regular Meeting</b><br><i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i> | Wednesday  | 1           | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Regular Meeting</b><br><i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i> | Wednesday  | 15          | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room |
| <b>Board of Directors Budget &amp; Finance Committee</b> <i>(Meets on the 4<sup>th</sup> Wednesday of each Month)</i>          | Wednesday  | 22          | 9:30 a.m.   | 1st Floor, Yerba Buena Room #109 |
| <b>Board of Directors Mobile Source Committee</b> <i>(Meets on the 4<sup>th</sup> Thursday of each Month)</i>                  | Thursday   | 23          | 9:30 a.m.   | 1 <sup>st</sup> Floor Board Room |

HL – 6/1/18 – 10:00 a.m.

G/Board/Executive Office/Moncal

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 15, 2018

Re: Minutes of the Board of Directors' Special Meeting Budget Hearing and Regular Meeting  
of May 2, 2018

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RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors Special Meeting Budget Hearing and Regular Meeting of May 2, 2018.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Special Meeting Budget Hearing and Regular Meeting of May 2, 2018.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 2A: Draft Minutes of the Board of Directors Special Meeting Budget Hearing of  
May 2, 2018

Attachment 2B: Draft Minutes of the Board of Directors Regular Meeting of May 2, 2018

## AGENDA 2A - ATTACHMENT

Draft Minutes - Board of Directors Special Meeting / Budget Hearing of May 2, 2018

Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105  
(415) 749-5073

Board of Directors Special Meeting / Budget Hearing  
Wednesday, May 2, 2018

### **DRAFT MINUTES**

*Note: Audio recordings of the meeting are available on the website of the  
Bay Area Air Quality Management District at  
[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

### **CALL TO ORDER**

1. Board of Directors (Board) Chairperson, David Hudson, called the meeting to order at 9:33 a.m.

#### **Roll Call:**

Present: Chairperson David Hudson; Vice Chairperson Katie Rice; Secretary Rod Sinks; and Directors John J. Bauters, David J. Canepa, Cindy Chavez, Pauline Russo Cutter, John Gioia, Carole Groom, Scott Haggerty, Tyrone Jue, Doug Kim, Liz Kniss, Karen Mitchoff, Hilary Ronen, Mark Ross, Pete Sanchez, Jim Sperring, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors Margaret Abe-Koga, Teresa Barrett, and Nate Miley.

### **PUBLIC HEARING**

2. First Public Hearing to Consider Testimony on the Air District's Proposed Budget for Fiscal Year Ending (FYE) 2019. A Final Public Hearing is scheduled for Wednesday, June 6, 2018 to Consider Adoption of the Proposed Budget for FYE 2019.

Dr. Jeff McKay, Chief Financial Officer, gave the staff presentation *First Public Hearing on the Proposed Air District Budget for Fiscal Year Ending 2019*, including: outline, current fiscal year (FYE 2018 projections); financial history (actions taken during downturn, and audited District reserves); services and supplies and capital; staffing trend (filled seats); medical retirement (Other Post-Employment Benefits) (OPEB); California Public Employees' Retirement System (CalPERS) pension (historical Rate of Return and Funding Ratio); FYE 2019 Proposed Budget overview; General Fund revenue sources and expenditures (of FYE 2019 Proposed Budget); recurring revenues and expenditures of FYE 2019 Proposed Budget; fees and cost recovery (overview and future state); FYE 2019 proposed staffing; 22 additional staffing positions; 16 new staffing requests; Reserves policy; reserves designations (of FYE 2019 Proposed Budget); FYE 2019 use of Reserves; retirement liabilities; OPEB overview; medical retirement plan funding policy recommendation; CalPERS pension plan (retirement overview and funding policy

recommendation); alternate asset allocations for discretionary funds; Budget summary (FYE 2019); and next steps.

NOTED PRESENT: Director Chavez was noted present at 9:36 a.m.; Director Ross was noted present at 9:43 a.m.; Director Bauters was noted present at 9:44 a.m.; Director Haggerty was noted present at 9:45 a.m.; Director Ronen was noted present at 9:48 a.m.; Director Zane was noted present at 9:49 a.m.; and Director Wagenknecht was noted present at 10:10 a.m.

Chair Hudson opened the first of two required public hearings for the exclusive purpose of considering testimony on the Air District's Proposed Budget for FYE 2019.

Public Comments:

No requests received.

Board Comments:

The Board and staff discussed the request for a chart of additional proposed staffing positions and their funding sources; the opinion that a Section 115 pension Trust appropriately aligns with the District's investment goals; courses of action the District is considering, should the California Air Resources Board fail to allocate to the District the promised funding for Assembly Bill (AB) 617 efforts; the clarification that air districts cannot recover AB 617 costs using collected fees, as many communities do not have large stationary sources; the suggestion that the District engages with Budget Subcommittee 4 on State Administration and General Government to request surplus revenue for AB 617 implementation and additional staffing needs; the suggestion that the District informs gubernatorial candidates about air districts' needs for continued AB 617 funding; and the District's engagement with local legislators regarding the need for the promised funds for AB 617.

Chair Hudson closed the public hearing.

Board Action:

None; receive and file. Final action will be taken at the conclusion of the second public hearing, scheduled for June 6, 2018.

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

3. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

No requests received.

**OTHER BUSINESS**

4. Board Members' Comments

None.

5. Time and Place of Next Meeting

Wednesday, June 6, 2018, Bay Area Air Quality Management District Office, 1<sup>st</sup> Floor Board Room, 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

6. Adjournment

The meeting adjourned at 10:21 a.m.

Marcy Hiratzka  
Clerk of the Boards

## AGENDA 2B – ATTACHMENT

Draft Minutes - Board of Directors Regular Meeting of May 2, 2018

Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 4105  
(415) 749-5073

Board of Directors Regular Meeting  
Wednesday, May 2, 2018

### **DRAFT MINUTES**

*Note: Audio recordings of the meeting are available on the website of the  
Bay Area Air Quality Management District at  
[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

### **CALL TO ORDER**

1. **Opening Comments:** Board of Directors (Board) Chairperson, David Hudson, called the meeting to order at 10:27. a.m. and announced that the Board meeting scheduled for May 16, 2018 was cancelled.

#### **Roll Call:**

Present: Chairperson David Hudson; Vice Chair Katie Rice; Secretary Rod Sinks; and Directors John J. Bauters, David Canepa, Cindy Chavez, Pauline Russo Cutter, John Gioia, Carole Groom, Scott Haggerty, Tyrone Jue, Doug Kim, Liz Kniss, Nate Miley, Karen Mitchoff, Hillary Ronen, Mark Ross, Pete Sanchez, Jim Spering, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors Margaret Abe-Koga and Teresa Barrett.

### **CONSENT CALENDAR (ITEMS 2 – 3)**

2. Minutes of the Regular Board of Directors Meeting of April 18, 2018
3. Board Communications Received from April 18, 2018 through May 1, 2018

#### **Public Comments:**

No requests received.

#### **Board Comments:**

None.

#### **Board Action:**

Director Wagenknecht made a motion, seconded by Director Sanchez, to **approve** the Consent Calendar Items 2 through 3 inclusive; and the motion **carried** by the following vote of the Board:

AYES: Bauters, Canepa, Chavez, Cutter, Gioia, Groom, Haggerty, Hudson, Jue, Kim, Kniss, Mitchoff, Rice, Ronen, Ross, Sanchez, Sinks, Spering, Wagenknecht, and Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Abe-Koga, Barrett, and Miley.

## **COMMITTEE REPORTS**

### 4. Report of the **Budget & Finance Committee** Meeting of April 25, 2018

Budget & Finance Committee Chair, Director Carole Groom, read the following Committee report:

*The Committee met on Wednesday, April 25, 2018, and approved the minutes of March 28, 2018.*

*The Committee reviewed and discussed the presentation Continued Discussion of Fiscal Year Ending (FYE) 2019 Proposed Air District Budget and Consideration to Recommend Adoption. The Committee recommends the Board:*

- 1. Adopt the FYE 2019 Proposed Budget; and*
- 2. Adopt a funding policy for California Pension Employees Retirement System (CalPERS) pensions to achieve 90% funding within 20 years.*

*The Committee then reviewed and discussed the presentation Third Quarter Financial Report – FYE 2018.*

*Finally, the Committee reviewed and discussed the staff presentation Discussion of Budget Processes for FYE 2020.*

*The next meeting of the Budget and Finance Committee will be held on Wednesday, June 27, 2018, at 9:30 a.m., at the Bay Area Air Quality Management District office, 375 Beale Street, San Francisco, CA 94105.*

*I move that the Board approve the Budget and Finance Committee's recommendations to*

- 1. Adopt the FYE 2019 Proposed Budget; and*
- 2. Adopt a funding policy for CalPERS pensions to achieve 90% funding within 20 years*

*at the final hearing to be held on June 6, 2018. This concludes the Chair Report of the Budget and Finance Committee.*

### **Public Comments:**

No requests received.

### **Board Comments:**

None.

Board Action:

None; receive and file.

5. Report of the **Mobile Source Committee** Meeting of April 26, 2018

Mobile Source Committee Chair, Director Scott Haggerty, read the following Committee report:

*The Committee met on Thursday, April 26, 2018, and approved the minutes of February 22, 2018.*

*The Committee reviewed and discussed the staff presentation, Projects and Contracts with Proposed Grant Awards Over \$100,000. The Committee recommends the Board:*

- 1. Approve Carl Moyer Program (CMP) and Transportation Fund for Clean Air (TFCA) projects with proposed grant awards over \$100,000 as shown in Attachment 1;*
- 2. Adopt resolutions authorizing the Air District to accept, obligate, and expend new funding from the CMP State Reserve Program and the Funding Agricultural Reduction Measures for Emissions Reductions Program;*
- 3. Authorize the Air District to accept, obligate, and expend new funding from the Low-Carbon Fuel Standard Mitigation Funding program; and*
- 4. Authorize the Executive Officer/Air Pollution Control Officer (APCO) to enter into all necessary agreements with applicants for the recommended projects and new funding.*

*The Committee then reviewed and discussed the staff presentation FYE 2019 Transportation Fund for Clean Air Funding Allocation. The Committee recommends the Board:*

- 1. Allocate \$15.03 million in new TFCA monies to the programs and projects listed in Table 1;*
- 2. Authorize the proposed cost-effectiveness limits for the Air District sponsored programs and projects listed in Table 2; and*
- 3. Authorize the Executive Officer/APCO to enter into funding agreements and contracts up to \$100,000 for projects and programs listed in Table 1.*

*Finally, the Committee reviewed and discussed the staff presentation FYE 2019 Transportation Fund for Clean Air County Program Manager (CPM) Expenditure Plans. The Committee recommends the Board:*

- 1. Approve the allocation of new FYE 2019 TFCA CPM Expenditure Plans Funds listed in Table 1; and*
- 2. Authorize the Executive Officer/APCO to enter into funding agreements with the County Program Managers for the total funds to be programmed in FYE 2019, listed in Table 1.*

*The next meeting of the Mobile Source Committee will be held on Thursday, May 24, 2018, at 9:30 a.m., at the Bay Area Air Quality Management District office, 375 Beale Street, San Francisco, CA 94105. I move that the Board approve the Mobile Source Committee's recommendations. This concludes the Chair Report of the Mobile Source Committee.*

Public Comments:

No requests received.

Board Comments:

The Board and staff discussed the suggestion of having the District partner with banks or credit unions as another way to offer financial assistance to low-income families wishing to purchase electric vehicles (EV); the speed of changes in technology relative to types of energy usage, and the anticipation that clean energy will create new economic opportunities; the suggestion that the District releases a Request for Information to gather ideas on how to best invest District funds; the importance of identifying existing programs that help consumers transition from gas-powered vehicles to EVs, such as the pilot program sponsored by the California Air Resources Board (CARB), which allowed the Community Housing Development Corporation in North Richmond to operate a pilot program that offered low-income families grants and loans to purchase clean-technology vehicles; and upcoming presentations to the Mobile Source Committee about the variety of EV programs that District will be offering, and the need for the full Board to learn about these programs.

Board Action:

Director Haggerty made a motion, seconded by Director Canepa, to **approve** the recommendations of the Mobile Source Committee; and the motion **carried** by the following vote of the Board:

|          |                                                                                                                                                                       |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AYES:    | Bauters, Canepa, Chavez, Cutter, Gioia, Groom, Haggerty, Hudson, Jue, Kim, Kniss, Miley, Mitchoff, Rice, Ronen, Ross, Sanchez, Sinks, Spering, Wagenknecht, and Zane. |
| NOES:    | None.                                                                                                                                                                 |
| ABSTAIN: | None.                                                                                                                                                                 |
| ABSENT:  | Abe-Koga and Barrett.                                                                                                                                                 |

**PRESENTATION**

**6. Sonoma and Napa Wildfire Recovery Assistance Program**

Jack Broadbent, Executive Officer/APCO, introduced Wayne Kino, Deputy APCO of Operations, who introduced Patrick Wenzinger, Air Quality Specialist, who gave the staff presentation *Sonoma and Napa Wildfire Recovery Assistance Program*, including: overview; background; Air District grant structure; program in Sonoma County; next steps; and recommendations.

Public Comments:

No requests received.

Board Comments:

Directors Wagenknecht and Zane expressed their gratitude to the District for its financial assistance to their constituents who are choosing to rebuild their homes and businesses after the wildfires in October

2017. Director Zane invited District staff to attend her Town Hall meeting on May 7, 2018 at the Glaser Center, located at 547 Mendocino Avenue in Santa Rosa, at 6:00 p.m.

**Board Action:**

Director Zane made a motion, seconded by Director Wagenknecht, to **amend** FYE 2018 budget to transfer \$3 million in general reserve funds into Wildfire Recovery Assistance Program; and **authorize** the Executive Officer/APCO to execute necessary grant agreements with partner agencies to implement Wildfire Recovery Assistance Program; and the motion **carried** by the following vote of the Board:

|          |                                                                                                                                                             |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AYES:    | Bauters, Canepa, Chavez, Cutter, Gioia, Groom, Hudson, Jue, Kim, Kniss, Miley, Mitchoff, Rice, Ronen, Ross, Sanchez, Sinks, Spering, Wagenknecht, and Zane. |
| NOES:    | None.                                                                                                                                                       |
| ABSTAIN: | None.                                                                                                                                                       |
| ABSENT:  | Abe-Koga, Barrett, and Haggerty.                                                                                                                            |

**CLOSED SESSION** (commenced at 10:54 a.m.)

7. A) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** – (*Government Code Section 54956.8*) *The Board will meet in closed session pursuant to Government Code Section 54956.8 to confer with real property negotiators to discuss acquisition of real property.*

|           |                                                              |
|-----------|--------------------------------------------------------------|
| Property: | 3033, 3065, and 3095 Richmond Parkway,<br>Richmond, CA 94806 |
|-----------|--------------------------------------------------------------|

|                           |                                                                                        |
|---------------------------|----------------------------------------------------------------------------------------|
| Air District Negotiators: | Jack P. Broadbent, Executive Officer/APCO<br>Rex Sanders, Chief Administrative Officer |
|---------------------------|----------------------------------------------------------------------------------------|

|                      |                               |
|----------------------|-------------------------------|
| Negotiating Parties: | Wang Brothers Investment, LLC |
|----------------------|-------------------------------|

|                    |                 |
|--------------------|-----------------|
| Under Negotiation: | Price and Terms |
|--------------------|-----------------|

REPORT OUT: Chair Hudson reported that the Board gave direction to the District's broker.

**B) CONFERENCE WITH LEGAL COUNSEL**

**ANTICIPATED LITIGATION (Government Code Section 54956.9 (b)(1))**

*Significant exposure to litigation pursuant to paragraph (1) of subdivision (b) of Section 54956.9: one potential case.*

REPORT OUT: Chair Hudson announced that there was no action to report.

**Public Comments:**

No requests received.

Board Comments:

None.

**OPEN SESSION** (commenced at 11:35 a.m.)

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

**8. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

No requests received.

**BOARD MEMBERS' COMMENTS**

**9. Board Members' Comments**

Director Gioia reported that on May 1, 2018, the State of California joined a bipartisan coalition of states that filed a lawsuit against the United States Environmental Protection Agency for attempting to eliminate federal fuel efficiency standards for 2022-2025 model year cars. This change would create a dual set of fuel efficiency standards that vehicle manufacturers would have to consider. Chair Hudson said that he would like to agendaize CARB reports on Board agendas (as Committee report outs) regularly in the future.

Secretary Sinks reported that he, Director Kniss, and District staff met Chris Moylan of Congressman Khanna's office to discuss odor sources in the South Bay sub-region of the Bay Area. He said that the group discussed various strategies to diagnose the odor problems that affect Santa Clara and Alameda Counties, and are trying to best position the Air District to help mitigate impacts there.

**OTHER BUSINESS**

**10. Report of the Executive Officer/APCO**

Mr. Broadbent made the following announcements:

- The 2018 Spare the Air summer smog season launched on April 30. Bay Area residents are encouraged to reduce air pollution impacts in a variety of ways as summer approaches and the Bay Area experiences elevated, unhealthy levels of smog and increases in temperature.
- The District's 2017 Annual Report was distributed to the Board at the meeting and should be online by next week.
- The District's first Regulation 11 Rule 18 implementation working group meeting occurred last week. In attendance were members from both the environmental justice community and affected industry.
- To follow up on the discussion that the Board and staff had at the April 18, 2018 Board meeting, regarding protocol that staff wants to put in place to regulate how resolutions are introduced to the Board, staff plans to bring to the Executive Committee recommended changes to the Administrative Code. Staff anticipates that, should the Executive Committee recommend approval of these changes to the full Board, this item will be included in the Consent Calendars of two consecutive Board agendas.

**11. Chairperson's Report**

Chair Hudson announced the following:

- On April 23, 2018, he and Mr. Broadbent attended the Western States Petroleum Association's General Membership Luncheon.
- Board members who are attending the 2018 Air & Waste Management Association's Annual Conference must submit their flight itineraries to Vanessa Johnson by May 8, 2018.
- The May 16 Board meeting was cancelled.

**12. Time and Place of Next Meeting**

Wednesday, June 6, 2018, at 375 Beale Street, San Francisco, CA 94105 at 9:30 am.

**13. Adjournment**

The meeting adjourned at 11:45 a.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 22, 2018

Re: Board Communications Received from May 2, 2018 through June 5, 2018

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from May 2, 2018, through June 5, 2018, if any, will be at each Board Member's place at the June 6, 2018, Board meeting.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Vanessa Johnson

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 22, 2018

Re: Air District Personnel on Out-of-State Business Travel

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified of District personnel who have traveled on out-of-state business.

The report covers the out-of-state business travel for the month of April 2018. The monthly out-of-state business travel report is presented in the month following travel completion.

DISCUSSION

The following out-of-state business travel activities occurred in the month of April 2018:

- Jeffrey McKay, Deputy Air Pollution Control Officer, attended the Association of Air Pollution Control Agencies Spring Meeting, Lexington, Kentucky, April 8, 2018 – April 12, 2018.
- Sarah Zahedi, Public Information Officer, attended the Government Social Media Conference, Denver, Colorado, April 23, 2018 – April 26, 2018.
- Mary Ann Okpalaugo, Manager, attended the Governmental Alliance on Race and Equity National Membership Meeting, Chicago, Illinois, April 8, 2018 – April 12, 2018.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Stephanie Osaze  
Reviewed by: Jeff McKay

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 22, 2018

Re: Notices of Violations Issued and Settlements in excess of \$10,000 during the month  
of April 2018

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RECOMMENDED ACTION

None; receive and file.

DISCUSSION

In accordance with Resolution No. 2012-08, attached to this Memorandum is a listing of all Notices of Violation issued, and all settlements for amounts in excess of \$10,000 during the calendar month prior to this report.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The amounts of civil penalties collected are included in the Air District's general fund budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Brian C. Bunger

Attachments 5A: Notices of Violations for the Month of April 2018

## AGENDA 5A – ATTACHMENT

### **NOTICES OF VIOLATIONS ISSUED**

The following Notice(s) of Violations were issued in April 2018:

| <b>Alameda</b>                      |               |             |              |                      |                   |                                                                       |
|-------------------------------------|---------------|-------------|--------------|----------------------|-------------------|-----------------------------------------------------------------------|
| <b>Site Name</b>                    | <b>Site #</b> | <b>City</b> | <b>NOV #</b> | <b>Issuance Date</b> | <b>Regulation</b> | <b>Comments</b>                                                       |
| ASCO Motors                         | E2611         | Fremont     | A56693A      | 4/20/18              | 2-1-302           | Asco motors operated without a valid permit since August 1, 2015.     |
| Benchmark Precision Technologies    | B2795         | Fremont     | A57009A      | 4/20/18              | 2-1-301           | No A/C and P/O                                                        |
| Benchmark Precision Technologies    | B2795         | Fremont     | A57009B      | 4/20/18              | 2-1-302           | No A/C and P/O                                                        |
| East Bay Municipal Utility District | A0591         | Oakland     | A56067A      | 4/26/18              | 2-1-307           | P/C# 18860, part 9; NOx <0.06 lbs/MMBtu, ST OS-6961, OS-6962/NST-4720 |
| Figueroa Tank Lines                 | T0514         | Berkeley    | A56797A      | 4/11/18              | 8-33-304          | 8-33-304.6 CT# 208570, Failure to meet vapor tight requirement        |
| Peet's Coffee and Tea Inc           | B7456         | Alameda     | A56400A      | 4/26/18              | 2-1-307           | Failed Source Test. POC > 0.11 lbs/hr                                 |
| Republic Services Vasco Road, LLC   | A5095         | Livermore   | A57385A      | 4/10/18              | 2-6-307           | Failure to continuously abate landfill gas emissions.                 |
| Restoration Management              | Z4099         | Hayward     | A57470A      | 4/3/18               | 11-2-304.3        | Improper waste disposal                                               |
| Restoration Management              | Z4099         | Hayward     | A57470B      | 4/3/18               | 11-2-304.6        | Improper waste disposal                                               |
| Restoration MGMT Co.                | Z4080         | Oakland     | A58007A      | 4/17/18              | 11-2-304.1        | Waste Bags unattended W/O Labels outside Containment                  |

| <b>Contra Costa</b>                    |               |             |              |                      |                   |                                                                                |
|----------------------------------------|---------------|-------------|--------------|----------------------|-------------------|--------------------------------------------------------------------------------|
| <b>Site Name</b>                       | <b>Site #</b> | <b>City</b> | <b>NOV #</b> | <b>Issuance Date</b> | <b>Regulation</b> | <b>Comments</b>                                                                |
| Best Cleaners                          | A4955         | Concord     | A56695A      | 4/24/18              | 1-410             | Operating a hydrocarbon machine with expired registration since February 2017. |
| Central Contra Costa Sanitary District | A0907         | Martinez    | A57320A      | 4/24/18              | 2-6-307           | Excess PM                                                                      |
| Chevron Products Company               | A0010         | Richmond    | A58128A      | 4/18/18              | 8-18-401.3        | Failed to inspect 6 inaccessible PRD's Dev# 4725                               |
| Chevron Products Company               | A0010         | Richmond    | A58130A      | 4/18/18              | 8-10-501          | Not monitored                                                                  |
| Chevron Products Company               | A0010         | Richmond    | A58130B      | 4/18/18              | 2-6-307           | Permit condition non-compliance                                                |
| Dow Chemical Company                   | A0031         | Pittsburg   | A57640A      | 4/25/18              | 2-6-307           | Standard Condition F                                                           |
| Dow Chemical Company                   | A0031         | Pittsburg   | A57640B      | 4/25/18              | 10                | 40 CFR 68.73(d)                                                                |
| Equilon Enterprises LLC                | B1956         | Martinez    | A57592A      | 4/17/18              | 8-33-309.5        | 3 vapor leaks >3000 ppm                                                        |
| Kellog Creek Agregates,Inc             | A6330         | Byron       | A56921A      | 4/20/18              | 2-1-301           | Operating power screen (dry plant) without an A/C and P/O                      |
| Kellog Creek Agregates,Inc             | A6330         | Byron       | A56921B      | 4/20/18              | 2-1-302           | Operating power screen (dry plant) without an A/C and P/O                      |
| Kellog Creek Agregates,Inc             | A6330         | Byron       | A56922A      | 4/20/18              | 2-1-301           | Operating power screen (wet plant) without an A/C and P/O                      |
| Kellog Creek Agregates,Inc             | A6330         | Byron       | A56922B      | 4/20/18              | 2-1-302           | Operating power screen (wet plant) without an A/C and P/O                      |

|                              |       |           |         |         |           |                                                       |
|------------------------------|-------|-----------|---------|---------|-----------|-------------------------------------------------------|
| Kellog Creek Aggregates, Inc | A6330 | Byron     | A56923A | 4/20/18 | 2-1-301   | Operating power screen (extec) without an A/C and P/O |
| Kellog Creek Aggregates, Inc | A6330 | Byron     | A56923B | 4/20/18 | 2-1-302   | Operating power screen (extec) without an A/C and P/O |
| Los Medanos Energy Center    | B1866 | Pittsburg | A56920A | 4/20/18 | 1-522.7   | Failure to report indicated excess w/in 96 hours      |
| Shell Martinez Refinery      | A0011 | Martinez  | A57590A | 4/10/18 | 10        | E07C36/E07C36 400 CFR60.104(a)(1) >162 ppm H2S/3hrs   |
| Shell Martinez Refinery      | A0011 | Martinez  | A57591A | 4/10/18 | 12-11-503 | 40CFR60.18 Lost flare pilots                          |
| Shell Martinez Refinery      | A0011 | Martinez  | A57591B | 4/10/18 | 10        | 40CFR60.18 Lost flare pilots                          |
| Wholesome Harvest Baking     | B5755 | Richmond  | A56038A | 4/2/18  | 2-1-307   | Failed source test                                    |

| <b>Marin</b>             |               |             |              |                      |                   |                                                                        |
|--------------------------|---------------|-------------|--------------|----------------------|-------------------|------------------------------------------------------------------------|
| <b>Site Name</b>         | <b>Site #</b> | <b>City</b> | <b>NOV #</b> | <b>Issuance Date</b> | <b>Regulation</b> | <b>Comments</b>                                                        |
| Novato Sanitary District | A1275         | Novato      | A56151A      | 4/26/18              | 2-1-307           | Episodes 07G16, 07G17, 07G19, 07G32, 07G44, 07G46, 07G57, 07G58, 07G70 |

| <b>San Mateo</b>         |               |              |              |                      |                   |                                                                    |
|--------------------------|---------------|--------------|--------------|----------------------|-------------------|--------------------------------------------------------------------|
| <b>Site Name</b>         | <b>Site #</b> | <b>City</b>  | <b>NOV #</b> | <b>Issuance Date</b> | <b>Regulation</b> | <b>Comments</b>                                                    |
| BioForceTech Corporation | E3278         | Redwood City | A56520A      | 4/2/18               | 2-1-307           | Failed Source test NTV-2024 NST 4686                               |
| BioForceTech Corporation | E3278         | Redwood City | A56521A      | 4/2/18               | 2-1-307           | Failed Source test NTV-2025 NST 4789 - retest of NTV-2024 NST 4686 |

| <b>Santa Clara</b>                    |               |               |              |                      |                   |                                                                    |
|---------------------------------------|---------------|---------------|--------------|----------------------|-------------------|--------------------------------------------------------------------|
| <b>Site Name</b>                      | <b>Site #</b> | <b>City</b>   | <b>NOV #</b> | <b>Issuance Date</b> | <b>Regulation</b> | <b>Comments</b>                                                    |
| Owens Corning Insulating Systems, LLC | A0041         | Santa Clara   | A57220A      | 4/10/18              | 2-6-307           | ST# OS-6864 NST-4465                                               |
| Shoreline Amphitheatre                | A2561         | Mountain View | A56522A      | 4/25/18              | 2-6-307           | Submitted source test results late; reported indicated excess late |
| Shoreline Amphitheatre                | A2561         | Mountain View | A56522B      | 4/25/18              | 8-34-301.4        | NMOC emissions greater than 120 ppm                                |
| United States Air Force               | B7971         | Moffett Field | A56540A      | 4/26/18              | 9-7-307.1         | failed emissions source test for boilers S-24342 , S-24343         |

| <b>Solano</b>                 |               |             |              |                      |                   |                                                   |
|-------------------------------|---------------|-------------|--------------|----------------------|-------------------|---------------------------------------------------|
| <b>Site Name</b>              | <b>Site #</b> | <b>City</b> | <b>NOV #</b> | <b>Issuance Date</b> | <b>Regulation</b> | <b>Comments</b>                                   |
| Suisun Bay Reserve Fleet      | A2042         | Benicia     | A57339A      | 4/12/18              | 2-1-302           | Unpermitted/unregistered portable air compressor. |
| Park Road Holdings c/o Nearon | N/A           | Benicia     | A57340A      | 4/16/2018            | 2-1-302           | Unpermitted emergency standby diesel engine.      |

### **SETTLEMENTS FOR \$10,000 OR MORE REACHED**

There were 2 settlement(s) for \$10,000 or more completed in April 2018.

- 1) On April 12, 2018, the District reached settlement with Lehigh Southwest Cement Company for \$21,000, regarding the allegations contained in the following 3 Notice of Violation:

| <b>NOV #</b> | <b>Issuance Date</b> | <b>Occurrence Date</b> | <b>Regulation</b> | <b>Comments from Enforcement</b>               |
|--------------|----------------------|------------------------|-------------------|------------------------------------------------|
| A56529A      | 11/1/16              |                        | 6-1-301           | P.E. over visible Emissions standard (10%)     |
| A56530A      | 1/12/17              | 1/11/17                | 6-1-301           | P.E. Exceeded visible Emissions standard (10%) |

|         |        |        |          |                                           |
|---------|--------|--------|----------|-------------------------------------------|
| A56536A | 8/3/17 | 8/1/17 | 9-13-302 | P.E. exceeded visible emissions standard. |
|---------|--------|--------|----------|-------------------------------------------|

- 2) On April 19, 2018, the District reached settlement with Chevron U.S.A. Inc. for \$170,000, regarding the allegations contained in the following 25 Notice of Violation:

| <b>NOV #</b> | <b>Issuance Date</b> | <b>Occurrence Date</b> | <b>Regulation</b> | <b>Comments from Enforcement</b>                                                                     |
|--------------|----------------------|------------------------|-------------------|------------------------------------------------------------------------------------------------------|
| A53863A      | 3/16/15              | 3/12/15                | 1-301             | 7 confirmed complaints to bioreactor pond                                                            |
| A53863B      | 3/16/15              | 3/12/15                | 2-6-307           | 7 confirmed complaints to bioreactor pond                                                            |
| A53867A      | 6/30/15              | 3/23/15                | 1-522.6           | Failed Source Test #72-15, NOx monitor not w/in 20% of BAAQMD reference value                        |
| A53876A      | 11/12/15             | 1/28/11                | 2-6-307           | Fail to record pegged leaker concentrations; PC #s 25001 24671 24921 25037 & 25479                   |
| A54253A      | 11/12/15             | 4/21/15                | 8-18-301          | Fugitive emissions at methanol injection system.                                                     |
| A54254A      | 11/12/15             | 4/21/15                | 2-6-307           | PC # 18656 - Monitoring requirements not met, smoke> Ringlemann 4 for 6 minutes                      |
| A54254B      | 11/12/15             | 4/21/15                | 6-1-301           | PC # 18656 - Monitoring requirements not met, smoke> Ringlemann 4 for 6 minutes                      |
| A54268A      | 4/21/16              | 12/28/15               | 2-6-307           | Episode #06X58; PC #11066, Part 7;3 TR sets operated below 200 mA                                    |
| A54272A      | 4/21/16              | 1/19/15                | 2-1-302           | Loss of P/O exemption per 2-1-123.3.3                                                                |
| A54274A      | 5/10/16              | 10/3/15                | 10                | RCA #'s 06W49, 06W50, 06W51, 06W52. 40 CFR 60.104(a)(1); H2S CEM Excesses. Occurrence date 10/3-4/15 |
| A54274B      | 5/10/16              | 10/3/15                | 2-6-307           | Violation of Permit Condition 8773. Occurrence date 10/3-4/15.                                       |
| A54275A      | 5/10/16              | 12/7/15                | 9-10-305          | RCA #'s 06X33 & 06x44, CO CEM Excessess. Occurrence 12/07-08/15.                                     |
| A54275B      | 5/10/16              | 12/7/15                | 1-522.7           | Late RCA Reporting.                                                                                  |
| A54276A      | 5/10/16              | 11/26/15               | 9-9-301.2         | RCA #'s 06X17 & 06X42, NOx CEM Excess                                                                |
| A54416A      | 5/11/16              | 5/13/13                | 2-6-307           | Contractor failed to estimate POC emission correctly; DEV 4272                                       |
| A54420A      | 6/15/16              | 4/13/11                | 2-6-307           | Failed to maintain Perc loading events/Dev 4260 PC 23773 part 4.                                     |
| A54421A      | 6/15/16              | 1/16/15                | 10                | Dev 4108 not operated as closed loop.                                                                |

|         |          |          |               |                                                             |
|---------|----------|----------|---------------|-------------------------------------------------------------|
| A56805A | 7/14/16  | 6/19/15  | 2-6-307       | Late visual monitoring of NISO flare; PC 18656(3)           |
| A56806A | 7/14/16  | 6/19/15  | 2-6-307       | Late visual monitoring of RLOP flare; PC 18656 (3)          |
| A56807A | 7/14/16  | 12/21/15 | 2-6-307       | Failed to start HC analyzers & notify District; PC 4596     |
| A56807B | 7/14/16  | 12/21/15 | 1-523.1       | Failed to start HC analyzers & notify District; PC 14596.   |
| A56808A | 7/14/16  | 6/19/15  | 12-11-502.3.1 | Samples taken late @ NISO flare.                            |
| A56809A | 7/14/16  | 6/19/15  | 12-11-502.3.1 | Samples taken too early and late.                           |
| A56810A | 7/14/16  | 11/10/15 | 10            | 40 CFR Subpart J; 60.104(a)(i); flaring of gas with H2S7    |
| A56811A | 7/14/16  | 11/16/15 | 10            | 40 CFR Subpart: 60.104(a)(i);                               |
| A56812A | 8/3/16   | 6/19/15  | 2-6-307       | 40 CFR 60.104(a)(i) at V-475.                               |
| A56812B | 8/3/16   | 6/19/15  | 10            | P/C 8773 parts @ S-4155.                                    |
| A56814A | 9/22/16  | 11/1/13  | 2-6-307       | Failed to monitor Alky, CWT, HC levels; P/C 14596; DEV 4223 |
| A56814B | 9/22/16  | 11/1/13  | 1-523.1       | Failed to monitor Alky, CWT, HC levels; P/C 14596; DEV 4223 |
| A56814C | 9/22/16  | 11/1/13  | 1-523.3       | Failed to monitor Alky, CWT, HC levels; P/C 14596; DEV 4223 |
| A56821A | 11/29/16 | 9/20/15  | 9-9-301.2     | NOx exceedance @ cogen 2000 train; (RCA) 06W28; (dev) 4314  |
| A56824A | 2/15/17  | 2/28/15  | 2-6-307       | Failure to notify within 96 hours; late 10-day              |
| A56824B | 2/15/17  | 3/4/15   | 1-523.3       | FAILURE TO NOTIFY WITHIN 96 HOURS; LATE 10 DAY REPORTING    |
| A57168A | 7/18/17  | 12/26/15 | 10            | Flaring at NISO flare; H2S>230 mg/dscm; dev 4402            |

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 14, 2018

Re: Quarterly Report of the Executive Office and Division Activities for the Months  
of January 2018 – March 2018

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**ADMINISTRATIVE RESOURCES DIVISION  
M. MARTINEZ, DIRECTOR**

**Human Resources**

The Human Resources (HR) Office conducted 21 recruitment exams including exams for: Administrative Secretary, Advanced Projects Advisor, Advisory Council, Air Quality Engineer, Air Quality Instrument Specialist, Air Quality Meteorologist, Air Quality Specialist, Assistant Staff Specialist (3), Database Specialist, Environmental Planner, Executive Secretary, Hearing Board Member, Manager, Principal Air and Meteorological Monitoring Specialist, Senior Advanced Projects Advisor, Senior Air Quality Specialist, Staff Specialist (2), and Temporary Human Resources Technician. In addition, the HR Office offered 10 training sessions, including: Situational Leadership (6), Customer Service Skills, Surface Pro, Office 365, and Safe Driver Training. The HR Office continues to administer payroll, benefits, safety, labor/employee relations, and wellness activities. There are currently 336 regular employees, 15 temporary employees and interns, and 55 vacant positions. There were 21 new employees, 14 promotions, and 4 separations from January to March 2018.

**Business Office**

The Business Office issued 396 purchase orders, executed 117 contracts and 3 leases/licenses. There were two requests for proposals/qualifications during this period:

1. RFP 2018-001 Heavy Liquid Study – Compliance & Enforcement Division
2. RFP 2018-002 Advertising, Communications & Evaluation Services – Communications Division

**Diversity, Equity & Inclusion Office**

The Office of Diversity, Equity & Inclusion (DE&I) focused on three areas; cultural awareness activities, recruitment and retention strategies, and Government Alliance on Race and Equity (GARE) initiatives.

**Cultural Awareness Activities** – The Office provided ongoing content for the diversity section of the bi-weekly staff newsletter. Event announcements included a Martin Luther King Jr. Celebration (January), Chinese/Lunar New Year Celebration (February), Black History Month Celebration (February), and Women’s History Month Celebration (March). Activities included a Chinese/Lunar New Year celebratory display and information center, Black History month - History of Soul Food presentation, an art display and an opportunity for employees to participate in critical discussions on race. Women’s History month speaker series highlighted 96-year-young, active Park Ranger, Betty Soskin as she shared stories about her life and provided advice for the next generation.

Additionally, during Women’s History Month, DE&I coordinated and managed a professional clothing drive for clients of the non-profit organization, Wardrobe for Opportunity, which assists low-income individuals in their efforts to find a job, keep a job, and build a career.

**Recruitment and Retention Strategies** – DE&I created an updated demographic analysis snapshot in coordination with the Human Resources office to assess Air District employment gender and race equity. Staff also met with Human Resources management to discuss strategies to assess and address any employment gaps. In addition, staff conducted an internal assessment via Listening Sessions to hear employee’s perspective on diversity, equity and inclusion within the Air District. Staff provided helpful recommendations to ensure all employees feel included and valued. To further assist within this category, DE&I created and made available an informative document on “Ways to Mitigate Unconscious Bias” and shared it District wide via the Public Bulletin Board, bi-weekly Newsletter and hard copy bulletins and break rooms.

**Government Alliance on Race and Equity (GARE)** – Staff participated in the GARE second year Implementation Team kickoff discussion and additional regional GARE meetings to discuss future planning. In addition, staff met with Allison Brooks, BARC Executive Director, and GARE representatives from MTC and BCDC to determine 2018 shared strategies, goals and objectives. The team will continue meeting throughout 2018 calendar year on projects to advance racial equity.

## Sample DE&I Communications:



## **Fleet and Facilities Office**

Fleet services disposed of 4 vehicles, acquired 8 vehicles, and sent 39 vehicles for maintenance and/or body shop repairs. There were 340 vehicle requests (157 from MTC staff and 183 from District staff), of which 301 were pool vehicles and 39 were Enterprise car rentals. There are currently 124 fleet vehicles: 1 electric, 2 hydrogen, 32 plug-in hybrids, 23 gas, 13 CNG, and 53 hybrids. Facilities received 65 workspeed requests, facilitated 20 furniture orders and completed 44 ad-hoc projects/tasks. Facilities performs daily maintenance of the coffee machines, replenishes coffee and tea supplies in the District coffee bar and pantries, and replenishes office supplies in the copy/supply rooms.

## **COMPLIANCE AND ENFORCEMENT DIVISION J. GOVE, DIRECTOR**

### **Enforcement Program**

Staff documented 303 air pollution violations that resulted in Notices of Violation (NOV) and responded to 988 general air pollution complaints. These activities addressed noncompliance with applicable Federal, State and Air District regulations, and provided a mechanism for the public to voice their concerns about air pollution issues that might be in noncompliance status. Additionally, highlighted enforcement activities for the quarter are as follows:

Staff participated in twice-weekly conference calls in January with the Sonoma Complex Fires Debris Task Force, during which participants discussed alternatives for residential and commercial property owners dealing with removal and disposal of partially burned and dead vegetation in the areas affected by the 2017 North Bay fires. Participants included representatives from Cal OES (Office of Emergency Services), Federal Emergency Management Agency (FEMA), U.S. Army Corps of Engineers, and the Santa Rosa and Sonoma County Fire Departments.

On January 17, 2018, staff teleconferenced with staff from the San Francisco Bay Regional Water Quality Control Board and Santa Clara County Local Enforcement Agency to discuss recent regulatory actions for the Santa Clara All-Purpose Landfill concerning the mixed-use development planned at the site.

On February 14, 2018, staff attended U.S. EPA Region 9's "All Hands" meeting in San Francisco and provided a presentation to its staff highlighting the Air District's efforts during the October 2107 North Bay fires, including actions taken, lessons learned and preparation for future similar incidents.

On February 15, 2018, staff participated in a regulatory panel at the Lehigh Cement Public Regulatory Outreach Meeting sponsored by County Supervisor Joe Simitian. Staff answered questions from Supervisor Simitian and community members, and provided brief rule development updates on the Air District's proposed fugitive dust rule and future actions regarding Lehigh Cement because of the new toxics rule, Regulation 11-18. Participating agencies included the Santa Clara County Departments of Planning and Development and Environmental Health, Santa Clara Valley Water District, State Water Resources Control Board and San Francisco Regional Water Quality Control Board.

On March 1, 2018, Staff met with FivePoint (formerly Lennar Urban) representatives to discuss the developer's construction projects with naturally occurring asbestos (NOA) located in southeast San Francisco that are subject to the Asbestos Air Toxics Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations. FivePoint representatives provided updates on work accomplished, air monitoring, and future schedules for their projects around Candlestick Point and Hunters Point Shipyard.

There had been over a hundred smoke and odor complaints alleged against Espetus Brazilian Steakhouse located in San Francisco during the past year, and increased during the 1<sup>st</sup> quarter of 2018. The smoke and odors have impacted complainants located in a condominium complex across the alley way from the restaurant. No violations of Air District regulations have been documented. District staff is working with the City of San Francisco Planning Department to resolve the issues.

The Air District's 2017/2018 wood smoke season ended on February 28, 2018 (season November – February). There were 8 exceedances of the PM<sub>2.5</sub> 24-hour Federal standard and the Air District issued 19 Winter Spare the Air Alerts, resulting in 128 potential WSTA violations.

The CAPCOA Enforcement Managers Committee held its first quarterly meeting of 2018 at the Air District offices in San Francisco on January 22-23, 2018.

### **Compliance Assurance**

Staff conducted over 2,341 inspections, of permitted facilities, gasoline dispensing stations, asbestos demolition and renovation jobs, open burning, portable equipment and mobile sources. Additionally, highlighted inspection activities for the quarter are as follows:

On Tuesday, January 30, 2018, at approximately 5:00 PM, a fire broke out in a large scrap appliance storage pile at the Sims Metal Management facility located in Richmond, CA. The fire produced a heavy black plume that stayed close to the ground and the prevailing south/southeasterly winds pushed the smoke into the Richmond neighborhoods of Atchison Village, Iron Triangle, and Point Richmond. In addition to the Air District responding to the fire, the Contra Costa County Hazardous Material Unit and the Richmond Fire Department also responded to the incident that evening. The fire burned for a several hours before firefighting foam from Chevron, Shell, and Dow Chemical could be effectively deployed to contain and suppress the fire. Staff received a total of three air quality complaints during the incident. The Air District issued Sims Metal Management a Notice of Violation for Public Nuisance and illegal Open Burning for this incident.

The District's Regulation 8 Rule 18 Fugitive Emissions Heavy Liquid Study resumed on February 27, 2018 at the Chevron, Shell, and Phillips 66 refineries. Chevron, Shell, Phillips 66 and Tesoro are now completed and Valero is approximately 50% completed. The goal is to inspect 2,000 components per facility.

On January 18, 2018, Staff participated in the quarterly South Bay Odor Stakeholder Group meeting and discussed Milpitas odor concerns with industry stakeholders, community representatives, the San Jose local enforcement agency, and representatives from various public offices. The group is continuing to work on developing the scope of a regional odor study, as well as on foster collaboration between representatives from facilities and officials from public agencies to ensure progress toward reducing odors in impacted communities.

Staff approved two Asbestos Dust Mitigation Plans (ADMPs) for the following projects: 1) RIN# 0156, Burke Warehouse project, San Francisco; 2) RIN# 0157, San Mateo County Humane Society, San Mateo. The two ADMP's required sites with Naturally Occurring Asbestos (NOA) p to perform asbestos ambient perimeter air monitoring and submit results to the Air District on a bi-weekly basis.

On March 16, 2018, staff participated in a Napa Clean Air Coalition meeting to discuss agricultural burning. The Coalition, one of 12 Spare the Air Resource Teams in the Bay Area, works collaboratively to implement projects that promote cleaner air in the Napa region. A Napa Valley Grape Growers representative presented a 6-step approach for low smoke agricultural burning. The approach was complimentary and compliant with the requirements of the Air District's open burning regulation.

On March 23, 2018, a two-alarm fire broke out at the Berkeley Asphalt Company located at 699 Virginia Street in Berkeley, California. No Shelter-In-Place was issued. The fire occurred during startup of the plant in the area near the hot asphalt storage tanks. The Berkeley Fire Department extinguished the fire within one hour. The cause of the fire is under investigation. No complaints were received by the Air District. Air District staff will continue to investigate this incident to determine if there are any violations of Air District regulations.

### **Compliance Assistance and Operations Program**

Staff received and evaluated over 774 plans, petitions, and notifications required by the asbestos, coatings, open burn, tank and flare regulations. Staff received and responded to over 29 compliance assistance inquiries and green business review requests. Additionally, highlighted compliance assistance activities for the quarter are as follows:

The Winter Spare the Air Season (November 1, 2017 – February 28, 2018) ended. Pursuant to the Air District's Wood Smoke Program, staff mailed out 756 informational packets to residences that were referred in complaints regarding wood burning. During the first quarter of 2018, the Air District received 502 complaints regarding wood burning.

The Spring Marsh Management Burn season started on March 1, 2018; staff approved 7 Marsh Management Smoke Management Plans (SMPs) for burn projects in Napa and Solano County.

Staff approved 2 prescribed burn smoke management plans in Contra Costa and Marin County.

Staff conducted the following inspections for the Strategic Incentives Division (SID): 76 projects and 206 engines.

**(See Attachment for Activities by County)**

**ENGINEERING DIVISION  
P. LEONG, DIRECTOR**

**Permit Activity Statistics**

The following table summarizes permit activity in the 1<sup>st</sup> quarter:

| Permit Activity                              |     |                                                      |     |
|----------------------------------------------|-----|------------------------------------------------------|-----|
| New applications received                    | 212 | New facilities added                                 | 83  |
| Authorities to Construct issued              | 120 | Permit Exemptions (entire application deemed exempt) | 2   |
| Permits to Operate issued (new and modified) | 294 | Annual update packages completed                     | 809 |
| Registrations (new)                          | 28  |                                                      |     |

**Health Risk Analysis (HRA):** 89 HRAs were completed during the reporting period.

**Energy Projects**

**Chevron Richmond Refinery:** Annual source testing at furnace S-4349, used to supply heat to the “vacuum stripper column” that separates and produces finished lube oil base stocks at the hydro-finisher, was found to be out of compliance with NO<sub>x</sub> and CO limits. The furnace was permitted to fire both natural gas and refinery fuel gas up to 16.5 MMBtu/hr. Due to efficiency improvements at the vacuum stripper column, firing requirements at S-4349 were less than 5 MMBtu/hr. At the lower firing rates firing refinery fuel gas, the furnace was unable to meet the NO<sub>x</sub> and CO limits of 20 ppmvd and 50 ppmvd at 3% O<sub>2</sub>, respectively. Chevron was issued an NOV and has since applied for and was issued a temporary Permit to Operate to replace the primary burner tips, fire solely natural gas and reduce the total firing rate to 9.99 MMBtu/hr. Under the temporary permit to operate, Chevron will be required to source test S-4349 to determine if they qualify for a permit exemption under Regulation 2-1-114.1.2. Combustion equipment less than 10 MMBtu/hr fired exclusively with natural gas are exempt from permitting per Regulation 2-1-114.1.2 if the backstops of Regulation 2-1-319 are met (toxics, public nuisance, hazardous substances, less than 5 tpy of regulated air pollutant). If S-4349 does not qualify for an exemption, the Air District will determine whether the furnace is an altered or modified source based on source test results. An NOE has been filed with Contra Costa County for the temporary permit to operate.

**CEQA Projects**

**Phillips 66 Marine Terminal Permit Revision Project (Rodeo):** The facility is requesting an increase in the amount of crude oil/gas oil that may be unloaded at the marine terminal from 51,182 barrels per day to 130,000 barrels per day. The project does not require any physical modifications or construction. The proposed project would enable the refinery to receive and process higher rates of ship-delivered crude and gas oil, replacing roughly equivalent volumes of pipeline-delivered crudes with ship-delivered crudes. The proposed project would not affect the characteristics of the crude oil and gas oil the refinery is able to process. Phillips submitted the application on August 2, 2013. A previous permit

application (#22904) was approved on March 13, 2013 to increase the amount of crude oil/gas oil that may be unloaded at the marine terminal from 30,682 barrels per day to 51,182 barrels per day. The Air District acted as the lead agency for CEQA for the project. The current CEQA analysis will evaluate the increase in ship emissions from the activity level prior to application #22904 to 130,000 barrels per day. The Air District is acting as the lead agency for CEQA for this project and has hired a CEQA Review Consultant to conduct the CEQA review. The Air District released a Notice of Preparation and held a public scoping meeting in Hercules, California on June 22, 2017. Approximately 35 people attended. The Air District held a second public scoping meeting in Vallejo, California on July 27, 2017 with approximately 50 people in attendance. Staff participated in a community meeting organized by Supervisor Monica E. Brown at the Benicia City Hall on August 14, 2017 to receive comments on the scope and content of the Air District's environmental analysis of the Phillips 66 Marine Terminal Permit Revision Project. The comments for the scoping period started on June 22, 2017 and was originally scheduled to end on July 23, 2017, but was extended to August 28, 2017. Staff has compiled and reviewed the scoping comments received. The Air District is currently working with Contra Costa County to determine the appropriate CEQA lead agency for this project.

**ORCEM Plant/Vallejo Marine Terminal Project (Vallejo):** CEQA lead agency is City of Vallejo. BAAQMD is a CEQA responsible agency. The proposed project has two main components: (1) The Vallejo Marine Terminal (VMT) component would reestablish industrial uses on the VMT site through the removal of the old timber wharf and construction of a modern deep-water terminal. (2) The ORCEM component would involve construction and operation of a facility for primarily the production of an alternative for Portland cement. The Project has been denied by the City of Vallejo Planning Commission and appealed to the Vallejo City Council. Since October 2017, City of Vallejo staff has been determining the next steps and a schedule for returning to the City Council for action. Once a schedule has been finalized it will be posted on their webpage. On October 2017, city staff and the applicant completed revisions to the Final Project Description. The main changes from the previous version were: reducing the size of the proposed site, requiring covered conveyors, and prohibiting gasoline or petroleum product loading at the VMT. The Air District has received a permit application for the ORCEM Plant part of the project and the application is currently on incomplete status. The Air District has not yet received a permit application for the Vallejo Marine Terminal part of the project. Staff is working with the Planning Division to determine if the City of Vallejo has addressed the Air District's comments sent to them in a letter dated November 2, 2015. Also, staff provided responses to a citizen's comments regarding the CEQA Health Risk Assessment.

### **Permits and Projects**

**Waste Management of Alameda County (Livermore):** On September 21, 2017, the Air District issued Waste Management an Authority to Construct for a new covered aerated static pile (CASP) composting facility at the Altamont Landfill and Recycling Facility. Waste Management began operation of this new compost facility on April 9, 2018. The Air District is reviewing the source test protocol.

**Newby Island Landfill and Recyclery (Milpitas):** Republic Services operates the Newby Island Landfill and Recyclery. This facility initially began operating a material recovery facility (MRF) without Air District permits. The MRF collects and separates multiple waste streams, including food waste and other organic waste, into recyclable materials,

compostable materials, and landfill waste. The Air District has issued numerous violation notices due to odors emanating from the MRF. In July, Republic Services agreed to expand and improved the MRF enclosure and to collect and control odorous emissions from this enclosure. Staff has discussed several draft proposals with Republic Services. The final enclosure and abatement proposal and associated permit modifications are expected in June 2018.

On November 21, 2017, the Air District issued an Authority to Construct for the Covered Aerated Static Pile (CASP) composting process. The revised permit conditions will allow increases in the amount of material composted at this site but will require that all material be processed using the lower emitting CASP process with enhanced monitoring, testing, and record keeping. The facility discontinued windrow composting by January 1, 2018. The Air District is reviewing the source test protocol.

**Silicon Valley Clean Water (Redwood City):** An Authority to Construct was issued to Silicon Valley Clean Water on March 1, 2018. The project allows the facility to install a receiving station for food waste. The waste will be fed to the digesters to increase the amount of digester gas produced and to provide a destination for the food waste. Staff analyzed the potential impact of increased H<sub>2</sub>S concentrations at the digester gas vents and increased flaring. The facility agreed to install odor control at the receiving station.

**Syar Napa Quarry Project (Napa):** On November 18, 2015, the Napa County Planning Commission adopted a resolution with required CEQA and Surface Mining Permit (SMP) Findings to approve the Syar Napa Quarry Expansion Project to allow the following: a) An approximate 106-acre expansion of the current surface mining and reclamation plan for a 35 year term; b) An increase in production of aggregate materials from approximately 1 million tons per year to 1.3 million tons per year; c) To add Reclaimed Asphalt Pavement (RAP) handling equipment to the existing asphalt batch plant and an increase in asphalt production up to 300,000 tons per year. Both the Environmental Impact Report (EIR) certification and SMP decisions were appealed to the Napa County Board of Supervisors. The Board of Supervisors conducted public hearings on February 9<sup>th</sup>, March 22<sup>nd</sup>, April 26<sup>th</sup>, May 10<sup>th</sup> and July 11<sup>th</sup>. At the July 11, 2016 hearing, Napa County supervisors tentatively decided in favor of the project. They voted unanimously to uphold the project's EIR and voted 4-1 to back the expansion. At the October 18, 2016 hearing, the Board of Supervisors voted unanimously to deny the appeals and to back the expansion. A permit application (A/N 27764) for RAP handling equipment was submitted to the Air District on February 5, 2016 and is currently incomplete. No permit application has been received for the proposed aggregate production increase at this time. Syar met with Air District staff on August 23, 2016 to discuss potential modifications of grandfathered equipment. On September 12, 2016, the District sent a letter to Syar summarizing the remaining information needed to complete the application and to clarify altered vs. modified sources. On December 14, 2016, Syar submitted an application (A/N 28439) for the blue smoke system to be handled separately from A/N 27764. An NOE has been filed for blue smoke application (A/N 28439), and an NOD will be filed for A/N 27764. The A/C for A/N 28439 has been issued. District staff held a meeting on September 19, 2017 with Syar to discuss the August 10, 2017 Syar letter and the outstanding items for A/N 27764. On October 2, 2017, the District sent a letter to Syar in response to the August 10, 2017 Syar letter and to summarize the remaining information needed to complete the application. Staff has reviewed Syar response letter (received December 5, 2017) and is awaiting comments from Legal. Draft engineering evaluation is being worked on and proposed permit conditions

have been reviewed by management and legal and have been shared with Syar for comment. The rotary dryer NSR related issues will not be addressed within this application but will be addressed pending a NSR investigation by Compliance and Enforcement.

**Cost Recovery and Containment Study:** The Air District has retained the services of Matrix Consulting Group (Matrix) to conduct the Study. The primary goal of the Study is to review the Air District's current cost recovery and allocation plan to include the Air District's new activities, new programs, new headquarters building, vehicles, and other current indirect costs. The Study includes the following tasks: review the current cost allocation process, determine eligible indirect expenditures, audit employee timekeeping and bases for allocation of general labor bill codes, evaluate cost recovery projection methods, review cost containment opportunities, present cost recovery results, prepare draft and final reports, and present findings. The Study was presented to the Budget & Finance Committee on March 28, 2018. The Air District has done prior cost recovery studies in 1999, 2004, and 2010.

**CAPCOA Engineering Managers Meeting:** On February 12 and 13, staff participated in the quarterly CAPCOA Engineering Managers Committee meeting. Topics discussed included: CARB centralized databases in relation to AB 617 requirements, Oil and Gas Regulation, Cannabis related activities, Authority to Construct issuance vs. CEQA status, CARB training, formaldehyde emissions for uncontrolled landfill and digester-fired engines, Portable ATCM and PERP changes, power plant permitting updates, and new Best Available Control Technology (BACT) determinations.

**NACAA Permitting and New Source Review Committee:** The conference call on March 14th discussed three main topics: New Source Review (NSR) changes from the EPA, South Coast AQMD's online permitting, and the Title V fee survey. The NSR changes are covered in a 9-page memo from the current administration that will allow netting for purposes of determining applicability of Prevention of Significant Deterioration (PSD) and/or federal NSR. SCAQMD said that it is not concerned since SB288 prohibits the relaxation of NSR regulations within the state. The SCAQMD's online permitting system appears to be working. Their system covers dry cleaners, service stations and auto spray booths. Finally, there is another Title V fee survey that will be distributed to seek information to assist agencies that are having trouble covering the costs of the program.

**Lehigh Public Information Meeting (Cupertino):** Santa Clara County Supervisor Joe Simitian and the City of Cupertino hosted a public meeting to inform and discuss the status of the various local, state and federal agency oversight for the Lehigh Cement Plant and Quarry. Staff participated on the panel and answered questions about implementation of Regulation 11, Rule 18, Reduction of risk from air toxic emissions at existing facilities, upcoming particulate matter rules and other permitting issues.

**Training at Petersen/Holt (San Leandro):** Staff participated in training regarding regulatory requirements for engines with Enforcement and Compliance staff and CARB. CARB presented information about the Stationary Compression Engine ATCM. The Air District staff provided information about permitting and enforcement issues, the Air District engine regulation, and the New Source Performance Standards. Questions were asked about the status of registration for BAAQMD agricultural engines. About 25 Petersen employees participated.

**Government Alliance on Race & Equity:** On February 14 and 15, staff attended the introductory workshop and kick-off by the Center for Social Inclusion to gain understanding of the role of government in relation to racial equity. This training is to help agencies advance racial equity in its operations and programs.

### **Rule Development and Implementation**

**Regulation 2 Permitting Rules:** On March 1, EPA published in the Federal Register their proposal to approve revisions to Regulation 2, Rules 1, 2 and 4 as part of the State Implementation Plan. These revisions were adopted by the Board of Directors on Dec. 6, 2017 and are intended to address deficiencies previously identified by EPA. Comments on EPA's proposed approval are due to EPA by April 2, 2018.

**Regulation 3: Fees:** Staff is working on proposed amendments to the District's FYE 2019 fee regulation (Regulation 3), which would be effective on July 1, 2018, and would increase fee revenue to help the District recover a greater share of the costs the District incurs in implementing and enforcing regulatory programs for stationary sources of air pollution. The staff conducted a public workshop on February 20, 2018 to discuss the draft amendments and briefed the Budget & Finance Committee on the proposed amendments at the March 28, 2018 meeting.

**Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities:** Staff completed an implementation plan for Rule 11-18 in March 2018. This plan identifies the procedures the Air District will use to identify potentially subject facilities, review emissions inventory and emissions release data, conduct health risk assessments, and review and approve risk reduction plans. The implementation plan identifies the first two phases of potentially subject facilities (Phase I and Phase II sites) and a preliminary schedule for reviewing Phase I sites. Staff is preparing emissions inventory and release data for Phase I sites, which will be submitted to facilities for review and correction in April. The Air District will soon be convening the Rule 11-18 Implementation Workgroup and the Technical Dispute Resolution Committee. Web site updates are also underway.

**Heavy Liquid Study:** Engineering is working with Legal, Enforcement, and Rule Development to address a path forward for developing revised average emission factors for fugitive emission leaks from heavy liquid service components. Engineering is working with Enforcement, WSPA, and the refineries on selecting components to monitor and test for the study. Four of the five refineries have finished the screening portion while two have finished the bagging portion.

**Regulation 12, Rule 15: Petroleum Refining Emissions Tracking:** All five refineries and their support facilities submitted their Annual Emissions Inventories required by Regulation 12-15-401 the week of July 3<sup>rd</sup>. Deficiency letters were sent out and responded to and staff are completing final review of inventories. Staff are meeting with WSPA and the refineries to discuss a path forward regarding toxic emissions where there is no source test data.

**California Assembly Bill 617:** Staff continues to work on the implementation of AB 617, including actively participating on the Best Available Retrofit Control Technology (BARCT), BACT, and Emissions Inventory workgroups with the California Air Resources Board and other air district staff. Staff participated in the Air District's AB 617

Community Workshop on January 31, 2018 and the ARB AB 617 Technical Summit in Oakland on February 22. Staff participates in the AB 617 regional community workshops. Engineering and Planning staff hosted a meeting with ARB to discuss the Air District stationary source inventory and associated databases and online systems. Staff has also been considering permit ideas to further reduce air pollutant emissions and exposure for communities.

**LEGAL DIVISION**  
**B. BUNGER, DISTRICT COUNSEL**

The District Counsel's Office received 273 violations reflected in Notices of Violation (NOVs) for processing.

Mutual Settlement Program staff initiated settlement discussions regarding civil penalties or passing the Wood Smoke Awareness Course for 203 violations reflected in NOVs. In addition, 12 Final 30-Day Letters were sent regarding civil penalties for 15 violations reflected in NOVs. Finally, settlement negotiations resulted in collection of \$107,600 in civil penalties for 214 violations reflected in NOVs. *103 NOVs were settled by passing the Wood Smoke Awareness Course with no monetary penalty.*

Counsel in the District Counsel's Office initiated settlement discussions regarding civil penalties for 14 violations reflected in NOVs. Settlement negotiations by counsel resulted in collection of \$2,251,329 in civil penalties for 113 violations reflected in NOVs.

**(See Attachment for Penalties by County)**

**COMMUNICATIONS AND PUBLIC INFORMATION DIVISION**  
**L. FASANO**

**Media Inquiries**

Staff responded to media inquiries during the winter, including requests about:

- Oakland Crematorium
- Valero Settlement
- Tesoro Settlement
- San Jose Fire
- Chevron Flaring
- WSTA
- Fireworks
- Fireplace changeout program
- Winter Spare the Air
- Bio-rad Settlement
- Air Quality Monitoring
- Sims Fire
- Sims NOVs
- Shell Incident

- Prescribed Burns
- Proposed Legislation
- Dodd Bill
- Yes Conference
- Phillips 66 Permit
- Community Monitoring Workshops
- Tesla settlement
- Chevron toxics
- Hydrogen refueling station
- Newby Island Landfill
- Cement plant fire
- North Beach Fire
- Chevron steam plume

### **Media Highlights**

The Air District was mentioned in 601 print/online stories and 40 video and radio clips from January to March 2018. Below are media coverage highlights:

- [EDF.org: A breakthrough for mobile air quality data – and 3 deceptively tough challenges that paved the way](#)
- [California wildfires contribute to high number of Spare the Air alerts this season](#)
- [Another Winter Spare the Air Alert called for January 2](#)
- [After dry start, Bay Area to see rain this week](#)
- [Wood-burning discouraged but not banned today](#)
- [Air District Reaches \\$915K Settlement With Tesoro Refinery](#)
- [Flaring at Chevron Refinery in Richmond Exceeds State Limit](#)
- [East Bay biotech will shell out \\$990,000 fine for local air pollution issues](#)
- [Cash rebates offered to Bay Area homeowners to replace fireplaces with cleaner heating devices](#)
- [How Bay Area homeowners can snag \\$3,500 to help the environment](#)
- [Winter Spare the Air Alert – Monday, January 15](#)
- [Another Spare the Air alert issued for MLK Day](#)
- [Air pollution district announces burn ban](#)
- [Oakland, terminal building go to court Tuesday over city's coal ban](#)
- [Environmental Auditing: Integrated California & Federal Compliance Guide](#)
- [Port of Oakland pitches clean-truck grants to freight haulers](#)
- [Air quality district rules can vary, depending on your location](#)
- [Berkeley dedicates bicycle, pedestrian improvements alongside UC campus](#)
- [Port of Oakland to Freight Haulers: There's Money To Clear The Air](#)
- [\\$800,000 in rebates to replace fireplaces is snapped up in 15 hours by Bay Area homeowners](#)
- [New bike lockers at light rail stations](#)
- [Napa County's fire victims moving to the rebuild phase](#)
- [Marin County plans 40 electric vehicle charging stations](#)

- [Most EPA Pollution Estimates Are Unreliable, So Why Is Everyone Still Using Them?](#)
- [Getting to campus just got quicker, safer and more sustainable](#)
- [Air District Holds Community Health Protection Program Workshop](#)
- [Real-time air monitoring needed](#)
- [EPA awards Diesel Emissions Reduction Act grants for clean air projects in California](#)
- [Air District Responds To Scrap Metal Fire](#)
- [Smoke From Scrap Metal Yard Fire in Richmond May Have Violated Local Air Standards](#)
- [Richmond scrap metal fire leads to air quality concerns](#)
- [Air district investigates smoke from Richmond metal scrapyard fire](#)
- [City Accuses Company Of Deliberately Blowing Dangerous Dust Into West Oakland](#)
- [Mobility players gear up for 'bike battle' in U.S.](#)
- [Rockridge project's future uncertain; high costs, retail downturn blamed](#)
- [Sims Fire Released Harmful Benzene Into Richmond Air](#)
- [Air samples from Sims Metal fire released](#)
- [Richmond Launches Review of Metal Yard That Went Up in Flames](#)
- [How Important is air quality?](#)
- [Sims Metal to host town hall to discuss Jan. 30 fire](#)
- [Air Quality Fines Expected After Richmond Fire](#)
- [Richmond scrap yard cited in fire that released cancer-causing chemical into air](#)
- [While Oakland Is Worried About Getting Coal, Richmond Is Covered in It](#)
- [Dodd bill aims to triple fines for refinery air quality violations](#)
- [Air District to host series of community air monitoring workshops](#)
- [State Senate Bill Would Triple Penalties for Refinery Air Violations](#)
- [Richmond Fire Released Range of Toxic Chemicals Into Air, Reports Show](#)
- [Close to Home: A stark reminder of the importance of controlled burning](#)
- [Flaring At Chevron Refinery Thursday Morning](#)
- [New Flaring At Chevron Richmond Refinery Prompts Inspection](#)
- [Battle Over Dirty Air Brewing in West Oakland](#)
- [No shelter-in-place for Richmond refinery flare](#)
- [Chevron reporting flaring at Richmond facility](#)
- [Bay Area's Winter Spare the Air season ends with 19 alerts](#)
- [Shipping companies honored for whale efforts](#)
- [Tesla Fined Nearly \\$140K Over Air Quality Violations At Fremont Plant](#)
- [Tesla, ironically, faces \\$139,000 environmental pollution fine at Fremont electric car factory](#)
- [Winter 'Spare The Air' Season Ends In Bay Area](#)
- [Tesla touts its emissions-free cars; its factory got fined for polluting](#)
- [Marin voices fewer complaints over winter fireplace smoke](#)
- [Permissive Burn Period Opens For Marsh Management Fires](#)
- [First Class 8 electric truck at Port of Oakland will be tested for three years](#)
- [Where There's Smoke, There's Toxic Fire](#)
- [Investigators Fail to Find Cause of Smoky Metal Yard Fire in Richmond](#)
- [San Francisco's Fourth Railroad](#)
- [Air District wants monitor recommendations](#)
- [Groups Protest Expansion of Tar-Sands Oil Refining in CA](#)
- [Environmentalists Protest Refinery Permit, Air District Disputes Their Claim](#)
- [Benicia mayor hopes council will support Sen. Bill Dodd's anti-pollution bill](#)

- [City's first hydrogen station opens](#)
- [Oakland council member replaced by Emeryville mayor on air quality board](#)
- [10 New Electric Buses Coming To SamTrans](#)
- [SamTrans acquires 10 electric buses](#)
- [Point Richmond alarmed by loud, pervasive, extended noise from Chevron](#)
- [From the Ashes: Rebuilding for Resiliency](#)

## **Press Release**

|           |                                                                                                                                     |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------|
| 1/3/2018  | <a href="#">Air District asks public to not burn wood today to reduce air pollution</a>                                             |
| 1/3/2018  | <a href="#">Air District settles case with Tesoro Refining and Marketing Co.</a>                                                    |
| 1/3/2018  | <a href="#">Mobile air monitoring study gets rolling in Richmond</a>                                                                |
| 1/1/2018  | <a href="#">Another Winter Spare the Air Alert called for January 2</a>                                                             |
| 1/14/2018 | <a href="#">Winter Spare the Air Alert called for Monday, January 15</a>                                                            |
| 1/11/2018 | <a href="#">Air District funding fireplace changeout program</a>                                                                    |
| 1/11/2018 | <a href="#">Air District settles case with Bio-Rad Laboratories, Inc.</a>                                                           |
| 1/26/2018 | <a href="#">Air District hosts Community Health Protection Program workshop</a>                                                     |
| 1/29/2018 | <a href="#">Air District hosts AB 617 Community Health Protection Program workshop</a>                                              |
| 2/1/2018  | <a href="#">Media Advisory: Air District investigates fire at Sims scrap metal facility in Richmond</a>                             |
| 2/6/2018  | <a href="#">Air District issues two violations to Sims Metal Management</a>                                                         |
| 2/8/2018  | <a href="#">Hazy skies and elevated pollution levels expected today in Bay Area</a>                                                 |
| 2/14/2018 | <a href="#">Air District hosts Refinery Community Air Monitoring workshops</a>                                                      |
| 2/20/2018 | <a href="#">Media Advisory: Air District hosts refinery community air monitoring workshops this week in Richmond &amp; Martinez</a> |
| 2/21/2018 | <a href="#">Air District allocates \$3 million for Caltrain electrification project</a>                                             |
| 2/22/2018 | <a href="#">Media Advisory: Fifth annual YES Conference encouraging youth action for clean air returns this weekend</a>             |
| 2/27/2018 | <a href="#">Air District hosts upcoming refinery community air monitoring workshops in Rodeo &amp; Benicia</a>                      |
| 2/27/2018 | <a href="#">Permissive burn period opens for marsh management fires</a>                                                             |
| 3/1/2017  | <a href="#">Air District fines Tesla for air quality violations</a>                                                                 |
| 3/1/2017  | <a href="#">Eleven global shipping companies slowed transits in 2017 program to protect blue whales and blue skies</a>              |
| 3/1/2017  | <a href="#">Winter Spare the Air season comes to an end</a>                                                                         |
| 3/22/2018 | <a href="#">Kaiser Permanente wins Spare the Air Leadership Award</a>                                                               |
| 3/23/2018 | <a href="#">Air District hosts AB 617 Community Health Protection Program workshop in San Leandro</a>                               |

## **Public Inquiries**

Phone: 557 public calls

## **Events**

- Santa Rosa Farmers' Market (January 6)
- Napa-Vallejo Flea Market (January 7)
- Palo Alto Farmers' Market (January 13)
- Sebastopol Farmers' Market (January 14)

- Santa Clara Farmers' Market (January 20)
- California Ave Farmers' Market (January 21)
- Spring Home Show (February 10 & 11)
- Carpool Now event at SunPower (February 22)
- Sunday Streets, Mission – San Francisco (March 11)
- Sonoma County Home & Garden Show – Santa Rosa (March 16–18)
- Public Works Arbor Day Eco Fair – San Francisco (March 17)
- Solano County Youth Ag Day – Vallejo (March 20)
- Sunday Streets, Excelsior – San Francisco (March 25)
- Bayview Citywide Revival – San Francisco (March 26-30)

### **Spare the Air**

This quarter, staff met with the web team and contractors for the Spare the Air website redesign. The Spare the Air website redesign is in progress. Staff provided proposed wireframe comments to contractor and are reviewing revised comp.

### **Winter Spare the Air**

The Winter Spare the Air advertising has wrapped up for the season. The WTSA Treasure Island banner came down on March 1. A Spare the Air carpool banner was up for the entire month of March. Staff has secured the Treasure Island banner from May 2018 – early 2019.

### **Air District Social Media**

The Social Media Plan for the Communications Office undergoing final edits and Air District social media guidance document is in development.

Staff shared information on daily, two-day and five-day air quality forecasts. Posts of air quality updates, Bio-Rad and Tesoro Settlements, Richmond mobile monitoring study, wood smoke grants, Sims Metal fire, agricultural burn in Sacramento, refinery community monitoring workshops, Charge! Program and Acterra awards.

This season, the most successful social media posts were: Caltrain's electrification on Facebook which reached 3.8k users, the five-day forecast on Feb. 5 received 90 likes on Instagram and the Charge! grant program post reached 208.1k users on Twitter.

In this quarter, follower numbers increased to 2,004 on Facebook, 3,748 on Twitter, and 1,012 on Instagram.

### **Spare the Air Social Media**

This season staff shared posts to Facebook and Twitter on Winter Spare the Air Alerts, Fireplace Change out Program, #WednesdayWisdom messages, Clean Air Commute stories, and shared some of SMART train's posts.

This quarter, for influencer relations, staff researched broadcasters and reporters who have been writing “spare the air” and not tagging @SpareTheAir on Twitter during Alerts and made sure that @SpareTheAir is following them.

Staff directed our contractor to swap out the Winter Spare the Air logo for everyday Spare the Air logo and updated the profile image with photo of sky and clouds on March 1, 2018.

### **Employer Program Updates**

Staff sponsored Joint Venture Silicon Valley’s State of the Valley Conference event on February 9, 2018.

### **Carpool Now**

Carpool Now events, that promote interoffice carpooling at large employers, were held at SunPower Richmond on Thursday, February 22 and SAP in Sunnyvale March 1, 2018.

### **Spare the Air, Cool the Climate**

Staff completed the fact sheet and brochure for the Clean Air Plan – Spare the Air, Cool the Climate and have been printed.

Staff purchased sparetheairclimate.org URL and the website is in progress. Website was presented to promotion team on 4/5 and edits are being made by the web team.

Staff is working with Move Over Earth to discuss promotion of the Air District’s climate efforts.

### **Videography**

This quarter, staff worked on an animated version of the “On Air” introduction. A video about air monitoring is currently in production. Staff is in the process of scheduling to record Eric Stevenson at a Richmond air monitoring site to provide a simple overview of the Air Districts air monitoring network.

Staff also worked on shooting B-roll of the Air District lab for use in future Air District videos and video podcasts.

### **Annual Report**

Staff worked with contractor for design options and final web and print designs with Air District for review. The 2017 annual report will be delivered at the May Board of the Director’s meeting.

### **Training**

Staff provided event training to Air District staff and is working to develop and set up training on logo usage, presentations and media interviews.

## **Miscellaneous**

Staff worked on Spare the Air Branding Guidelines. Contractor adding Air District revisions and will send final version for review/approval.

Staff worked with Acterra for the Acterra Business Environmental Awards. The Spare the Air Leadership Award winner was selected by judging committee, recommendation reviewed and accepted by the Acterra Board on March 7, 2018. Shared press release announcement with Air District Executive Staff. Currently, arrangements are being made for Acterra Business Environmental Awards Ceremony to be held May 31, 2018, at the Metro Center. Invitations have been delivered to Board members.

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|----------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: center;"><b>COMMUNITY ENGAGEMENT DIVISION</b><br/><b>G. NUDD, DEPUTY AIR POLLUTION CONTROL OFFICER</b></p> |
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## **OUTREACH AND ENGAGEMENT PROGRAMS**

### ***Spare the Air Youth***

- **Friday, March 23, 2018 – Spare the Air Presentation** – Staff presented basic air quality and Spare the Air program information to kindergarten students at East Bay Academy in Oakland. Approximately 45 students attended the presentation.
- **Friday, March 9, 2018 – Spare the Air Presentation** – Staff presented basic air quality and Spare the Air program information to kindergarten students at Starlite CDC in Oakland. Approximately 45 students attended the presentation.
- **Thursday, March 1, 2018 – YES Conference Debrief Meeting** - Staff met with the YES Conference planning team to discuss the highs and lows of the Conference. Meeting topics included the conference planning process, day-of activity and lessons learned. The team outlined next steps and follow-up items to be completed by the end of March 2018.
- **Tuesday, February 27, 2018 - Spare the Air Youth Program Check in Meeting** - Staff met with Ursula Vogler and Megan Magill, with MTC, and Alta Planning staff to discuss the high school grantee program, next steps for Spare the Air Youth website relaunch and overall thoughts on the YES Conference.
- **Saturday, February 24, 2018 – YES Conference** – The Air District and MTC hosted the 5<sup>th</sup> Annual Spare the Air Youth's Youth for the Environment and Sustainability (YES) Conference on February 24 at Laney College in Oakland. Oakland Mayor Libby Schaaf and Air District Board Chair David Hudson provided welcoming remarks at the conference. Approximately 1,000 students, teachers, parents and youth organization representatives attended the conference and over 55 student led presentations were featured.
- **Thursday, February 22, 2018** - Staff met with Tom Cosgrove, Green Energy Associates, to discuss last minute YES Conference registration numbers, run through the conference program and prepared for the conference. The YES

Conference will be held on Saturday, February 24, 2018 at Laney College in Oakland.

- **Thursday, February 15, 2018 – Last Walkthrough of Laney College** – Staff met with Laney College facilities representatives, YES Conference catering staff and other YES Conference vendors and key volunteers to review last minute conference logistics at Laney College. Staff reviewed setup locations, vendor move in/out logistics and reviewed shuttle bus drop off/pickup locations.
- **Tuesday, February 13, 2018 – YES Conference Volunteer Meeting** – Staff hosted a meeting for Air District and MTC staff who will be working at the YES Conference. Staff reviewed conference logistics, staff roles and student safety protocols while at Laney College.
- **Tuesday, February 13, 2018 - Spare the Air Youth Program Check in Meeting** - Staff met with Ursula Vogler and Megan Espiritu, with MTC, and Alta Planning staff to discuss the next steps for Spare the Air Youth program grantees and the upcoming YES Conference.
- **Thursday, February 8, 2018 - Meeting with Green Energy Associates** – Staff met with Tom Cosgrove, Green Energy Associates, and Megan Magill from MTC to discuss the YES Conference registration numbers, provide updates on vendor contracts, badges, program, and discuss next steps for YES Conference.
- **Monday, February 5, 2018 - Meeting Berkeley High School Student Leadership** – Staff presented to over fifty student leaders to raise awareness about the YES Conference and how they can be involved next year.
- **Thursday, February 1, 2018 - Meeting with Green Energy Associates** – Staff met with Tom Cosgrove, Green Energy Associates, to discuss the YES Conference registration numbers, provide updates on vendor contracts and discuss next steps. The YES Conference will be held on Saturday, February 24, 2018 at Laney College in Oakland.
- **Thursday, February 1, 2018 - Meeting with Solano Transportation Authority** – Staff met to discuss outreach strategy for engaging Vallejo students to the annual YES Conference. Support was also expressed for racial equity engagement in the framework for YES Conference planning.
- **Wednesday, January 31, 2018 - Spare the Air Youth Program Check in Meeting** - Staff met with Ursula Vogler and Megan Espiritu, with MTC, and Alta Planning staff to discussing the next steps for Spare the Air Youth program grantees and the upcoming YES Conference.
- **Wednesday, January 31, 2018 – Interview with KBLX** - Staff along with student board member participated in a fifteen-minute interview with Armand from KBLX's community affairs program regarding the upcoming YES Conference. The show aired Sunday, 2/4.

- **Tuesday, January 30, 2018 - Meeting National Equity Project** – Staff discussed with staffer to explore hosting a workshop on racial equity at the annual YES Conference in addition to assisting in identifying First Nations leads for opening and closing program.
- **Tuesday, January 30, 2018 – Y-PLAN Presentations** – Staff met with staffers and students that participated in the Y-PLAN program in collaboration with the Resilient by Design team. Staff also spread the word about the annual YES Conference and submitting conference workshop proposal for the event.
- **Monday, January 29, 2018 - Meeting with Peralta Community College District** – Staff discussed with Sustainability program to support efforts for a zero-waste event at Laney College.
- **Thursday, January 25, 2018 – Earth Team Presentation** – Staff presented to teenagers at Kennedy High School in Richmond on topics of an overview of the Air District, YES Conference, and internship program.
- **Wednesday, January 24, 2018 – Spare the Air Youth Website Review Meeting** – Staff met with Ursula Vogler and Megan Espiritu, with MTC, and Alta Planning staff to discuss the Spare the Air Youth website revamp.
- **Wednesday, January 24, 2018 – Spare the Air Youth High School Group Meeting** – Staff attended the Spare the Air Youth High School Group Meeting to present information on the upcoming 2018 YES Conference and to encourage high school program providers to continue to register their students for the conference.
- **Wednesday, January 24, 2018 – Spare the Air Youth Technical Advisory Committee Meeting** – Staff attended the Spare the Air Youth Technical Advisory Committee (STAY TAC) meeting to present information on the upcoming 2018 YES Conference. TAC members received an update on the ATP Non-Infrastructure category and provided input on MTC's update to Plan Bay Area.
- **Wednesday, January 24, 2018 – Spare the Air Youth Grantee Kickoff Meeting** – Staff attended the Spare the Air Youth Grantee Kickoff Meeting to meet the grantees, discuss program expectations and review project timelines and deliverables.
- **Tuesday, January 23, 2018 – Call with Mark Jones** – Staff discussed photo and video needs with Mark Jones.
- **Thursday, January 18, 2018 - Meeting with Green Energy Associates** – Staff met with Tom Cosgrove, Green Energy Associates, to discuss the YES Conference registration numbers, provide updates on vendor contracts and discuss next steps. The YES Conference will be held on Saturday, February 24, 2018 at Laney College in Oakland.
- **Thursday, January 18, 2018 – Meeting with American Indian Child Resource Center** – Staff discussed the opportunity for the teens to open and close the YES Conference honoring First Nations people and their ancestors on Ohlone territory.

- **Tuesday, January 16, 2018 – Presentation at Carlmont High School** – Staff presented information on the 2018 YES Conference to Carlmont’s Student Body Government class and tabled during the school lunch hour to encourage students to sign up to attend the conference.
- **Tuesday, January 16, 2018 – Spare the Air Youth Program Check in Meeting** – Staff met with Ursula Vogler and Megan Espiritu, with MTC, and Alta Planning staff to discuss the upcoming Spare the Air Youth Technical Advisory Committee meeting, scheduling a Spare the Air Youth program grantee kickoff meeting, reviewing the Spare the Air Youth program website revamp ideas and the upcoming YES Conference.
- **Saturday, January 13, 2018 – YES Conference Student Advisory Council (SAC) Program Planning Meeting** - Staff met with the YES Conference SAC to discuss outreach for the conference, review session proposals and compile the conference agenda. The YES Conference is scheduled for Saturday, February 24, 2018 at Laney College.
- **Monday, January 10, 2018 – Teen presentation with Rose Foundation Teens**– Staff presented on the YES Conference in front of fifteen passionate teens.
- **Monday, January 8, 2018 – Spare the Air Youth Program Check in Meeting** – Staff met with Ursula Vogler and Megan Espiritu, with MTC, and Alta Planning staff to discuss the upcoming Spare the Air Youth Technical Advisory Committee meeting, scheduling a Spare the Air Youth program grantee kickoff meeting, reviewing the Spare the Air Youth program website revamp ideas and the upcoming YES Conference.
- **Monday, January 8, 2018 – Call with Foldscope**– Staff discussed workshop proposal for participation of the origami-inspired microscope with one of Foldscope’s team leads.
- **Friday, January 5, 2018 – Call with San Francisco Unified School District** – Staff discussed promotion of the YES Conference through school’s sustainability program. Future collaboration was mentioned for next year’s event.
- **Thursday, January 4, 2018 – Call with Kurieo Media** – Staff met with Devin Lars, with Kurieo Media, to discuss YES Conference collateral material and the delivery of conference t-shirts and water bottles.
- **Thursday, January 4, 2018 - Meeting with Green Energy Associates** – Staff met with Tom Cosgrove, Green Energy Associates, to discuss the YES Conference registration numbers, provide updates on vendor contracts and discuss next steps. The YES Conference will be held on Saturday, February 24, 2018 at Laney College in Oakland.

### ***Spare the Air Resource Teams***

- **Monday, April 2, 2018 – Public Engagement Committee Meeting** – Staff presented the results of the RFP and selection process for the new Resource Team contract period starting in July of 2018. The Committee recommended the selection of Community Focus and Kearns and West for managing the resource teams.
- **Thursday, March 22, 2018 – San Francisco Resource Team** – Staff attended and welcomed attendees at the annual SF Resource Team’s luncheon to promote clean commuter benefits to large employers in San Francisco. Presenters includes, Salesforce, SF Bike Coalition, Workday and California Academy of Art.
- **Tuesday, March 20, 2018 – San Jose Green Vision Resource Team Meeting** – Staff attended the San Jose Green Vision Resource Team meeting at San Jose City Hall. The team reviewed their Clean Air Commute Champions project, the Stop Junk Mail San Jose project postings and reviewed the team’s budget.
- **Monday, March 19, 2018 – Resilience by Design and Resource Team Coordination** – Staff facilitated a phone conference between Resilience by Design and Community Focus to see where there might be overlap in the work. RbD will follow-up with specific details.
- **Friday, March 16, 2018 – Napa Clean Air Coalition Meeting** – Staff attended and represented the Air District at the Napa Resource Team Meeting. Napa Valley Grape growers attended and presented their 6-step approach for low smoke ag burns. The audience for this program are vineyard owners, decision makers and contracted vine pullers. It is aligned with AD policies.
- **Monday, March 5, 2018 – Spare the Air Resource Team RFP Scoring Meeting** – Air District staff met to discuss the Spare the Air Resource Team RFP proposals that were submitted. Staff provided recommendations to the Spare the Air Resource Team program manager.
- **Wednesday, February 28, 2018 – San Francisco County Spare the Air Resource Team Conference Call** – The San Francisco County Spare the Air Resource Team met via conference call to discuss their commute solutions event scheduled for March 22.
- **Tuesday, February 27, 2018 – Meeting with Community Focus** – Air District staff met with Stephanie Anderson, Executive Director of Community Focus, to discuss the possibility of combining the San Jose Green Vision Resource Team and the Santa Clara County Resource Team. Staff also recommended creating a Marin County Spare the Air Resource Team.
- **Tuesday, February 20, 2018 – San Mateo County Spare the Air Resource Team Conference Call** – Staff participated on the conference call and provided an Air District update to the team. The team review their Active Trips Incentive project and discussed the Transportation Demand Management event scheduled for early June 2018.

- **Thursday, February 8, 2018 – San Francisco County Spare the Air Resource Team Meeting** – The San Francisco County Spare the Air Resource Team met at the Air District offices and staff provided an Air District update to the team. The team discussed their upcoming carpool event, received an update on the shared shuttle webinar and began planning the “commute solutions” workshop event targeted for May 2018.
- **Friday, January 26, 2018 – Sonoma County Spare the Air Resource Team Meeting** – The Sonoma County Spare the Air Resource Team met in Santa Rosa and staff provided an Air District update to the team. The team discussed the Go Sonoma website refresh, the outreach efforts of the Employer Commute Outreach Committee and reviewed the team’s budget.
- **Tuesday, January 22, 2018 – Sonoma County Spare the Air Resource Team Conference Call** – The Sonoma County Spare the Air Resource Team held a conference call to discuss options for a presentation at the Sustainable Enterprise Conference in April.
- **Tuesday, January 16, 2018 – San Mateo County Spare the Air Resource Team Meeting** – The San Mateo County Spare the Air Resource Team met in Redwood City and staff provided an Air District update to the team. The team discussed the Active Trips Incentive Project, discussed the TDM event and reviewed the team’s budget.
- **Thursday, January 11, 2018 – Southern Alameda Spare the Air Resource Team Meeting** – Staff attended the Southern Alameda County Resource Team meeting in Union City. The team received an update on the Air District and listened to a brief presentation from AC Transit on their services before discussing their ongoing Idle Free Bay Area project. The team also brainstormed ideas for new projects to begin.
- **Wednesday, January 10, 2018 – Spare the Air Santa Clara Resource Team Lunch** – Staff participated in lunch with Santa Clara Team in an informal meet and greet in Los Altos.
- **Wednesday, January 3, 2018 – Spare the Air Resource Team RFP Bidders Conference** – Staff hosted a bidders conference for the Spare the Air Resource Team RFP to provide an overview of the Air District, the Spare the Air Resource Team program and to answer questions. The Spare the Air Resource Team RFP closes on January 31, 2018.

#### ***Community Meetings, Workshops and Site Visits***

- **Wednesday, March 28, 2018 – AB 617 Local Workshop in San Leandro** – The Air District held the first local and also regional workshop about Assembly Bill 617 and local efforts to implement the Community Health Protection Program. Approximately 20 residents attended.

- **Tuesday, March 20, 2018 – 16<sup>th</sup> Annual Youth Ag Day** – Staff attended the 16<sup>th</sup> Annual Youth Ag Day event at Solano County Fairgrounds. Staff provided an overview presentation on the Air District, answered air quality related questions and tabled at the event. Approximately 900 students attended the event.
- **Wednesday, March 14, 2018 – Community Climate Solutions** – Staff met with Lisa Altieri about the possibility of providing funding to help local jurisdictions launch a climate action online platform to connect residents with actions they can take to reduce their climate impact.
- **Monday, March 5, 2018 – Benicia Refinery Community Monitoring Workshop** – Staff held a workshop in Benicia to inform the community about our monitoring technologies and solicit input about a potential new location for a fixed monitoring site. Approximately 20 residents and stakeholders attended and there was lively engagement around the mapping activity where residents had a chance to suggest potential locations for a new air monitoring station.
- **Thursday, March 1, 2018 – Rodeo Refinery Community Monitoring Workshop** – Staff held a workshop in Rodeo to inform the community about our monitoring technologies and solicit input about a potential new location for a fixed monitoring site. Approximately 60 residents and stakeholders attended and there was lively engagement around the mapping activity where residents had a chance to suggest potential locations for a new air monitoring station.
- **Thursday, February 22, 2018 – Martinez Refinery Community Monitoring workshop** – Staff hosted a workshop in Martinez like the one in Richmond on 2/21. Approximately 20 residents and stakeholders attended and there was lively engagement around the mapping activity where residents had a chance to suggest potential locations for a new air monitoring station.
- **Wednesday, February 21, 2018 – Richmond Refinery Community Monitoring workshop** – Staff held a workshop in Richmond to inform the community about our monitoring technologies and solicit input about a potential new location for a fixed monitoring site. Director Gioia and approximately 60 residents and stakeholders participated. Staff received positive feedback about the event.
- **Monday, February 20, 2018 – West Oakland Environmental Indicators Project Partnership Meeting for AB 617** - Staff participated in a meeting between WOEIP, UC Berkeley Goldman School and the Air District to review a proposed partnership agreement and scope of work for the upcoming AB 617 Community Emissions Reduction Program planning process.
- **Wednesday, February 7, 2018 – BVHP Community Science Grant project** - Staff met with Literacy for Environmental Justice (LEJ), Greenaction, and the Rafiki Project to discuss the initiation and the execution of the Hidden Hazards Mapping Project that was funded by the Air District.

- **Tuesday, February 6, 2018 – North Richmond MAC** - Staff gave a presentation on the Refinery Community Monitoring Meetings for the North Richmond Neighborhood MAC meeting. There were approximately 40 residents in attendance.
- **Wednesday, January 31, 2018 – Community Health Protection Program Workshop for Assembly Bill 617** – The Air District held a regional kick-off workshop about Assembly Bill 617 and local efforts to implement it. Over 100 diverse stakeholders participated.
- **Friday, January 12, 2018 – ARB 617 Combined Working Group Conference Call** – Staff participated in this conference call to discuss progress to date with monitoring and community identification guidance document development.
- **Thursday, January 11, 2018 – West Oakland Environmental Indicators Project Meeting** – Staff attended a meeting where various stakeholders discussed a process for developing an action plan under AB 617.

#### *Other*

- **Thursday, March 29, 2018 – Student-Led Air Monitoring Project** – Staff met with a 15 year-old-student from San Francisco and his adult guide to discuss an exciting mobile sensor research project they conducted in the Columbus Avenue area of San Francisco. Charlie and his peers have been recognized by Breathe California for their efforts, and the City of San Francisco is considering their recommendations as they consider improvements to Columbus Ave.
- **Tuesday, March 27, 2018 – Stamen Design Meeting** – Staff participated in a meeting with Stamen Design, a team that visually represents data in an understandable and engaging way. The Air District is considering using their services for certain data-related projects.
- **Monday, March 26, 2018 – CARB AB 617 Consultation Group** – Staff assisted with room logistics for this meeting and listened or participated in the meeting.
- **Monday, March 26 and Tuesday, March 27, 2018 – Chinese Delegation Visit** – Staff hosted two Chinese delegates from Beijing Municipal Environmental Monitoring Center. The delegates received presentations from various divisions on Air District programs and toured the meteorology room, lab and San Pablo air monitoring station.
- **Friday, March 23, 2018 – Field Visit to Vallejo** – staff helped coordinate a field visit by Air District staff to Vallejo to meet with community members and the mayor and view the site context for the proposed ORCEM project.
- **Thursday, March 22, 2018 – Community Sensing Workgroup Meeting #3** – Staff participated in an internal working group to create a community sensing program at the Air District. The group discussed the objectives of the low-cost sensing program focus, reviewed the findings from the external stakeholder interviews and discussed overlap between the low-cost sensing work and the priorities of the Air District.

- **Thursday, March 22, 2018 – Meeting IQAir** – staff meet with representatives from IQair to discuss developing a SEP proposal for providing filters to schools in the Bay Area.
- **Wednesday, March 21, 2018 – East Oakland Community Bike Plan meeting** – staff attended a community workshop on developing a community-based bike plan for the communities of East Oakland.
- **Thursday, March 15, 2018 – Sustainable Food Conference Planning** – Staff is working with Acterra on planning a regional sustainable food practices conference.
- **Thursday, March 15, 2018 – GARE ½ Day** – Staff attended a GARE ½ day training followed by a speaker and cross-team work. The team learned from Equity Directors in Seattle and North Carolina about their equity programs, challenges and lessons learned. The teams then worked to identify cross-agency projects (such as speaker’s series, internship programs, training and capacity building opportunities among others).
- **Wednesday, March 14, 2018 – San Leandro AB 617 Workshop Outreach** - Staff reached out to City of San Leandro and City of Hayward staff regarding the March 28<sup>th</sup> AB 617 workshop in San Leandro.
- **Wednesday, March 14, 2018 – Outreach to Latino Leaders on Emergency Resiliency** – Staff is planning a roundtable for Bay Area Latino leaders about how to be resilient and prepare for a number of emergencies, including accidental releases or fires from industrial facilities.
- **Tuesday, March 6, 2018 – Community Sensing Workgroup Meeting #2** – Staff participated in an internal working group to create a community sensing program at the Air District. The group discussed the objectives of the low-cost sensing program focus, reviewed the findings from the stakeholder interviews and discussed overlap between the low-cost sensing work and the priorities of the Air District.
- **Wednesday-Thursday, February 26 - March 1, 2018 – CAPCOA POC quarterly meeting** – Community Engagement Management attended the quarterly CAPCOA Public Outreach Committee meeting hosted by the Santa Barbara Air District.
- **Wednesday, February 28, 2018 – ACTERRA Food Conference Roundtable** – Staff co-hosted with Planning Staff a roundtable facilitated by ACTERRA to begin planning for a Sustainable Food Conference. Approximately 15 experts in food sustainability and food procurement attended the roundtable and provided input on the Who, What, Where, When, How of the conference.
- **Thursday, February 22, 2018 – California Air Resources Board Technical Workshop about AB 617 Concept Paper** – Staff participated in this day-long workshop where CARB staff presented details about their AB 617 Framework and solicited input from various stakeholders.

- **Friday, February 9, 2018 – Meeting with Sustainable Silicon Valley (SSV)** - Staff met with representatives with Sustainable Silicon Valley to discuss their Net Positive Program. SSV has projects in East Palo Alto and San Jose and would like to explore further partnerships with the Air District.
- **Friday, February 9, 2018 – Latino Community Engagement** - Staff met with Bay Area Latino leaders from health and social service organizations to discuss planning a round table to inform the Spanish-speaking community about environmental health concerns and ways to protect health after natural disasters such as fires or large chemical releases.
- **Friday, January 26, 2018 – Joint Conference Call** – Staff met with representatives from Sustainable Silicon Valley and the East Palo Alto Planning Department to discuss the Community Grant project related to sensors placed around the City of East Palo Alto.
- **Tuesday, January 23, 2018 – GARE NorCal Training Day for Implementation Year Two**- Staff participated in a day-long kick off training for the second year implementation cohort for the Government Alliance on Racial Equity Training for the Northern California region held in Oakland alongside representatives from BARC, MTC, and BCDC.
- **Friday, January 12, 2018 – EPA and BAAQMD meeting on AB 617** – Staff met with EPA staff to discuss details about AB 617.
- **Friday, January 12, 2018 – Join AB 617 Workgroup Conference Call** – Staff participated in CARB statewide joint workgroup conference call.
- **Thursday, January 11, 2018 – Community-Led Sensing Internal Staff Interview** - Staff met with representatives of Kearns and West to answer questions related to the Air District developing a “community-led sensing” project.
- **Thursday, January 11, 2018 – MTC Community Engagement RFQ Review** - Staff reviewed RFQ applications submitted to MTC for community engagement efforts.

**PLANNING AND CLIMATE PROTECTION DIVISION  
H. HILKEN, DIRECTOR**

**Air Quality Planning**

Staff continued to implement Assembly Bill 617 (AB 617), including identifying the potential universe of Bay Area communities that have a high cumulative air pollution exposure burden, developing criteria to be used to prioritize communities, evaluating local community land use plans and regional transportation plans for the West Oakland community, coordinating with local community groups, participating in meetings with the California Air Resources Board (ARB) and other stakeholders, preparing for public workshops, meeting with other Air District staff to discuss the community air monitoring plan to be developed for Richmond, and drafting a Project Charter for the AB 617,

Community Health Protection Program implementation. Staff continued work on updating the CEQA Guidelines and Thresholds, including continuing to evaluate existing and new methodologies for developing new thresholds. Staff gave a presentation and conducted outreach on the CEQA Guidelines and Thresholds to interested stakeholders including, Bay Area County Planning Directors, 350 Bay Area, representatives of the Building Industry Association, and the Climate Change Committee of the Association of Environmental Professionals. Staff coordinated with MTC staff to invite Dr. Daniel Sperling to be a featured speaker for the June 2018 program of MTC's Metro Talks. Staff is working with City of Vallejo staff and consultants regarding draft responses to comments in the Final EIR being prepared for the Orcem/Vallejo Marine Terminal project. Staff participated in the 2018 Acterra Business Environmental "Spare the Air" Awards selection process. Staff participated in California Air Pollution Control Officers Association (CAPCOA) monthly Planning Managers Committee conference calls.

### **Research and Modeling Program**

In support of AB 617, staff began working on 2016 ozone, PM<sub>2.5</sub>, and air toxics modeling; preparation of meteorological inputs has been completed; preparation of emissions inputs is in progress: a work statement was prepared to obtain consulting services to help with air toxics emissions inventory preparation for modeling; the District's spatial surrogate database used for preparing gridded emissions inventories was updated; Census data was used to spatially allocate wood smoke emissions; a quality assurance review of the emissions inventory was performed. To better represent PM<sub>2.5</sub> concentrations at finer scales, vertical layers in CMAQ were increased from 15 to 28. Staff continued attending internal AB 617 meetings and participated in a conference call with CARB regarding methods for conducting a source apportionment study to support improved local-scale emissions inventories. Staff organized a meeting with scientists from SJSU and NASA Ames to discuss the status of a NASA-funded project to assess PM<sub>2.5</sub> levels from satellites in the Bay Area. Staff continued to work with SJSU and NASA Ames to characterize PM concentrations using satellite data. Staff participated in a conference call organized by WRAP (Western Regional Air Partnership) to discuss the status of ozone and PM modeling conducted by WRAP over the Western US. Staff met with Engineering staff to discuss the preparation of meteorological data for the AERMOD model, in support of Rule 11-18 required health risk assessments. Staff continued work on an analysis of landfill methane emissions. Staff responded to requests from CARB staff for meteorological data from several BAAQMD meteorological towers and guidance on how to prepare the data for input into AERMOD. Staff participated in the CRC Real-World Emissions Workshop. Staff continued work on improving the specification of ozone boundary conditions in the CMAQ model.

### **Community Air Risk Evaluation (CARE)**

Staff presented to the Advisory Council on PM<sub>2.5</sub> source apportionment. Staff completed an Assembly Bill 617 assessment package consisting of an interactive mapping tool, documentation, and a list of identified communities to support the April 30 submittal to the California Air Resources Board (ARB). Staff completed a partnership agreement, contracting forms, and a scope of work for a contract with the West Oakland Environmental Indicators Project to participate in the West Oakland Community Emissions Reduction Plan to meet requirements of AB 617. Staff prepared a scope of work and cost schedule for a contract with UC Berkeley to develop an automated high-emitter

identification and emission factor measurement system for heavy duty trucks to develop and implement “find and fix” programs for high PM emitting trucks; ARB will be co-funding this work. Staff participated in a technical summit on the implementation of the AB 617 Community Air Protection Program hosted by ARB. Staff continued technical work on the San Francisco Community Risk Reduction Plan (CRRP) updates. Staff attended meetings with community representatives from the Bayview neighborhood to discuss a ground-truthing mapping project to identify air pollution sources and sensitive receptors in the community. Staff assisted with technical review of various CEQA documents. Staff participated in Government Alliance for Racial Equity training. Staff attended a multi-day workshop with the Government Alliance on Race & Equity (GARE), a national network of government working to achieve racial equity and advance opportunities for all.

### **Emissions Inventories**

Staff met with the California Council on Environmental and Economic Balance (CCEEB) and presented recent findings of District efforts to revise methane emission estimates from Bay Area facilities using measurement methods. Staff participated in the California Air Pollution Control Officer Association’s (CAPCOA) AB 617 Emissions Reporting Workgroup conference call and continued discussions of AB 617 emissions reporting requirements. Staff organized, planned, and participated in a meeting with Dr. Charles Schmidt, who presented his flux chamber testing method and provided guidance on current technology to control odors at composting facilities. Staff completed public records requests for greenhouse gas (GHG) emissions for Santa Clara County and for the San Francisco Department of the Environment. Staff attended the Anaerobic Digester training workshop conducted by American Biogas Council to learn more about processes, design requirements, feedstocks, and end products. Staff oversaw the finalization of the Scientific Aviation contract for airborne methane mass balance flights, which will be used to continue to improve the Air District methane emissions inventory. Staff attended the Regulation 13 Rule 1 (Major Methane Releases) stakeholder meetings and responded to questions on methane emissions inventory and measurements. Staff participated in a site visit to Bodega Bay to deploy a methane isotopic analyzer alongside the existing GHG instrument. Staff participated in a vessel speed reduction (VSR) meeting via teleconference with staff at the National Oceanic and Atmospheric Administration (NOAA), the Santa Barbara Air District, and the Ventura Air District.

### **Climate Protection Program**

Staff launched the \$4.5 million Climate Protection Grant Program, including sending email blasts, updating Air District web pages, conducting an informational webinar and series of workshops around the region and responding to dozens of individual requests for information. Staff began working with members of the organizing team for Governor Brown’s Global Climate Action Summit scheduled for September 2018, to discuss the role of the Air District at the Summit. Staff submitted proposals to convene a signature event showcasing Bay Area climate leadership, and a climate technology marketplace event during the Summit. Staff convened a kick-off meeting of an internal Working Group to begin planning these activities. Staff participated in evaluating candidate projects for the Air District’s *Spare the Air* category for the 2018 Acterra Business Environmental Awards. Staff participated in an urban heat island knowledge exchange workshop designed specifically for Air District staff at Lawrence Berkeley National Laboratory with the Lab’s Heat Island Group staff of lead researchers. Staff began participating in MTC’s early stage

work on its “Futures” project, as part of the development of the next Sustainable Communities Strategy. Staff worked with MTC staff to discuss the potential scope and structure for a policy paper on air quality and climate to help inform the “Futures” project. Staff met with 350 Bay Area to provide updates on key climate projects and to discuss how to 350 members could support the adoption of the Model Solar Ordinance in jurisdictions and potentially collaborate with the Air District on other climate protection efforts.

Staff convened monthly meetings of the Air District’s GHG Research Working Group, to discuss updates on current research efforts and prioritize work for the FYE2019 budget. Staff convened an inter-divisional meeting of managers of Permitting, Source Test, Climate Protection, and Emissions Inventory to evaluate the status of emissions knowledge and measurement capabilities of the Air District with regards to composting operations, in support of rule-making and the GHG emissions inventory. Staff met with Source Test Manager to discuss conducting in-facility methane measurements as a follow up to the identified hotspots from airborne measurements. Staff met with staff from Rules, Compliance and Enforcement, Measurement and Meteorology, and Source Testing to discuss coordination and communication procedures for the many GHG and related measurement campaigns being planned.

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| <p style="text-align: center;"><b>RULES AND STRATEGIC POLICY OFFICE</b><br/><b>G. NUDD, DEPUTY AIR POLLUTION CONTROL OFFICER</b></p> |
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**Community Protection/AB 617 Efforts**

**Rule 11-18: Reduction of Risk from Air Toxic Emissions at Existing Facilities:**

Proposed Rule 11-18 is the next step in the Air District’s efforts to protect public health from toxic air pollution. The rule is expected to substantially reduce health risks posed by various facilities by requiring the implementation of all technically and economically feasible risk reduction measures to significant sources of toxic air contaminants (TACs). The proposed rule would affect hundreds of facilities, from large facilities like petroleum refineries to much smaller businesses like some dry cleaners and crematoria. These facilities emit a variety of TACs that can adversely impact public health. These pollutants include compounds such as diesel particulate matter (DPM), benzene, polycyclic aromatic hydrocarbons (PAHs), and 1,3-butadiene.

Staff provided an update on Rule 11-18 to the Stationary Source Committee on Sept. 18. The full Board was also provided with an update on September 20<sup>th</sup>. On November 15, 2017, the Board unanimously approved the new rule. The adoption resolution included direction to staff to develop an implementation workgroup made up of impacted industry and impacted community members. The Board also directed the staff to form a technical dispute resolution body to serve as an arbiter of disagreements between industry and staff on engineering issues such as emissions estimates. The Engineering Division is leading implementation of Rule 11-18.

**AB 617 Rule Development Review:**

Assembly Bill 617 requires air districts to develop action plans to reduce air pollution burdens in communities identified as having high cumulative air pollution exposure. The Air District rule development staff, in anticipation of its obligations under AB 617, has initiated a review of Air District rules and regulations to determine both their potential contributions

and to identify any gaps where additional rulemaking may be necessary to fulfill those obligations.

Air District staff presented an overview of the new legislation and our efforts to implement this program to the Air District Board of Directors at the Board Retreat in San Ramon on Wednesday, January 17, 2018.

The Air District hosted an AB 617 community workshop here at the Air District offices on January 31, 2018. Both Air District staff and CARB staff made a presentation on AB 617 with a moderated community panel discussion that included Ms. Margaret of the West Oakland Environmental Indicators Project, Ken Szutu of Fresh Air Vallejo, Brian Butler of Greenaction, and Ernesto Arevalo of CBE (East Oakland). There were over 100 people in attendance, including 67 community members, seven ARB staff members and about 30 Air District staff, including the Executive Officer, Jack Broadbent, the DAPCOs, Greg Nudd, Wayne Kino, Damian Breen, and Air District Chair David Hudson was also in attendance. The workshop was webcast and follow-up engagement is available on [Open Air Forum](#).

Air District staff is hosting a series of eleven community-specific workshops to inform the public on our progress toward identifying priority communities most impacted by air pollution. The first workshop was held in San Leandro on Wednesday, March 28, 2018. The following three were held in Vallejo on Tuesday, April 24, 2018; Bay Point on Wednesday, April 25, 2018; and Pleasant Hill on Monday, April 30, 2018. Four workshops are scheduled to be held in Dublin on Thursday, May 10, 2018 San Pablo on Wednesday, May 16, 2018; San Jose on Monday, May 21, 2018 and Fairfield on Thursday, May 24, 2018. The remaining workshops are in the planning phase.

#### **AB 617 BARCT Review:**

Assembly Bill 617 was signed by the Governor in July 26, 2017. It requires air districts to review the control technology installed on pollution sources located at facilities subject to the Cap-and-Trade program. The Air District has 80 facilities which are subject to Cap-and-Trade. These 80 facilities have over 3,000 sources. The Air District must review these sources and determine if the Best Available Retrofit Control Technology (BARCT) is being used. For the sources where BARCT is not being used, the Air District must develop a proposed BARCT determination for the source category and a schedule for finalizing the appropriate rules. That schedule must be approved by the Board before the end of 2018. Since the schedule will likely result in the installation of control equipment, the Air District will have to conduct an EIR to evaluate the possible environmental impact of adopting the schedule.

Staff is working with the Air Resources Board and the South Coast Air Quality Management District to coordinate on timing and approach. Staff has identified the source categories that require more stringent controls, resulting in a list of potential rule development projects. Staff has initiated development of scoping documents for each rule development project and will work with the impacted industries to ensure we are using the most accurate and current data in this analysis.

## **Climate Rules**

### **Rule 13-1: General Prohibition on Significant Methane Releases:**

Currently, methane and natural gas releases are exempt from Air District regulations because those rules were designed to reduce ozone and methane does not contribute to ozone formation. As a result, the Air District has no regulatory basis for requiring facilities to address (detect and repair) methane leaks. Rule 13-1 would prohibit methane releases of more than 10,000 ppm and 10 pounds per day. This general prohibition will enable the Air District to compel facilities to detect and repair major leaks while we develop more specific rules to address methane from particular source categories, such as landfills and composting operations. This would be the first such rule in the United States.

Staff has been meeting extensively with PG&E regarding this rule to make sure that the rule will complement their existing programs for limiting leaks in accordance with the regulations set by the California Public Utility Commission (CPUC). On September 26, staff convened the first meeting of our methane expert panel with representatives from PG&E, ARB, CalRecycle, Publicly-Owned Treatment Works, Environmental Defense Fund and academia. The panel agreed that the limits we are considering in this rule appear to be workable. Further analysis and outreach are underway to ensure the staff understands the possible impacts of this rule. By late February staff expects to meet with industry representatives of the four highest methane-emitting sources in the Bay Area to brief them on our approach to the methane strategy. These sources include the afore-mentioned PG&E, landfill operators, waste water treatment operators and the petroleum refining industry. Two workshops are expected to be scheduled for June. We expect to bring Rule 13-1 to the Board in late summer/early fall 2018.

### **Compost Rule:**

As part of its 75 percent by 2020 waste recycling goal and to reduce greenhouse gas emissions, California has mandated that organic waste be diverted from landfills. Many municipalities have implemented organic waste diversion programs, but without the necessary improvements to organic waste handling infrastructure. The increased volume of organic waste diverted from landfills is overwhelming the capacity of existing composting facilities, resulting in excess methane and volatile organic compound (VOC) emissions and significant odors from poorly managed composting operations, stockpiles, and other organic waste handling operations. CalRecycle estimates that these statewide organic waste diversion goals will nearly double the amount of organic waste processed in the Bay Area requiring 12 to 15 new facilities on top of the 20 facilities currently permitted in the Air District.

Staff is developing a rule that will improve tracking of organic waste while providing best management practices and control requirements for composting operations. The rule will improve the accuracy of emissions inventory for this source category, strengthen compliance and enforcement to prevent excess emissions and odors, and ensure consistency in permitting of these facilities.

As part of its Methane Emissions Expert Panel Series, on November 6th, staff met with representatives from state and local agencies, members of the composting and wastewater treatment industry, along with academic researchers to discuss current trends in the fields of composting and anaerobic digestion. We discussed CalRecycle's evolving efforts to track organic waste recycling and emissions quantification. We reviewed promising new

emissions studies, and examined the potential of co-digestion at existing wastewater treatment facilities.

Staff attended Anaerobic Digester Operator training in February offered by the American Biogas Council and then coordinated with that national organization to provide additional training for Air District Staff at the Metro Center more specific to Air Quality concerns. This second training was attended by over 30 staff from Engineering, Planning, Rule Development, Compliance & Enforcement and other Divisions. Staff attended Compost Operations training offered by the US Composting Council in March to evaluate composting methods, best management practices, and to evaluate the USCC certification process. Lessons learned in this training will inform the rule development effort and contacts made will aid outreach and cooperation with the regulated community.

Staff will hold an organic waste stakeholders meeting in early 2018 to provide a holistic examination of waste treatment and the Air District's efforts to minimize excess emissions from these processes. This meeting will provide an early opportunity for feedback into composting rule development efforts. We expect to bring a draft rule and workshop report to the public in a series of workshops held in Spring 2018.

#### **Rule 8-37: Natural Gas and Crude Oil Production Facilities:**

The Air District's oil and gas rule has not been updated since 1990. Oil and gas facilities are using outdated practices resulting in excess emissions of VOC, methane, and toxic pollutants. In July 2017, ARB finalized their oil and gas rule with a focus on reducing methane from high-production wells and on preventing significant methane leaks from natural gas storage facilities (such as Aliso Canyon in Southern California). The Air District is developing a rule that builds on and complements the ARB rule by extending it to related sources and ensuring toxic air contaminant emissions are minimized.

Staff have developed a field research plan to gather more detailed and Bay Area-specific data on methane and toxic emissions from our wells. That data is needed to determine the cost effectiveness of our rule and to ensure appropriate measures are included to limit toxic emissions. The study is scheduled now through May 2018 and will include oil and gas production and storage facilities representing about 60 percent of active wells in the Bay Area. We expect to bring this rule to workshop in Fall 2018.

#### **Criteria Pollutant Rules**

##### **Particulate Matter Rules:**

The Air District's foundation for particulate matter (PM) control is Regulation 6. This includes basic restrictions on opacity and emissions of total suspended particulate. Some of the essential requirements of this rule haven't been updated since 1990. Updating Regulation 6 is a necessary first step to ensure we have a solid foundation for upcoming PM rules. In addition to an update of Regulation 6, staff is incorporating requirements for fugitive dust control from bulk material storage and handling facilities, and developing an additional rule: Rule 6-6: Prohibition of Trackout. These rules will significantly reduce PM emissions that contribute to localized problems and regional PM exposure.

At the December Stationary Source Committee meeting, Board members expressed concerns about allowing facilities to "self-monitor" with only occasional inspections from

our Enforcement group. As a result, staff is revising the proposal to address the concerns raised.

The Regulation 6 rules have completed the workshop phase and are being finalized for management review. Once they have completed management review, they will be posted for comment. Staff plans to bring these rules to the Board for consideration in Summer 2018.

**Regulation 9, Rule 1: Sulfur Dioxide:**

As part of the effort to reduce criteria pollutant emissions from refineries, staff is working on an amendment to Rule 9-1. This rule includes a limit on sulfur in refinery fuel gas. Refinery fuel gas is a byproduct of the refining process that is burned to produce heat for refinery operations. The combustion of this fuel produces several criteria pollutants including sulfur dioxide (SO<sub>2</sub>). Once released into the atmosphere, SO<sub>2</sub> either converts to fine particulate matter (PM<sub>2.5</sub>) or acid rain. Staff is working to amend this rule to tighten limits on sulfur content of this fuel. This is expected to reduce SO<sub>2</sub> from refineries emissions by 245 tons per year (tpy). A workshop report has been drafted for the Rule 9-1 amendments and is in management review and outreach efforts are planned for early Summer 2018.

**Regulation 9, Rule 9: Nitrogen Oxides from Stationary Gas Turbines:**

This rule was last updated in 2006, since then improvements in technology have enabled the cost-effective control of nitrogen oxides (NO<sub>x</sub>) from medium-size turbines. As a result, staff is preparing amendments to this rule that would require installation of NO<sub>x</sub> controls on currently under-controlled turbines, including two at the Valero refinery in Benicia. This rule is expected to reduce NO<sub>x</sub> emissions by at least 255 tpy, 211 tpy of which would be from the Valero refinery.

A workshop report and a marked up draft Rule 9-9 have been created and both have been updated to reflect a 7ppm target for units between 100 and 499 MMBtu/hr. Units between 50 and 99 MMBTU/hr will see NO<sub>x</sub> limits reduced from 42 ppm to 25 ppm. Outreach efforts were initiated in December 2017 with a Valero visit. At 7 ppm, approximately seven facilities will be directly affected. The following facility site visits have been completed: Valero, San Jose State University (SJSU), Silicon Valley Power (City of Santa Clara), Cal Berkeley, Graphics Packaging, Calpine-Agnews, IPT/SRI Cogen, Phillips 66 and Martinez Cogen.

Space constraints for an SCR retrofit have been claimed by two facilities that include Valero and Cal Berkeley. The Air District has hired a 3rd-party engineering contractor to provide an independent assessment of the technical feasibility of installing SCRs on the turbines at Valero. The independent assessment indicates that indeed space issues exist at two of the three turbines currently without SCR. Staff has proceeded with a Notice of Preparation/Initial Study (NOPIS) and legal has determined that an EIR is likely required. Cost effectiveness BARCT calculations for the Valero SCR projects are nearly three times the published NO<sub>x</sub> BACT cost effectiveness thresholds. Smaller regulated facilities will comply by taking advantage of current output-based equations. Without Valero installing SCR systems – emission reductions are negligible.

The following facilities have provided written feedback on the 9-9 Rule: Valero (SCR design), SJSU, Cal Berkley, Phillips 66 and SV Power. A final draft Rule 9-9 and draft

workshop report has been provided for internal Air District workgroup level review on April 16.

As of April 30th, staff has determined that we continue to review the Rule 9-9 rulemaking process, possibly including 5 ppm standards, which allows SCAQMD to further develop their turbine rule effort. We have an opportunity for some collaboration with SCAQMD as we move forward with NOx turbine Rule 9-9. As this rule is viewed from the AB 617 perspective, staff wants to be sure we are cognizant of other Air Districts turbine standards currently in development.

**Refinery Strategy Settlement Agreement Efforts:**

The Air District entered into a settlement agreement on March 1, 2018, that addresses the five rules that comprise the Air District's Refinery Strategy—Rule 12-15: Petroleum Refining Emissions Tracking, Rule 6-5: Particulate Emissions from Refinery Fluidized Catalytic Cracking Units, Rule 11-10: Petroleum Refinery Cooling Towers, and Rule 8-18: Equipment Leaks—that were either adopted or amended in 2015. The Settlement Agreement obligates the Air District to propose amendments to Rules 6-5, 8-18, and 11-10 by November 1, 2018, and propose amendments to Rule 12-15 by December 1, 2018. The Air District's Legal Division recommends conducting an EIR for these rulemaking projects because some of the amendments could be characterized as relaxation of the current rule. There is adequate time to determine emissions impacts, complete amendments, conduct workshops, and develop a Draft Environmental Impact Report (DEIR) for each of the rule projects with the exception of Rule 8-18. The Air District and the five refineries are currently conducting a "Heavy Liquids Study" to obtain better information on heavy liquid leak rates and to develop appropriate emission factors. The study is expected to reach completion by June 30, 2018 and the subsequent report is expected by August 31, 2018. The results of the Heavy Liquids Study impact the amendments required for Rule 12-15 as interim emission factors are currently included in the settlement agreement for Rule 12-15. Amendments to Rule 12-15 will reference final emissions factors for Heavy Liquid fugitive leaks that would be incorporated into the amendments to Rule 8-18.

The lawsuits that challenged these rules were based on these rules being components of one project, and therefore the CEQA analysis should have considered these rules as a single project. Any DEIR required for amendments to these rules will most likely be structured to consider the combined amendments for these rules as one project. There is not enough time to determine emissions impacts, complete Rule 8-18 and develop a DEIR between August 31 and November 1, 2018. Staff recommends developing amendments and DEIR for Rule 6-5, Rule 11-10, and Rule 12-15 now; and working with litigants to extend the deadline for amendments to Rule 8-18 as needed. As the Heavy Liquid Study and subsequent report near completion, a more realistic completion date for proposed rule amendments and CEQA analysis will be determined.

**STRATEGICS INCENTIVES DIVISION  
K. SCHKOLNICK, DIRECTOR**

**Summary of Open Grant Funding Programs:**

- **Residential Wood Smoke Reduction Incentive Program** - Provides funding to eligible homeowners to help offset a portion of the cost to replace older, more highly polluting fireplaces and wood-burning stoves with qualifying cleaner heating devices including electric heat pumps, and natural gas or propane heating stoves and inserts, and to help homeowners decommission existing wood-burning devices. Funding is limited to homes located in [eligible areas](#). Application are currently being placed on a waiting list. [www.baaqmd.gov/woodsmokegrant](http://www.baaqmd.gov/woodsmokegrant)
- **Vehicle Buyback Program** –The Vehicle Buy Back Program pays Bay Area residents \$1,000 to turn in their operable, registered, vehicle (model years 1996 and older) for scrapping. [www.baaqmd.gov/vbb](http://www.baaqmd.gov/vbb)
- **Community Health Protection Grant Program** – The Air District is offering \$50 million in grant funds to reduce toxic air emissions and ozone-forming pollutants from older, polluting diesel engines through the Community Health Protection Grant Program. For the initial year of this program the Air District is accepting applications for projects that reduce emissions in communities along the 80/880 freeways from Hayward to Richmond, and from Vallejo to Pittsburg. Community input will play an important role by informing the Air District’s project outreach and project identification processes. Applications are being accepted now and funds will be awarded to owners of eligible equipment and vehicles by June 2019. [www.baaqmd.gov/ab617grants](http://www.baaqmd.gov/ab617grants)
- **Carl Moyer Program** – More than \$16 million is available for projects that upgrade or replace eligible diesel equipment, including on-road trucks, off-road equipment, marine engines, agricultural equipment, locomotives, and electric charging and alternative fueling infrastructure. Applications are being accepted on a first-come, first-served basis. [www.baaqmd.gov/moyer](http://www.baaqmd.gov/moyer)
- **Lower-Emission School Bus Program** - Funding is available for public school districts, JPAs, and contracted fleets in the Bay Area for bus replacement, engine repower or electric conversion, natural gas tank replacement, and electric charging & alternative fueling infrastructure projects. Applications are being accepted on a first-come, first served basis. [www.baaqmd.gov/lesbp](http://www.baaqmd.gov/lesbp)
- **West Oakland Zero Emission Grant Program** - Funding is available on a competitive basis to both public and non-public entities that purchase and operate new and qualifying zero-emission vehicles and equipment operating in and around the West Oakland Community. Funding for this program is primarily provided by a grant from the Reformulated Gasoline Settlement Fund. Applications are currently being accepted until May 18, 2018. [www.baaqmd.gov/westoaklandzey](http://www.baaqmd.gov/westoaklandzey)

- **Pilot Trip Reduction Program** – Up to \$3 million is available on a competitive basis to public agencies that pilot new, innovative, and replicable solutions that reduce commute-hour, single occupancy vehicle trips. Funding is limited to projects that are conducted in eligible areas: [Priority Development areas](#) (PDAs) and Air District designated [highly impacted areas](#). The solicitation is tentatively scheduled to open in late May 2018. [www.baaqmd.gov/ptr](http://www.baaqmd.gov/ptr)

### **Coming soon!**

- **Light- and Heavy-Duty Zero-Emissions Vehicle Program** – This program is scheduled to begin accepting applications in summer 2018 and up to \$5 million will be available for the purchase of qualifying new zero-emissions heavy-duty trucks and buses and/or three or more qualifying new zero-emissions light-duty cars and trucks. [www.baaqmd.gov/HDZEV](http://www.baaqmd.gov/HDZEV)

### **Carl Moyer Program (CMP)**

- Staff submitted an application to ARB for participation in the CMP Year 20 requesting \$11 million.
- Staff submitted an application for \$3.5 million in the CMP Year 20 State Reserve Funds, of which the Air District has been tentatively awarded \$1,117,592.
- The Air District has also been tentatively awarded \$1,990,800 from the ARB in FARMER funds.
- Staff submitted a request on February 2 to EPA for the DERA admin funds for the OGRE locomotive project.
- Staff finalized and released a CMP community survey in support of AB 617 efforts.
- **Meetings attended and/or hosted:**
  - o CAPCOA Mobile Source & Fuels Committee monthly meeting, 1/10.
  - o CARB working group conference call regarding AB 617, 1/12.
  - o Port of Oakland Trucker Working Group meeting, 1/22.
  - o American Public Works Association workshop in Berkeley, 1/25.
  - o Meeting with San Francisco Public Utilities Commission, 2/1.
  - o CAPCOA mobile source and grants committee meeting, 2/14.
  - o Presented information on the CMP and the new AB 617 Community Air Quality Protection Grant Program (AB 134) in a joint presentation with ARB staff in Oakland, 2/26.
  - o Meeting with representatives from the Port of Oakland and SSA Terminals to discuss a proposed hybrid RTG crane conversion project, 3/9.
  - o Meeting with representatives from CARER/Leavitt machinery to discuss electric forklift technologies and funding opportunities, 3/22.
  - o Meeting with CAT to discuss locomotive funding opportunities, 3/13.

### **Goods Movement Program (GMP)**

- Staff submitted quarterly reports to EPA for active DERA projects and semi-annual reports to ARB for all active GMP awards.
- Staff submitted a request to EPA for the DERA administrative funds for Richmond Pacific and Port of San Francisco locomotive projects.
- Staff submitted a claim to EPA for the disbursement of \$13,773 in administrative funds.

- Staff conducted outreach for truck, cargo-handling, ships at berth, and locomotive projects for the Carl Moyer application solicitation, which closed on January 26. Applications received include 1 cargo-handling, 2 shore power, 28 electric trucks, and 13 optional low-NOx (0.02g) trucks, for a total of \$12,868,702.
- Staff completed execution of all contracts for the Year 5 Program funds on February 28. In total, contracts were executed for 191 projects totaling \$37,810,717, including 159 truck replacement, 9 locomotive, 1 TRU electric charging, 21 cargo-handling, and one ships-at-berth projects.
- **Meetings attended and/or hosted:**
  - o Hosted application technical workshop and joint-outreach event with Carl Moyer Program staff at the Port of Oakland, 1/10.
  - o Local agency conference call with ARB and GMP air districts, 1/17.
  - o Discussion with other air districts related to the GMP truck re-use program, 2/9.

### **Lower Emission School Bus Program (LESBP)**

On October 12, 2017 the Lower Emission School Bus Program opened as part of the Year 19 Carl Moyer Program solicitation. Pre-inspections for four school bus projects have been completed. In addition, staff presented grant program information at the Bluebird electric school bus event in Fremont on January 17.

### **Transportation Fund for Clean Air (TFCA)**

- **Regional Fund:** Staff hosted three webinars (2/28, 3/8, 3/28) and teleconferenced (3/7) with Congestion Management Agency Program Managers to gather input for the FYE 2019 TFCA Regional Fund Policies and Evaluation Criteria.
- **Clean Air Vehicle Programs and Projects**
  - o ***Charge!:*** Staff held webinars on 1/11, 2/8, and 3/1 for the Charge! Program, which closed on March 9. Since February 2017, 85 applications were received, requesting a total of \$9.6 million. Of these, 37 applications have been approved for award, 1 application has been rejected, and 47 applications are currently under review.
  - o ***EV Coordinating Council:*** Staff met with representatives from Kearns and West and MTC to prepare for the January 18 EV Coordinating Council Meeting, where the Dutch delegation presented on EV adoption practices and lessons learned.
  - o ***Goodwill Electric Truck Project:*** Staff held bi-weekly meetings (1/10, 1/24, 2/7, 2/21, 3/7, 3/21) with the Goodwill Electric Truck Project team to discuss progress on the project.
  - o ***Fuel Cell Electric Bus Project*** Staff held meetings with project partners on 1/2, 1/16, 3/6 to discuss progress with the AC Transit Fuel Cell Electric Bus Project.
  - o ***Other meetings attended and/or hosted:***
    - With Motivate to discuss funding opportunities for e-bike and car charging projects, 1/4.
    - Attended focus group of Uber hybrid drivers and met with representatives at Uber to discuss updates to Air District incentives programs and EV adoption challenges faced by transportation network companies, 1/24-1/25.

- Conference calls with PG&E representatives to discuss coordination of EV charging station incentive programs (PG&E's EV Charge Network and BAAQMD's Charge!), 1/30, 2/7
- Attended webinar hosted by Electrify America to discuss their Cycle 2 National Outreach Effort, 2/1, and to discuss upcoming outreach activities in the San Francisco Bay Area, 2/20.
- Conference call with representatives of ChargePoint to discuss eligibility of CalGreen ordinances and the Charge! Program, 2/5.
- Attended meetings held by the City and County of San Francisco's Electric Vehicle Working Group Subcommittee on Electric Mobility to discuss EV readiness and mobility plans, 2/22, 3/8, and 3/22.
- Conference call with Marin Clean Energy to discuss funding opportunities for EV infrastructure projects, 2/6.
- Attended a monthly meeting with project partners to discuss status of the shared autonomous vehicle project, 2/22.
- Held a teleconference with representative of A3Ventures to receive an update on status of hydrogen refueling for carsharing, 2/23.
- Attended a member briefing call with Veloz, 2/23.
- Teleconferenced with representatives of Cruise to discuss opportunities for partnership in EV and AV grants, 2/23.
- Teleconferenced with representatives from the South Coast Air Quality Management District and San Joaquin Valley Air Pollution Control District to discuss Volkswagen's Cycle 2 ZEV Investment Plan, 3/1.
- Met with representatives from UC Davis to discuss the three revolutions (electrification, shared mobility, automation) in transportation and opportunities to collaborate, 3/8.
- Attended and presented at the East Bay Clean Cities Coalition Alt Car Conference in Oakland, CA to discuss the Air District's PEV adoption planning, goals, and incentive programs, 3/21.
- Presented to a Chinese delegation on Air District PEV adoption planning, goals, and incentive programs, 3/26.

- **Trip Reduction Programs**

- o ***Bicycle Facilities Grant Program:*** The FYE 2018 Bicycle Facilities Grant Program launched on 1/25 and closed on 3/19. Staff led two pre-application webinars (2/8, 2/20) with a total of 57 attendees. Ten applications were received, requesting a total of \$4.3 million in funds.
- o ***Pilot Trip Reduction Grant Program:*** The solicitation for the Pilot Trip Reduction Grant Program launched on 1/17 and phase 1 applications were accepted through 3/12. Staff held three pre-application webinars (2/1, 2/15, 3/1) with a total of 66 attendees. Eight applications were received, requesting a total of \$6.9 million in funds.
- o ***Other meetings attended and/or hosted:***
  - Attended Shared Mobility Conference in Chicago, 3/12-3/14.
  - Attended webinar hosted by Keolis to share information on the autonomous shuttle service in Las Vegas, 3/14.
  - Attended kick-off meeting with project partners on the Dublin/LAVTA SAV Project, 3/19.

- **TFCA County Program Manager (CPM) Fund**
  - o Staff hosted a workgroup meeting with representatives from the nine-county Congestion Management Agencies to provide updates and discuss the proposed FYE 2020 County Program Manager Policies, 2/1.
  - o Staff reviewed FYE 2018 Projects and FYE 2019 Expenditure Plans received from each of the nine counties.
  - o ***Other Meetings attended and/or hosted:***
    - Attended the Bay Area Congestion Management Agency (CMA) Directors meeting and provided updates on Air District grant programs, 1/6.
    - Teleconferenced with representatives from VTA to discuss funding for a shuttle project, 1/12.
    - Teleconferenced with representatives from the Solano Transportation Authority to discuss funding opportunities for EV charging, 1/12.
    - Teleconferenced with VTA and the City of Los Gatos to discuss a potential project for funding, 3/28.

#### **Reformulated Gasoline Settlement (RFG) Fund**

- Staff submitted the 6th Interim Progress and Expenditure Report (Period 1/9/2018 – 3/6/2018) for the Reformulated Gasoline (RFG) Settlement Fund electric vehicle charging station project.
- Staff submitted a progress report for the Port of Oakland electrification project to the RFG administrator.

#### **Wood Smoke Reduction Incentive Program**

- **Winter 2017/2018 Program**  
Staff launched the Winter 2017/2018 Wood Smoke Reduction Incentive Program on January 16, 2018. A total of \$800,000 is available for residents located in CARE and High Wood Smoke Areas. As of April 3, 2018, staff has received 738 applications, 198 of which are on the waitlist, and has issued awards for 120 projects.
- **Meetings attended and/or hosted:**
  - o Staff met with representatives from the Hearth Patio & Barbeque Association to discuss future wood smoke reduction programs and wildfire recovery efforts, 2/6.
  - o Staff teleconference with CAPCOA to discuss the State's Woodstove changeout program, 3/19.

#### **Other Grant Programs**

- Staff submitted the final report to the National Fish and Wildlife Foundation for the Reduction in Emission from Lawn and Garden Equipment in Alameda and Contra Costa Counties Project, 1/29.
- Staff submitted monthly progress report to the CEC on the Bay Area EV Charging Expansion Program, 2/1.

## **Grants Development**

- Staff met with various local stakeholders to discuss a CEC grant opportunity to develop a Bay Area Blueprint to accelerate the adoption of EVs, 1/4.
- Staff held a teleconference with a representative from C/CAG and their consultant from Life Cycle Associates to discuss coordination to develop a Bay Area EV Blueprint, 1/31.
- **Meetings attended and/or hosted:**
  - Attended a monthly Government H2 Update call with representatives from ARB, CEC, DOE, and SCAQMD, 1/4.
  - Attended a conference call with ARB staff to discuss the grant agreement and other issues for the zero-emission hydrogen fuel cell ferry demonstration project, 1/5.
  - Hosted a conference call with representatives from PG&E to discuss electrification efforts at the Port of Oakland, 1/17.
  - Attended a conference call with representatives from Sonoma Clean Power to discuss an aid package to residents who are rebuilding from the Northern California Wildfires, 1/18.
  - Attended the Transportation Demand Management Workgroup meeting hosted by MTC, 1/18.
  - Conference call with representatives from the Environmental Protection Agency to discuss wildfire recovery efforts, 1/24.
  - Attended and facilitated the Hydrogen and Fuel Cell Vehicle Briefing Workshop, 1/26.
  - Met with representatives from Volvo to discuss future zero-emission light construction equipment and potential demonstration projects in the Bay Area, 1/30.
  - Teleconferenced with representatives from Sonoma Clean Power to discuss potential aid packages to wildfire victims in Sonoma County, 1/31.
  - Teleconferenced with representatives from Marin Clean Energy to discuss setting up a wildfire recovery program in Marin County, 2/1.
  - Teleconferenced with a representative from the Leadership in Energy Efficiency Program to discuss status of the Commercial Lawn and Garden Exchange Program, 2/9.
  - Teleconferenced with representatives from Thor Trucks to discuss grant funding opportunities, 2/13.
  - Teleconferenced with ARB staff to discuss the requirements for an arb funded fuel cell zero-emissions ferry project, 2/14.
  - Met with Solano Transportation Authority staff to discuss Air District grant programs for mobile source emissions reduction projects and opportunities for partnership on innovative transportation solutions, Suisun City, 2/20.
  - Met with representatives from Marin Transit to discuss their fleet replacement plans, Air District grant programs, and other grant programs, 2/23.
  - Attended a webinar on SB 1000 – Planning for Healthy Communities Act, 2/23.
  - Teleconferenced with a representative from the Leadership in Energy Efficiency Program to discuss status of the Commercial Lawn and Garden Exchange Program, 2/26.
  - Attended MTC's Active Transportation Workgroup meeting, 3/8.
  - Attended the Dublin Business Faire and shared information on the District's grant programs, 3/14.

- o Teleconferenced with representatives from Livermore Valley Joint Unified School District to discuss funding opportunities for a solar and electric vehicle charging station project, 3/26.
- o Attended the Clean Transportation Summit – California 2030, Sacramento, 3/27.
- o Attended the Redefining Mobility Summit, San Ramon, 3/29.

|                                                                                       |
|---------------------------------------------------------------------------------------|
| <b>METEOROLOGY, MEASUREMENT &amp; RULES DIVISION</b><br><b>E. STEVENSON, DIRECTOR</b> |
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### **Air Quality**

During the 1<sup>st</sup> quarter of 2018, there were four exceedances of the national 35 µg/m<sup>3</sup> PM<sub>2.5</sub> standard (there were 14 days over the standard that occurred outside of the November 1 through February 28 wintertime season due to wildfires). All the exceedances occurred in January, which was drier than normal due to prolonged high pressure over California. 5.21 inches of rainfall was recorded in downtown San Francisco during the month of January (3.15 inches of which fell on January 8). Three Winter Spare the Air Alerts were issued for the quarter (January 1, January 2, and January 15).

During the winter season of 2017-2018, there were nineteen Winter Spare the Air Alerts issued and eight days over the standard. In the winter of 2016-17, there were seven Winter Spare the Air Alerts issued and no days over the standard. In the winter of 2015-16, there was one Winter Spare the Air Alert issued and no days over the standard.

### **Air Monitoring**

Thirty-three air monitoring sites were operational from January through March 2018. Final installation and testing was performed on both the Pleasanton Near Roadway and the new Napa Valley College monitoring stations. Both should be brought online at the beginning of the second quarter of 2018.

The Air Monitoring Section began the evaluation of a new instrument from Magee Scientific which, when paired with a standard Magee Scientific aethalometer, provides real-time elemental and organic carbon measurements which are reputed to exceed the accuracy of more traditional laboratory methods. Further evaluation of both the claims and ways to incorporate these measurements into future activities, if warranted, will continue.

The Air Monitoring Section initiated a collaborative effort with the City of Livermore to identify a new location for the Livermore monitoring station. The facility where the current site is located is being developed and will no longer be available. It is expected that the development project will be initiated within the next two years.

### **Performance Evaluation**

The Performance Evaluation (PE) Section conducted EPA-mandated performance audits at 21 Air District air monitoring stations, verifying 72 separate parameters during the 1<sup>st</sup> Quarter of 2018. The National Air Quality System Database was updated with all audit results.

Ground-Level Monitoring (GLM) audits of Hydrogen Sulfide (H<sub>2</sub>S) and Sulfur Dioxide (SO<sub>2</sub>) analyzers were conducted at the Tesoro, Chevron and Valero Refineries. Audits were performed at 10 GLM locations; 19 gas analyzers were tested. All GLM gas analyzers tested met the District's performance evaluation (audit) criteria.

Staff conducted performance evaluations on particulate samplers near the Oakland Army Base operated by an independent contracting firm, Northgate Environmental Management, Inc. The contractor is conducting a community impact study and operating the samplers. The Air District conducts annual performance evaluations as a part of an agreement between Northgate and the community.

The PE Section took possession of the new Incident Response/GLM Audit Van from ENG Mobile Systems in February. Staff finished equipping the van with analytical auditing instruments and other support equipment. Calibration and testing were completed in March 2018.

Routine duties continue which include:

- Audit review and report writing
- Equipment testing, calibration and other evaluations
- Documentation of activities in support of the Division Quality System

### **Source Test**

The Source Test Section provided support to the Rules Section on developing new rule language and definitions, is participating on several workgroups, and is initiating a review of the Manual of Procedures to plan revisions to Volumes IV and V. Collaboration continued with Engineering and Compliance & Enforcement on emission data interpretation, permit development and recommendations for further evaluation and violations. Work continued with the other divisions to establish data and technology sharing protocols and assess future source test data needs.

Outside report review and CEMS programs have been transitioned to current staff engineers due to recent retirements. Efforts to fill vacancies and workload gaps created by retirements proceeded. Staff continued to work on reorganization and training tasks associated with staff retirements.

Routine duties continued which include:

- Performance of CEM Field Accuracy Tests on monitors installed at large source emission points.
- Performance of source tests to determine emissions of precursor organic compounds, filterable particulate matter and toxic air contaminants.
- Performance of tests to assess the compliance status of gasoline cargo tanks, gasoline dispensing facilities, gasoline terminal loading and vapor recovery systems.
- Evaluation of independent contractor conducted source tests to determine report acceptability and source compliance.
- Evaluation of CEMS installations and ongoing compliance, including monitoring plan review and approval.

## **Laboratory**

The laboratory continues to perform its ongoing, routine analyses related to Air Monitoring and inter-laboratory quality assurance activities.

In addition, the laboratory analyzed samples related to monitoring of a cleanup effort following the North Bay fires; Samples in support of Compliance & Enforcement actions, including those related to the fire at Sims Metal Management; and a set of samples collected in a multidivisional effort in support of a Rule Development project.

| STATISTICS                                |       |                                                             |       |
|-------------------------------------------|-------|-------------------------------------------------------------|-------|
| <b><u>Administrative Services:</u></b>    |       | <b><u>Compliance Assistance and Operations Program:</u></b> |       |
| <b><u>Accounting/Purchasing/Comm.</u></b> |       | Asbestos Plans Received                                     | 1,618 |
| General Checks Issued                     | 1,335 | Coating and other Petitions Evaluated                       | 10    |
| Purchase Orders Issued                    | 396   | Open Burn Notifications Received                            | 726   |
| Checks/Credit Cards Processed             | 5,331 | Prescribed Burn Plans Evaluate                              | 9     |
| Contracts Completed                       | 117   | Tank/Soil Removal Notifications Received                    | 19    |
| RFP/RFQ                                   | 2     | Compliance Assistance Inquiries Received                    | 27    |
|                                           |       | Green Business Reviews                                      | 2     |
| <b><u>Executive Office:</u></b>           |       | Refinery Flare Notifications                                | 8     |
| Meetings Attended                         | 215   |                                                             |       |
| Board Meetings Held                       | 3     | <b><u>Compliance Assurance Program:</u></b>                 |       |
| Committee Meetings Held                   | 13    | Industrial Inspections Conducted                            | 1,381 |
| Advisory Council Meetings Held            | 2     | Gas Station Inspection Conducted                            | 219   |
| Hearing Board Meetings Held               | 2     | Asbestos Inspections Conducted                              | 558   |
| Variances Received                        | 2     | Open Burning Inspections Conducted                          | 43    |
|                                           |       | PERP Inspections Conducted                                  | 13    |
| <b><u>Information Systems:</u></b>        |       | Mobile Source Inspections                                   | 127   |
| New Installation Completed                | 14    | Grant Inspections Conducted                                 | 206   |
| PC Upgrades Completed                     | 8     |                                                             |       |
| Service Calls Completed                   | 846   | <b><u>Engineering Division:</u></b>                         |       |
|                                           |       | Annual Update Packages Completed                            | 809   |
| <b><u>Human Resources:</u></b>            |       | New Applications Received                                   | 212   |
| Manager/Employee Consultation (Hrs.)      | 350   | Authorities to Construct Issued                             | 120   |
| Management Projects (Hrs.)                | 400   | Permits to Operate Issued                                   | 294   |
| Employee/Benefit Transaction              | 500   | Exemptions                                                  | 2     |
| Training Sessions Conducted               | 10    | New Facilities Added                                        | 83    |
| Applications Processed                    | 945   | Registrations (New)                                         | 28    |
| Exams Conducted                           | 21    |                                                             |       |
| New Hires                                 | 21    | <b><u>Communications and Public Information:</u></b>        |       |
| Promotions                                | 12    | Responses to Media Inquires                                 | 27    |
| Payroll Administration (Hrs.)             | 600   | Events Staffed with Air District Booth                      | 14    |
| Safety Administration                     | 150   |                                                             |       |
| Inquiries                                 | 4,000 | <b><u>Community Engagement:</u></b>                         |       |
|                                           |       | Presentations Made                                          | 55    |
| <b><u>Facility/Vehicle:</u></b>           |       | Visitors and Air District Tours                             | 65    |
| Request for Facility Service              | 129   |                                                             |       |
| Vehicle Request(s)/Maintenance            | 430   |                                                             |       |

| STATISTICS (continued)                                     |     |                                                                   |       |
|------------------------------------------------------------|-----|-------------------------------------------------------------------|-------|
| <b>Compliance and Enforcement Division:</b>                |     | <b>1st Quarter 2018 Agricultural Burn Days</b>                    |       |
| <b>Enforcement Program</b>                                 |     | Jan-March Permissive Burn Days-North                              | 68    |
| Violations Resulting in Notices of Violations              | 303 | Jan-March No-Burn Days-North                                      | 22    |
| Violations Resulting in Notice to Comply                   | 25  | Jan-March Permissive Burn Days-South                              | 70    |
| New Hearing Board Cases Reviewed                           | 3   | Jan-March No-Burn Days-South                                      | 20    |
| Reportable Compliance Activity Investigated                | 73  | Jan-March Permissive Burn Days-Coastal                            | 67    |
| General Complaints Investigated                            | 988 | Jan-March No Burn Days-Coastal                                    | 23    |
| Wood Smoke Complaints Received                             | 778 |                                                                   |       |
| Mobile Source Violations                                   | 10  | <b>Laboratory</b>                                                 | 1,618 |
|                                                            |     | Sample Analyzed                                                   | 1,618 |
| <b>Meteorology Measurements &amp; Rules:</b>               |     | Inter-Laboratory Analyses                                         | 3     |
| <b>1<sup>st</sup> Quarter 2018 Ambient Air Monitoring</b>  |     |                                                                   |       |
| Days Exceeding Nat'l 24-Hour PM <sub>2.5</sub> Std.        | 4   | <b>Technical Library</b>                                          |       |
| Days Exceeding Nat'l 24-Hour PM <sub>10</sub> Std.         | 0   | Titles Indexed/Cataloged                                          | 0     |
| Days Exceeding State 24-Hour PM <sub>10</sub> Std.         | 0   | Periodicals Received/Routed                                       | 0     |
| Days Exceeding the Nat'l 8-Hour Ozone Std.                 | 0   |                                                                   |       |
| Days Exceeding the State 1-Hour Ozone Std.                 | 0   | <b>Source Test</b>                                                |       |
| Days Exceeding the State 8-Hour Ozone Std.                 | 0   | Cargo Tank Tests Performed                                        | 65    |
|                                                            |     | Total Source Tests                                                | 127   |
| <b>Ozone Totals, Year to Date 2018</b>                     |     | Pending Source Tests                                              | 2     |
| Days Exceeding State 1-Hour Ozone Std.                     | 0   | Violation Notices Recommended                                     | 25    |
| Days Exceeding Nat'l 8-Hour Ozone Std.                     | 0   | Contractor Source Tests Reviewed                                  | 3,956 |
| Days Exceeding State 8-Hour Ozone Std.                     | 0   | Outside Test Observed                                             | 12    |
|                                                            |     | Violation Notices Recommended After Review                        | 19    |
| <b>Particulate Totals, Year to Date 2018</b>               |     |                                                                   |       |
| Days Exceeding Nat'l 24-Hour PM <sub>2.5</sub> Std.        | 4   | <b>Continuous Emissions Monitoring (CEM)</b>                      |       |
| Days Exceeding Nat'l 24-Hour PM <sub>10</sub> Std.         | 0   |                                                                   |       |
| Days Exceeding State 24-Hour PM <sub>2.5</sub> Std.        | 0   | Indicated Excess Emission Report Eval.                            | 16    |
|                                                            |     | Monthly CEM Reports Reviewed                                      | 17    |
| <b>PM<sub>2.5</sub> Winter Season Totals for 2017-2018</b> |     | Field Accuracy Tests Performed                                    | 1     |
| Days Exceeding Nat'l 24-Hour PM <sub>2.5</sub> Std.        | 8   |                                                                   |       |
|                                                            |     | <b>Ground Level Monitoring (GLM)</b>                              |       |
|                                                            |     | Jan-March Ground Level Monitoring SO <sub>2</sub> Excess Reports  | 0     |
|                                                            |     | Jan-March Ground Level Monitoring H <sub>2</sub> S Excess Reports | 0     |

**These facilities have received one or more Notices of Violations**  
**Report period: January 1, 2018 – March 31, 2018**

| <b>Alameda County</b>      |               |                                         |               |                                                 |
|----------------------------|---------------|-----------------------------------------|---------------|-------------------------------------------------|
| <b>Status Date</b>         | <b>Site #</b> | <b>Site Name</b>                        | <b>City</b>   | <b>Regulation Title</b>                         |
| 01/04/18                   | Z2482         | SFD                                     | Dublin        | Mandatory Burn Ban                              |
| 01/30/18                   | A1529         | Kaiser Permanente Medical Center        | Oakland       | Failure to Meet Permit Conditions               |
| 01/31/18                   | A3194         | City of Alameda, Maint Serv Center      | Alameda       | Failure to Meet Permit Conditions               |
| 01/31/18                   | A3194         | City of Alameda, Maint Serv Center      | Alameda       | California Code of Regulations                  |
| 01/02/18                   | Z2404         | Timothy and Lucia Lawver                | Castro Valley | Mandatory Burn Ban                              |
| 01/02/18                   | Z2409         | Wanda R Dalmas                          | Fremont       | Mandatory Burn Ban                              |
| 01/11/18                   | A2066         | Waste Management of Alameda County      | Livermore     | Non-Compliance; Major Facility Review           |
| 01/11/18                   | A2066         | Waste Management of Alameda County      | Livermore     | Monitoring of Wellheads                         |
| 02/08/18                   | Z3917         | MFD                                     | Hayward       | Asbestos; Written Plan or Notification          |
| 02/21/18                   | Z3477         | Anita Arms Apartments                   | Castro Valley | Demolition, Renovation, and Removal Requirement |
| 02/21/18                   | Z3477         | Anita Arms Apartments                   | Castro Valley | Asbestos; Written Plan or Notification          |
| 02/20/18                   | Z3998         | Lennar Homes of CA                      | Livermore     | Asbestos; Containment Requirement               |
| 03/15/18                   | Z4004         | SFD                                     | Castro Valley | Asbestos Containing Waste Disposal              |
| 01/17/18                   | Z3982         | Garden Center                           | Oakland       | Failure to Meet Permit Conditions               |
| 01/24/18                   | Z2884         | ALCAL Specialty Contracting, Inc.       | Fremont       | Failure to Meet Permit Conditions               |
| 01/16/18                   | Z2816         | SFD                                     | Hayward       | Demolition, Renovation, and Removal Requirement |
| 01/23/18                   | Z3846         | SFD                                     | Oakland       | Asbestos; Written Plan or Notification          |
| 02/15/18                   | Z3480         | Livermore Gas                           | Livermore     | No Permit to Operate                            |
| 01/11/18                   | Z4028         | Grand Petroleum                         | Oakland       | GDF Phase I Equipment Not Maintained            |
| 01/17/18                   | Z2817         | City of Piedmont                        | Piedmont      | GDF Phase I Equipment Not Maintained            |
| 01/17/18                   | Z2817         | City of Piedmont                        | Piedmont      | Failure to Meet Permit Conditions               |
| 01/02/18                   | Z2383         | Eric and Nicole Deichl                  | San Leandro   | Mandatory Burn Ban                              |
| 01/02/18                   | Z2391         | Laurie E Schrager & James Waldrop       | Alameda       | Mandatory Burn Ban                              |
| 01/02/18                   | Z2392         | Oscar Brown III                         | Oakland       | Mandatory Burn Ban                              |
| 01/02/18                   | Z2393         | SFD                                     | Oakland       | Mandatory Burn Ban                              |
| 01/03/18                   | Z2398         | SFD                                     | Castro Valley | Mandatory Burn Ban                              |
| 01/03/18                   | Z2402         | SFD                                     | Berkeley      | Mandatory Burn Ban                              |
| 01/04/18                   | Z2751         | Carlos & Diana Ortega                   | Dublin        | Mandatory Burn Ban                              |
| 01/05/18                   | Z2486         | SFD                                     | Dublin        | Mandatory Burn Ban                              |
| 03/23/18                   | Z4047         | Detached Garage SFD                     | Oakland       | Asbestos; Written Plan or Notification          |
| 03/29/18                   | Z4003         | SFD                                     | Fremont       | Asbestos; Schedule Changes and Updates          |
| <b>Contra Costa County</b> |               |                                         |               |                                                 |
| <b>Status Date</b>         | <b>Site #</b> | <b>Site Name</b>                        | <b>City</b>   | <b>Regulation Title</b>                         |
| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
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| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
| 01/03/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Limitations on Hydrogen Sulfide                 |
| 01/12/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Opacity Limitation                              |
| 01/12/18                   | B2758         | Tesoro Refining & Marketing Company LLC | Martinez      | Opacity Limitation                              |

**These facilities have received one or more Notices of Violations**  
**Report period: January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Contra Costa County Continued</b> |               |                                              |               |                                                  |
|--------------------------------------|---------------|----------------------------------------------|---------------|--------------------------------------------------|
| <b>Status Date</b>                   | <b>Site #</b> | <b>Site Name</b>                             | <b>City</b>   | <b>Regulation Title</b> <input type="checkbox"/> |
| 02/05/18                             | E3822         | Sims Metal Management                        | Richmond      | Public Nuisance                                  |
| 02/05/18                             | E3822         | Sims Metal Management                        | Richmond      | Open Burning; Prohibition of Fires               |
| 03/19/18                             | A1840         | West Contra Costa County Landfill            | Richmond      | Open Burning; Prohibition of Fires               |
| 01/09/18                             | Z2625         | SFD                                          | Pleasant Hill | Mandatory Burn Ban                               |
| 01/23/18                             | Z2880         | SFD                                          | El Sobrante   | Mandatory Burn Ban                               |
| 01/23/18                             | Z3791         | Maria S Colburn                              | Antioch       | Mandatory Burn Ban                               |
| 02/22/18                             | A0061         | Phillips 66 Company                          | Richmond      | Gasoline Cargo Tank Requirements                 |
| 01/08/18                             | Z3925         | The Keys                                     | Walnut Creek  | Waste Disposal Procedures                        |
| 01/08/18                             | Z3925         | The Keys                                     | Walnut Creek  | Asbestos; Written Plan or Notification           |
| 01/23/18                             | Z3792         | Rossmoor                                     | Walnut Creek  | Asbestos; Written Plan or Notification           |
| 01/24/18                             | Z3848         | SFD                                          | Concord       | Asbestos; Containment Requirement                |
| 02/05/18                             | Z3986         | MFD                                          | Walnut Creek  | Asbestos; Written Plan or Notification           |
| 01/22/18                             | A0010         | Chevron Products Company                     | Richmond      | Continuous Emission Monitoring and Recordkeeping |
| 01/22/18                             | A0010         | Chevron Products Company                     | Richmond      | Non-Compliance; Major Facility Review            |
| 02/26/18                             | A0010         | Chevron Products Company                     | Richmond      | Non-Compliance; Major Facility Review            |
| 02/26/18                             | A0010         | Chevron Products Company                     | Richmond      | Vessel Monitoring                                |
| 02/26/18                             | A0010         | Chevron Products Company                     | Richmond      | Opening of Process Vessels                       |
| 02/26/18                             | A0010         | Chevron Products Company                     | Richmond      | Vessel Monitoring                                |
| 02/26/18                             | A0010         | Chevron Products Company                     | Richmond      | Non-Compliance; Major Facility Review            |
| 02/26/18                             | A0010         | Chevron Products Company                     | Richmond      | Standards for New Stationary Sources             |
| 03/14/18                             | A0010         | Chevron Products Company                     | Richmond      | Standards for New Stationary Sources             |
| 03/14/18                             | A0010         | Chevron Products Company                     | Richmond      | Non-Compliance; Major Facility Review            |
| 03/14/18                             | A0010         | Chevron Products Company                     | Richmond      | Vent Gas Composition Monitoring                  |
| 03/14/18                             | A0010         | Chevron Products Company                     | Richmond      | Non-Compliance; Major Facility Review            |
| 02/01/18                             | A0011         | Shell Martinez Refinery                      | Martinez      | Standards for New Stationary Sources             |
| 02/01/18                             | A0011         | Shell Martinez Refinery                      | Martinez      | Non-Compliance; Major Facility Review            |
| 02/01/18                             | A0011         | Shell Martinez Refinery                      | Martinez      | Standards for New Stationary Sources             |
| 01/04/18                             | A0022         | Phillips 66 Carbon Plant                     | Rodeo         | Non-Compliance; Major Facility Review            |
| 01/04/18                             | A0022         | Phillips 66 Carbon Plant                     | Rodeo         | Non-Compliance; Major Facility Review            |
| 01/16/18                             | A0016         | Phillips 66 Company - San Francisco Refinery | Rodeo         | Continuous Emission Monitoring and Recordkeeping |
| 01/24/18                             | B7419         | Air Liquide Large Industries US LP           | Rodeo         | Non-Compliance; Major Facility Review            |
| 02/23/18                             | A0016         | Phillips 66 Company - San Francisco Refinery | Rodeo         | Standards for New Stationary Sources             |
| 02/23/18                             | A0016         | Phillips 66 Company - San Francisco Refinery | Rodeo         | Standards for New Stationary Sources             |
| 01/09/18                             | Z4034         | Franklin Canyon Golf Course                  | Hercules      | Failure to Meet Permit Conditions                |
| 02/08/18                             | Z3462         | West County Wastewater District              | Richmond      | Failure to Meet Permit Conditions                |
| 02/21/18                             | Z3482         | City of Pleasant Hill                        | Pleasant Hill | Failure to Meet Permit Conditions                |
| 03/06/18                             | W0697         | Richmond Country Club                        | Richmond      | No Permit to Operate                             |
| 03/07/18                             | Z3858         | Contra Coast Country Club                    | Pleasant Hill | Failure to Meet Permit Conditions                |
| 03/07/18                             | Z3858         | Contra Coast Country Club                    | Pleasant Hill | GDF Phase I Requirement                          |
| 03/07/18                             | Y5394         | Sun Valley Chevron                           | Pleasant Hill | GDF Phase I Equipment Not Maintained             |
| 03/14/18                             | Z3890         | R & R Auto Service                           | El Cerrito    | GDF Phase I Equipment Not Maintained             |
| 01/02/18                             | Z2385         | SFD                                          | Concord       | Mandatory Burn Ban                               |
| 01/03/18                             | Z2403         | SFD                                          | Concord       | Mandatory Burn Ban                               |
| 01/03/18                             | Z2468         | SFD                                          | Concord       | Mandatory Burn Ban                               |
| 01/12/18                             | B9569         | Contra Costa County Fire District            | Pittsburg     | No Authority to Construct                        |
| 01/12/18                             | B9569         | Contra Costa County Fire District            | Pittsburg     | No Permit to Operate                             |
| 01/18/18                             | Z4032         | Joe's Liquor & Food                          | Antioch       | GDF Phase II Equipment Not Maintained            |
| 01/18/18                             | Z4032         | Joe's Liquor & Food                          | Antioch       | GDF Phase I Equipment Not Maintained             |
| 01/30/18                             | Z4055         | New Bridge Marina                            | Antioch       | No Authority to Construct                        |
| 01/30/18                             | Z4055         | New Bridge Marina                            | Antioch       | No Permit to Operate                             |

**These facilities have received one or more Notices of Violations**  
**Report period: January 1, 2018 – March 31, 2018**  
**(continued)**

|                                      |               |                          |               |                                                                       |
|--------------------------------------|---------------|--------------------------|---------------|-----------------------------------------------------------------------|
| <b>Contra Costa County Continued</b> |               |                          |               |                                                                       |
| <b>Status</b>                        |               |                          |               |                                                                       |
| <b>Date</b>                          | <b>Site #</b> | <b>Site Name</b>         | <b>City</b>   | <b>Regulation Title</b> <input type="checkbox"/>                      |
| 01/04/18                             | Z2479         | SFD                      | Pleasant Hill | Mandatory Burn Ban                                                    |
| 01/04/18                             | Z2483         | SFD                      | Martinez      | Mandatory Burn Ban                                                    |
| 01/04/18                             | Z2627         | SFD                      | Pleasant Hill | Mandatory Burn Ban                                                    |
| 01/10/18                             | Z2633         | SFD                      | Oakley        | Mandatory Burn Ban                                                    |
| 01/10/18                             | Z2641         | SFD                      | Pinole        | Mandatory Burn Ban                                                    |
| 01/17/18                             | Z2942         | SFD                      | Brentwood     | Mandatory Burn Ban                                                    |
| 03/20/18                             | Z4006         | SFD                      | Walnut Creek  | Asbestos; Schedule Changes and Updates                                |
| 03/23/18                             | Z3896         | COM                      | Walnut Creek  | Asbestos; Written Plan or Notification                                |
| 03/27/18                             | Z4001         | SFD                      | Alamo         | Asbestos; Written Plan or Notification                                |
| <b>Marin</b>                         |               |                          |               |                                                                       |
| <b>Status</b>                        |               |                          |               |                                                                       |
| <b>Date</b>                          | <b>Site #</b> | <b>Site Name</b>         | <b>City</b>   | <b>Regulation Title</b> <input type="checkbox"/>                      |
| 01/03/18                             | B6808         | Sears, #1528             | San Rafael    | Failure to Meet Permit Conditions                                     |
| 01/03/18                             | B6808         | Sears, #1528             | San Rafael    | Emergency Standby and Low Usage Engines, Monitoring and Recordkeeping |
| 01/18/18                             | A1275         | Novato Sanitary District | Novato        | Failure to Meet Permit Conditions                                     |
| 01/18/18                             | A1275         | Novato Sanitary District | Novato        | Failure to Meet Permit Conditions                                     |
| 01/18/18                             | A1275         | Novato Sanitary District | Novato        | Parametric Monitoring and Recordkeeping Procedure                     |
| 01/18/18                             | A1275         | Novato Sanitary District | Novato        | Failure to Meet Permit Conditions                                     |
| 01/18/18                             | A1275         | Novato Sanitary District | Novato        | Failure to Meet Permit Conditions                                     |
| 01/04/18                             | Z2484         | SFD                      | Fairfax       | Mandatory Burn Ban                                                    |
| <b>Napa County</b>                   |               |                          |               |                                                                       |
| <b>Status</b>                        |               |                          |               |                                                                       |
| <b>Date</b>                          | <b>Site #</b> | <b>Site Name</b>         | <b>City</b>   | <b>Regulation Title</b> <input type="checkbox"/>                      |
| 01/17/18                             | Z2860         | SFD                      | Napa          | Mandatory Burn Ban                                                    |
| 01/09/18                             | K4557         | Bayview Vineyards        | Napa          | Open Burning; Prohibition of Fires                                    |
| 01/29/18                             | Z4029         | Malk Vineyard            | Napa          | Prohibition of Fires: No Ignition                                     |
| 02/08/18                             | Z4054         | Kelham Vineyards         | Saint Helena  | Prohibition of Fires: No Burning                                      |
| 03/13/18                             | Z3915         | Vineyard                 | Saint Helena  | Open Burning; Prohibition of Fires                                    |
| 01/04/18                             | Z2480         | Sate of California       | Calistoga     | Mandatory Burn Ban                                                    |
| 01/04/18                             | Z2628         | SFD                      | Saint Helena  | Mandatory Burn Ban                                                    |
| <b>San Francisco County</b>          |               |                          |               |                                                                       |
| <b>Status</b>                        |               |                          |               |                                                                       |
| <b>Date</b>                          | <b>Site #</b> | <b>Site Name</b>         | <b>City</b>   | <b>Regulation Title</b> <input type="checkbox"/>                      |
| 01/25/18                             | Z3923         | MFD                      | San Francisco | Asbestos; Written Plan or Notification                                |
| 02/01/18                             | Z3240         | SFD                      | San Francisco | Asbestos; Containment Requirement                                     |
| 03/08/18                             | Z4049         | SFD                      | San Francisco | Demolition, Renovation, and Removal Requirement                       |
| 03/08/18                             | Z4049         | SFD                      | San Francisco | Asbestos; On-Site Representative                                      |
| 03/08/18                             | Z4049         | SFD                      | San Francisco | Asbestos Containing Waste Disposal                                    |
| 03/09/18                             | Z3976         | SFD                      | San Francisco | Demolition, Renovation, and Removal Requirement                       |
| 03/09/18                             | Z3976         | SFD                      | San Francisco | Asbestos; On-Site Representative                                      |
| 03/09/18                             | Z3976         | SFD                      | San Francisco | Asbestos Containing Waste Disposal                                    |
| 01/18/18                             | Z3239         | None- NOA Site           | San Francisco | California Code of Regulations                                        |
| 01/23/18                             | Z4022         | Chevron #93535           | San Francisco | GDF Phase I Equipment Not Maintained                                  |
| 01/23/18                             | Z4018         | Lombard Union 76         | San Francisco | GDF Phase I Equipment Not Maintained                                  |

**These facilities have received one or more Notices of Violations**  
**Report period: January 1, 2018 – March 31, 2018**  
**(continued)**

|                           |               |                                           |                 |                                                                                      |
|---------------------------|---------------|-------------------------------------------|-----------------|--------------------------------------------------------------------------------------|
| <b>San Mateo County</b>   |               |                                           |                 |                                                                                      |
| <b>Status</b>             |               |                                           |                 |                                                                                      |
| <b>Date</b>               | <b>Site #</b> | <b>Site Name</b>                          | <b>City</b>     | <b>Regulation Title</b> <input type="checkbox"/>                                     |
| 01/08/18                  | Z2818         | SFD                                       | East Palo Alto  | Asbestos; Written Plan or Notification                                               |
| 01/23/18                  | Z2910         | SFD                                       | Palo Alto       | Asbestos; Schedule Changes and Updates                                               |
| 01/31/18                  | E1156         | Menlo Park Protection District            | East Palo Alto  | Emergency Standby and Low Usage Engines, Monitoring and Recordkeeping                |
| 01/03/18                  | Z3825         | MFD                                       | Belmont         | Asbestos; Containment Requirement                                                    |
| 02/07/18                  | Z3463         | State Parks and Recreation                | Half Moon Bay   | Failure to Meet Permit Conditions                                                    |
| 01/02/18                  | Z2389         | SFD                                       | Pacifica        | Mandatory Burn Ban                                                                   |
| 01/02/18                  | Z2390         | SFD                                       | La Honda        | Mandatory Burn Ban                                                                   |
| 01/02/18                  | Z2394         | William E Morrow                          | Pacifica        | Mandatory Burn Ban                                                                   |
| 01/03/18                  | Z2465         | SFD                                       | La Honda        | Mandatory Burn Ban                                                                   |
| <b>Santa Clara County</b> |               |                                           |                 |                                                                                      |
| <b>Status</b>             |               |                                           |                 |                                                                                      |
| <b>Date</b>               | <b>Site #</b> | <b>Site Name</b>                          | <b>City</b>     | <b>Regulation Title</b>                                                              |
| 01/09/18                  | Z2693         | MFD                                       | Palo Alto       | Asbestos; Written Plan or Notification                                               |
| 01/18/18                  | Z2819         | SFD                                       | Los Altos       | Asbestos; Schedule Changes and Updates                                               |
| 03/23/18                  | Z3849         | SFD                                       | Palo Alto       | Asbestos; Schedule Changes and Updates                                               |
| 02/21/18                  | A0733         | City of Sunnyvale Water Pollution Control | Sunnyvale       | Compliance With Material Representations Made In Connection With Permit Applications |
| 02/05/18                  | B1193         | Olympus America, Inc                      | San Jose        | Failure to Meet Permit Conditions                                                    |
| 02/15/18                  | B1802         | Greenwaste Recovery Inc                   | San Jose        | Failure to Meet Permit Conditions                                                    |
| 01/23/18                  | Z2882         | SFD                                       | Los Gatos       | Mandatory Burn Ban                                                                   |
| 03/01/18                  | A2561         | Shoreline Amphitheatre                    | Mountain View   | California Code of Regulations                                                       |
| 01/11/18                  | Z2593         | SFD                                       | Santa Clara     | Mandatory Burn Ban                                                                   |
| 01/11/18                  | Z2381         | SFD                                       | Los Gatos       | Mandatory Burn Ban                                                                   |
| 03/06/18                  | B8212         | TenCate                                   | Morgan Hill     | No Authority to Construct                                                            |
| 03/06/18                  | B8212         | TenCate                                   | Morgan Hill     | No Permit to Operate                                                                 |
| 02/22/18                  | E2691         | Signature Flight Support                  | Santa Clara     | Failure to Meet Permit Conditions                                                    |
| 03/05/18                  | A3464         | City of Santa Clara                       | Santa Clara     | California Code of Regulations                                                       |
| 01/25/18                  | A4020         | SFPP, LP                                  | San Jose        | Gasoline Bulk Terminal Operating Practices                                           |
| 02/20/18                  | E2517         | Precast Only                              | Morgan Hill     | No Permit to Operate                                                                 |
| 01/10/18                  | Z4056         | Graham Contractors, Inc.                  | San Jose        | Failure to Meet Permit Conditions                                                    |
| 01/02/18                  | Z2381         | SFD                                       | Los Gatos       | Mandatory Burn Ban                                                                   |
| 01/02/18                  | Z2388         | SFD                                       | Redwood Estates | Mandatory Burn Ban                                                                   |
| 01/03/18                  | Z2395         | SFD                                       | Campbell        | Mandatory Burn Ban                                                                   |
| 01/04/18                  | Z2478         | SFD                                       | Los Gatos       | Mandatory Burn Ban                                                                   |
| 01/04/18                  | Z2481         | SFD                                       | San Jose        | Mandatory Burn Ban                                                                   |
| <b>Solano County</b>      |               |                                           |                 |                                                                                      |
| <b>Status</b>             |               |                                           |                 |                                                                                      |
| <b>Date</b>               | <b>Site #</b> | <b>Site Name</b>                          | <b>City</b>     | <b>Regulation Title</b>                                                              |
| 01/24/18                  | A8057         | J N Auto Body                             | Vallejo         | No Permit to Operate                                                                 |
| 01/09/18                  | Z2590         | SFD                                       | Benicia         | Mandatory Burn Ban                                                                   |
| 01/10/18                  | Z2665         | SFD                                       | Benicia         | Mandatory Burn Ban                                                                   |
| 01/10/18                  | Z2667         | SFD                                       | Vallejo         | Mandatory Burn Ban                                                                   |
| 01/10/18                  | Z2670         | SFD                                       | Fairfield       | Mandatory Burn Ban                                                                   |
| 01/10/18                  | Z2671         | SFD                                       | Fairfield       | Mandatory Burn Ban                                                                   |
| 01/11/18                  | B2626         | Valero Refining Company - California      | Benicia         | Not Gas Tight                                                                        |
| 01/11/18                  | B2626         | Valero Refining Company - California      | Benicia         | Not Gas Tight                                                                        |
| 01/11/18                  | B2626         | Valero Refining Company - California      | Benicia         | Open -Ended Line or Valve                                                            |
| 01/03/18                  | Z2466         | SFD                                       | Fairfield       | Mandatory Burn Ban                                                                   |
| 01/03/18                  | Z2467         | SFD                                       | Suisun City     | Mandatory Burn Ban                                                                   |
| 01/10/18                  | Z2858         | SFD                                       | Vallejo         | Mandatory Burn Ban                                                                   |
| 01/10/18                  | Z2631         | SFD                                       | Benicia         | Mandatory Burn Ban                                                                   |
| 01/10/18                  | Z2632         | SFD                                       | Benicia         | Mandatory Burn Ban                                                                   |

**These facilities have received one or more Notices of Violations**  
**Report period: January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Sonoma County</b> |               |                                   |              |                                     |
|----------------------|---------------|-----------------------------------|--------------|-------------------------------------|
| <b>Status</b>        |               |                                   |              |                                     |
| <b>Date</b>          | <b>Site #</b> | <b>Site Name</b>                  | <b>City</b>  | <b>Regulation Title</b>             |
| 01/09/18             | Z2815         | Property                          | Santa Rosa   | Open Burning; Prohibition of Fires  |
| 02/13/18             | Z3908         | Dan Woloz                         | Santa Rosa   | Open Burning; Prohibition of Fires  |
| 02/08/18             | Z3093         | Neve Brothers Nursery             | Petaluma     | Open Burning; Prohibition of Fires  |
| 03/13/18             | B8712         | Petaluma Creamery                 | Petaluma     | No Authority to Construct           |
| 03/13/18             | B8712         | Petaluma Creamery                 | Petaluma     | No Permit to Operate                |
| 03/13/18             | B8712         | Petaluma Creamery                 | Petaluma     | Initial Demonstration of Compliance |
| 03/13/18             | B8712         | Petaluma Creamery                 | Petaluma     | Periodic Testing                    |
| 03/29/18             | E2457         | Lagunitas Brewing Company         | Petaluma     | Failure to Meet Permit Conditions   |
| 01/09/18             | Z2582         | SFD                               | Santa Rosa   | Mandatory Burn Ban                  |
| 01/02/18             | Z2405         | Michael J Jr and Nicole J Palardy | Rohnert Park | Mandatory Burn Ban                  |
| 01/02/18             | Z2406         | Brian A and Christine Smith       | Rohnert Park | Mandatory Burn Ban                  |
| 01/02/18             | Z2407         | Richard T II and Marit Davey      | Rohnert Park | Mandatory Burn Ban                  |
| 01/22/18             | Z3803         | Walia's Valero                    | Petaluma     | Failure to Meet Permit Conditions   |
| 01/05/18             | Z4013         | Gold Ridge Fire District          | Sebastopol   | Failure to Meet Permit Conditions   |
| 01/03/18             | Z2469         | SFD                               | Santa Rosa   | Mandatory Burn Ban                  |
| 01/22/18             | Z4057         | Parm Bassi Gas Station            | Santa Rosa   | Failure to Meet Permit Conditions   |
| 01/25/18             | Z3995         | United Rentals                    | Santa Rosa   | No Permit to Operate                |
| 01/25/18             | Z3995         | United Rentals                    | Santa Rosa   | Failure to Meet Permit Conditions   |
| 01/05/18             | Z2485         | SFD                               | Petaluma     | Mandatory Burn Ban                  |
| 01/16/18             | Z2861         | SFD                               | Sebastopol   | Mandatory Burn Ban                  |
| 01/16/18             | Z2876         | SFD                               | Sebastopol   | Mandatory Burn Ban                  |
| 01/16/18             | Z2923         | SFD                               | Sebastopol   | Mandatory Burn Ban                  |
| 01/23/18             | Z3251         | SFD                               | Sebastopol   | Mandatory Burn Ban                  |
| 01/23/18             | Z3251         | SFD                               | Sebastopol   | Mandatory Burn Ban                  |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**

| <b>Alameda</b>                    |               |               |                          |                               |
|-----------------------------------|---------------|---------------|--------------------------|-------------------------------|
| <b>Site Name</b>                  | <b>Site #</b> | <b>City</b>   | <b>Penalty Amount</b>    | <b># of Violations Closed</b> |
| Amarjit Rai                       | Z2635         | Fremont       | \$1,000                  | 2                             |
| Au Energy LLC                     | Z1937         | Fremont       | \$1,000                  | 2                             |
| Berkeley Farms Inc                | B1596         | Hayward       | \$1,500                  | 1                             |
| Carlos & Diana Ortega             | Z2751         | Dublin        | Passed Wood Smoke Course | 1                             |
| D-Line Construction Inc           | W9792         | Oakland       | \$500                    | 1                             |
| Dustin X Driscoll                 | Z2235         | Livermore     | Passed Wood Smoke Course | 1                             |
| Eric and Nicole Deichl            | Z2383         | San Leandro   | Passed Wood Smoke Course | 1                             |
| Laurie E Schrager & James Waldrop | Z2391         | Alameda       | Passed Wood Smoke Course | 1                             |
| Millwork Solutions Inc            | E3309         | Livermore     | \$500                    | 1                             |
| Mission Pass Shell                | Z1471         | Fremont       | \$500                    | 1                             |
| Oscar Brown III                   | Z2392         | Oakland       | Passed Wood Smoke Course | 1                             |
| P.W. Stephens Environmental Inc.  | V8868         | Hayward       | \$1,500                  | 4                             |
| P.W. Stephens Environmental, Inc  | Z0961         | Hayward       | \$750                    | 1                             |
| Parra Builders, Inc.              | R4600         | Hayward       | \$1,500                  | 1                             |
| Recipient - Thomas Bell           | Z2231         | Oakland       | Passed Wood Smoke Course | 1                             |
| Restoration Management Company    | R2288         | Hayward       | \$500                    | 1                             |
| SFD                               | Z2666         | Oakland       | Passed Wood Smoke Course | 1                             |
| SFD                               | Z2293         | Oakland       | Passed Wood Smoke Course | 1                             |
| SFD                               | Z2393         | Oakland       | Passed Wood Smoke Course | 1                             |
| SFD                               | Z2398         | Castro Valley | \$100                    | 1                             |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Alameda</b>                               |        |               |                          |                        |
|----------------------------------------------|--------|---------------|--------------------------|------------------------|
| Site Name                                    | Site # | City          | Penalty Amount           | # of Violations Closed |
| SFD                                          | Z2402  | Berkeley      | Passed Wood Smoke Course | 1                      |
| SFD                                          | Z2486  | Dublin        | Passed Wood Smoke Course | 1                      |
| Timothy and Lucia Lawver                     | Z2404  | Castro Valley | Passed Wood Smoke Course | 1                      |
| Victor Chavez                                | Z1473  | Newark        | \$500                    | 1                      |
| Wanda R Dalmas                               | Z2409  | Fremont       | Passed Wood Smoke Course | 1                      |
| Xtra Oil Company                             | Z2056  | Berkeley      | \$1,500                  | 1                      |
| <b>Total Violations Closed:</b>              |        |               |                          | <b>31</b>              |
| <b>Contra Costa</b>                          |        |               |                          |                        |
| Site Name                                    | Site # | City          | Penalty Amount           | # of Violations        |
| Bio Rad                                      | B5555  | Hercules      | \$990,000                | 6                      |
| Carone & Co., Inc.                           | Q8231  | Concord       | \$500                    | 1                      |
| City of Concord/Corp Yard                    | Z2044  | Concord       | \$2,000                  | 1                      |
| Crockett Cogeneration, A Cal Ltd Partnership | A8664  | Crockett      | \$15,000                 | 1                      |
| Dow Chemical Company                         | A0031  | Pittsburg     | \$5,000                  | 1                      |
| Environmental CPR, Inc.                      | T9839  | San Ramon     | \$3,000                  | 2                      |
| Equilon Enterprises LLC                      | B1956  | Martinez      | \$16,000                 | 4                      |
| Golden 7 Quick Stop                          | Z2869  | Richmond      | \$2,000                  | 2                      |
| Jorge Balderrama                             | X9281  | Pittsburg     | \$2,500                  | 1                      |
| Maria S Colburn                              | Z3791  | Antioch       | Passed Wood Smoke Course | 1                      |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Contra Costa</b>                     |               |               |                          |                        |
|-----------------------------------------|---------------|---------------|--------------------------|------------------------|
| <b>Site Name</b>                        | <b>Site #</b> | <b>City</b>   | <b>Penalty Amount</b>    | <b># of Violations</b> |
| PNB Corporation                         | Z2629         | Concord       | \$150                    | 1                      |
| Receipient - Robert and Karen Fabianek  | Z2197         | Concord       | \$100                    | 1                      |
| SFD                                     | Z2625         | Pleasant Hill | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2880         | El Sobrante   | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2302         | Lafayette     | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2461         | Walnut Creek  | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2326         | Pinole        | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2385         | Concord       | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2403         | Concord       | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2468         | Concord       | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2479         | Pleasant Hill | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2483         | Martinez      | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2627         | Pleasant Hill | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2633         | Oakley        | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2641         | Pinole        | Passed Wood Smoke Course | 1                      |
| SFD                                     | Z2942         | Brentwood     | Passed Wood Smoke Course | 1                      |
| StoneMor California Subsidiary, Inc     | A2634         | Lafayette     | \$7,000                  | 1                      |
| Tesoro Refining & Marketing Company LLC | B2758         | Martinez      | \$915,700                | 62                     |
| Wingard Construction                    | N8267         | Concord       | \$250                    | 1                      |
| <b>Total Violations Closed:</b>         |               |               |                          | <b>100</b>             |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Marin</b>                    |        |              |                          |                 |
|---------------------------------|--------|--------------|--------------------------|-----------------|
| Site Name                       | Site # | City         | Penalty Amount           | # of Violations |
| Cagwin and Dorward              | Y7743  | Novato       | \$1,000                  | 1               |
| George Auto Body                | B8998  | San Rafael   | \$1,500                  | 1               |
| Lopez Velasquez Company, Inc.   | Y3094  | Novato       | \$1,500                  | 2               |
| Maggiora & Ghilotti Inc         | Y4154  | San Rafael   | \$1,000                  | 1               |
| Michael and Sonya Gordon        | Z2234  | Fairfax      | Passed Wood Smoke Course | 1               |
| North Marin Water District      | Z0358  | Novato       | \$500                    | 1               |
| Recepient                       | Z2309  | Lagunitas    | Passed Wood Smoke Course | 1               |
| SFD                             | Z2591  | Fairfax      | \$100                    | 1               |
| SFD                             | Z2304  | Novato       | Passed Wood Smoke Course | 1               |
| SFD                             | Z2295  | Novato       | Passed Wood Smoke Course | 1               |
| SFD                             | Z2300  | Ross         | \$100                    | 1               |
| SFD                             | Z2255  | Woodacre     | Passed Wood Smoke Course | 1               |
| SFD                             | Z2484  | Fairfax      | Passed Wood Smoke Course | 1               |
| Town of Fairfax                 | Z2357  | Fairfax      | \$500                    | 1               |
| Woodlands Gas & Mart            | Y3508  | Kentfield    | \$2,000                  | 1               |
| <b>Total Violations Closed:</b> |        |              |                          | <b>16</b>       |
| <b>Napa</b>                     |        |              |                          |                 |
| Site Name                       | Site # | City         | Penalty Amount           | # of Violations |
| Arco Facility #2106             | Z2825  | Napa         | \$500                    | 1               |
| Eric Titus                      | Y6940  | Saint Helena | \$500                    | 1               |
| Napa County Public Works        | Z0701  | Napa         | \$500                    | 1               |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Napa</b>                                          |        |               |                          |                 |
|------------------------------------------------------|--------|---------------|--------------------------|-----------------|
| Site Name                                            | Site # | City          | Penalty Amount           | # of Violations |
| Receipient                                           | Z2193  | Calistoga     | Passed Wood Smoke Course | 1               |
| Receipient - Jerome and Mary Ann Oved                | Z2202  | Napa          | Passed Wood Smoke Course | 1               |
| Sate of California                                   | Z2480  | Calistoga     | Passed Wood Smoke Course | 1               |
| SFD                                                  | Z2860  | Napa          | Passed Wood Smoke Course | 1               |
| SFD                                                  | Z2463  | Napa          | Passed Wood Smoke Course | 1               |
| SFD                                                  | Z2464  | Napa          | Passed Wood Smoke Course | 1               |
| SFD                                                  | Z2307  | Napa          | Passed Wood Smoke Course | 1               |
| SFD                                                  | Z2308  | Napa          | Passed Wood Smoke Course | 1               |
| SFD                                                  | Z2628  | Saint Helena  | Passed Wood Smoke Course | 1               |
| <b>Total Violations Closed:</b>                      |        |               |                          | <b>12</b>       |
| <b>San Francisco</b>                                 |        |               |                          |                 |
| Site Name                                            | Site # | City          | Penalty Amount           | # of Violations |
| 345 6th, LLC                                         | Z2151  | San Francisco | \$10,750                 | 5               |
| Aleman Shell                                         | Y7959  | San Francisco | \$2,500                  | 2               |
| C.P. Development                                     | X6786  | San Francisco | \$6,000                  | 1               |
| City & County of San Francisco Purchasing Department | Y5346  | San Francisco | \$500                    | 1               |
| National Park Services/GGNRA                         | Z2361  | San Francisco | \$500                    | 2               |
| NKM Quickserve                                       | Z2349  | San Francisco | \$1,000                  | 1               |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>San Francisco</b>            |        |                     |                          |                 |
|---------------------------------|--------|---------------------|--------------------------|-----------------|
| Site Name                       | Site # | City                | Penalty Amount           | # of Violations |
| Pacific Gas and Electric        | B4168  | San Francisco       | \$500                    | 1               |
| Unocal 5458                     | Z0791  | San Francisco       | \$1,250                  | 1               |
| Valero SS#7959                  | W1971  | San Francisco       | \$750                    | 1               |
| <b>Total Violations Closed:</b> |        |                     |                          | <b>15</b>       |
| <b>San Mateo</b>                |        |                     |                          |                 |
| Site Name                       | Site # | City                | Penalty Amount           | # of Violations |
| ACP Structural                  | Y2209  | San Carlos          | \$500                    | 2               |
| AOI Group                       | Z0682  | Burlingame          | \$4,000                  | 4               |
| BCSP Crossroads Property LLC    | B3219  | San Mateo           | \$250                    | 1               |
| Gas & Shop                      | Y4201  | South San Francisco | \$1,750                  | 2               |
| Mayfair 76                      | Y7359  | Daly City           | \$750                    | 1               |
| McClenahan Company              | Z1025  | Portola Valley      | \$750                    | 1               |
| San Mateo Gas Co                | Y3092  | San Mateo           | \$2,000                  | 2               |
| SFD                             | Z2298  | San Mateo           | \$100                    | 1               |
| SFD                             | Z2258  | East Palo Alto      | Passed Wood Smoke Course | 1               |
| SFD                             | Z2389  | Pacifica            | Passed Wood Smoke Course | 1               |
| SFD                             | Z2390  | La Honda            | Passed Wood Smoke Course | 1               |
| SFD                             | Z2465  | La Honda            | Passed Wood Smoke Course | 1               |
| <b>Total Violations Closed:</b> |        |                     |                          | <b>18</b>       |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Santa Clara</b>                            |               |             |                          |                        |
|-----------------------------------------------|---------------|-------------|--------------------------|------------------------|
| <b>Site Name</b>                              | <b>Site #</b> | <b>City</b> | <b>Penalty Amount</b>    | <b># of Violations</b> |
| Alliance Environmental Group                  | Y8752         | San Jose    | \$500                    | 1                      |
| Alliance Environmental Group, Inc. - San Jose | X5825         | San Jose    | \$500                    | 1                      |
| BELFOR Property Restoration                   | V6482         | San Jose    | \$2,500                  | 1                      |
| Caltrans Maintenance Station                  | Z0424         | Gilroy      | \$500                    | 1                      |
| Capitol Valero                                | Y7215         | San Jose    | \$1,000                  | 1                      |
| Christopher Ranch                             | A7952         | Gilroy      | \$250                    | 1                      |
| Conoco Phillips Co                            | Y8337         | Los Gatos   | \$3,000                  | 1                      |
| Diep Dang: Petro America                      | Y4565         | San Jose    | \$1,000                  | 2                      |
| Granite Construction Company                  | A0122         | Santa Clara | \$2,500                  | 1                      |
| K-Comm                                        | E0592         | Los Gatos   | \$1,500                  | 2                      |
| Palo Alto Hills Golf & Country Club           | J8269         | Palo Alto   | \$250                    | 1                      |
| Petro America                                 | Y0714         | San Jose    | \$3,000                  | 2                      |
| SFD                                           | Z2882         | Los Gatos   | Passed Wood Smoke Course | 1                      |
| SFD                                           | Z2593         | Santa Clara | \$500                    | 1                      |
| SFD                                           | Z2458         | San Jose    | Passed Wood Smoke Course | 1                      |
| SFD                                           | Z2311         | San Jose    | Passed Wood Smoke Course | 1                      |
| SFD                                           | Z2333         | Los Gatos   | Passed Wood Smoke Course | 1                      |
| SFD                                           | Z2254         | San Jose    | Passed Wood Smoke Course | 1                      |
| SFD                                           | Z2593         | Santa Clara | Passed Wood Smoke Course | 1                      |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Santa Clara</b>                  |               |                 |                          |                        |
|-------------------------------------|---------------|-----------------|--------------------------|------------------------|
| <b>Site Name</b>                    | <b>Site #</b> | <b>City</b>     | <b>Penalty Amount</b>    | <b># of Violations</b> |
| SFD                                 | Z2381         | Los Gatos       | Passed Wood Smoke Course | 1                      |
| SFD                                 | Z2388         | Redwood Estates | Passed Wood Smoke Course | 1                      |
| SFD                                 | Z2395         | Campbell        | Passed Wood Smoke Course | 1                      |
| SFD                                 | Z2478         | Los Gatos       | Passed Wood Smoke Course | 1                      |
| SFD                                 | Z2481         | San Jose        | Passed Wood Smoke Course | 1                      |
| Top Builder                         | Z2826         | San Jose        | \$750                    | 1                      |
| U.S. Gas                            | Y3001         | Sunnyvale       | \$1,250                  | 2                      |
| Unocal #5428                        | Z2620         | Cupertino       | \$1,000                  | 1                      |
| Vivid Inc                           | B1467         | Santa Clara     | \$2,500                  | 3                      |
| <b>Total Violations Closed:</b>     |               |                 |                          | <b>34</b>              |
| <b>Solano</b>                       |               |                 |                          |                        |
| <b>Site Name</b>                    | <b>Site #</b> | <b>City</b>     | <b>Penalty Amount</b>    | <b># of Violations</b> |
| Benicia Harbor Corp                 | Z0868         | Benicia         | \$1,000                  | 2                      |
| Chuy's Auto Body Shop               | Y8089         | Vallejo         | \$750                    | 2                      |
| Potrero Hills Energy Producers, LLC | E0139         | Suisun City     | \$15,000                 | 5                      |
| SFD                                 | Z2590         | Benicia         | Passed Wood Smoke Course | 1                      |
| SFD                                 | Z2665         | Benicia         | Passed Wood Smoke Course | 1                      |
| SFD                                 | Z2667         | Vallejo         | \$100                    | 1                      |
| SFD                                 | Z2670         | Fairfield       | Passed Wood Smoke Course | 1                      |
| SFD                                 | Z2671         | Fairfield       | Passed Wood Smoke Course | 1                      |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Solano</b>                        |               |                 |                          |                        |
|--------------------------------------|---------------|-----------------|--------------------------|------------------------|
| <b>Site Name</b>                     | <b>Site #</b> | <b>City</b>     | <b>Penalty Amount</b>    | <b># of Violations</b> |
| SFD                                  | Z2583         | Fairfield       | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2457         | American Canyon | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2330         | Vallejo         | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2379         | Benicia         | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2237         | Benicia         | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2310         | Fairfield       | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2917         | Vallejo         | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2924         | Suisun City     | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2466         | Fairfield       | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2467         | Suisun City     | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2858         | Vallejo         | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2631         | Benicia         | Passed Wood Smoke Course | 1                      |
| SFD                                  | Z2632         | Benicia         | Passed Wood Smoke Course | 1                      |
| Solano Community College             | A2284         | Fairfield       | \$5,000                  | 2                      |
| Valero Benicia Asphalt Plant         | A0901         | Benicia         | \$5,000                  | 1                      |
| Valero Refining Company - California | B2626         | Benicia         | \$137,000                | 21                     |
| <b>Total Violations Closed:</b>      |               |                 |                          | <b>51</b>              |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Sonoma</b>                             |               |              |                          |                        |
|-------------------------------------------|---------------|--------------|--------------------------|------------------------|
| <b>Site Name</b>                          | <b>Site #</b> | <b>City</b>  | <b>Penalty Amount</b>    | <b># of Violations</b> |
| Brian A and Christine Smith               | Z2406         | Rohnert Park | Passed Wood Smoke Course | 1                      |
| CA State Parks Matinence                  | Y4123         | Petaluma     | \$500                    | 1                      |
| City of Petaluma                          | Z0459         | Petaluma     | \$1,000                  | 1                      |
| City of Santa Rosa Wastewater Treatment   | A1403         | Santa Rosa   | \$12,000                 | 4                      |
| City of Sebastopol Fire Dept              | Z2850         | Sebastopol   | \$250                    | 1                      |
| Hanna Boys Center                         | F5513         | Sonoma       | \$1,000                  | 1                      |
| Husary's 76                               | Z2045         | Sebastopol   | \$3,500                  | 1                      |
| Kenwood Gas                               | Y8112         | Kenwood      | \$500                    | 1                      |
| Michael J Jr and Nicole J Palardy         | Z2405         | Rohnert Park | Passed Wood Smoke Course | 1                      |
| Mitchell Riedel                           | Z2334         | Santa Rosa   | Passed Wood Smoke Course | 1                      |
| Norm Yenni                                | Z2355         | Sonoma       | \$250                    | 1                      |
| Owner                                     | Z2297         | Rohnert Park | Passed Wood Smoke Course | 1                      |
| Petaluma Creamery                         | B8712         | Petaluma     | \$12,000                 | 3                      |
| Receipient - Antonio and Cynthia Gonzalez | Z2192         | Windsor      | Passed Wood Smoke Course | 1                      |
| Receipient - David and Claire Mesagno     | Z2187         | Rohnert Park | Passed Wood Smoke Course | 1                      |
| Richard T II and Marit Davey              | Z2407         | Rohnert Park | Passed Wood Smoke Course | 1                      |
| Robin R Goble                             | Z2259         | Windsor      | Passed Wood Smoke Course | 1                      |
| Rooster Run Golf Club                     | Z1483         | Petaluma     | \$3,000                  | 2                      |
| Santa Rosa Chevron                        | Y7818         | Santa Rosa   | \$2,000                  | 1                      |
| Santa Rosa Mobile Est                     | Y8799         | Santa Rosa   | \$2,250                  | 2                      |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Sonoma</b>    |               |              |                          |                        |
|------------------|---------------|--------------|--------------------------|------------------------|
| <b>Site Name</b> | <b>Site #</b> | <b>City</b>  | <b>Penalty Amount</b>    | <b># of Violations</b> |
| SFD              | Z2248         | Windsor      | Passed Wood Smoke Course | 1                      |
| SFD              | Z2241         | Windsor      | Passed Wood Smoke Course | 1                      |
| SFD              | Z2582         | Santa Rosa   | Passed Wood Smoke Course | 1                      |
| SFD              | Z2459         | Petaluma     | Passed Wood Smoke Course | 1                      |
| SFD              | Z2327         | Petaluma     | Passed Wood Smoke Course | 1                      |
| SFD              | Z2328         | Petaluma     | Passed Wood Smoke Course | 1                      |
| SFD              | Z2332         | Sebastopol   | Passed Wood Smoke Course | 1                      |
| SFD              | Z2378         | Petaluma     | Passed Wood Smoke Course | 1                      |
| SFD              | Y8220         | Santa Rosa   | \$100                    | 1                      |
| SFD              | Z2460         | Rohnert Park | Passed Wood Smoke Course | 1                      |
| SFD              | Z2292         | Rohnert Park | Passed Wood Smoke Course | 1                      |
| SFD              | Z2261         | Petaluma     | Passed Wood Smoke Course | 1                      |
| SFD              | Z2584         | Santa Rosa   | Passed Wood Smoke Course | 1                      |
| SFD              | Z2257         | Windsor      | Passed Wood Smoke Course | 1                      |
| SFD              | Z2921         | Petaluma     | Passed Wood Smoke Course | 1                      |
| SFD              | Z2586         | Petaluma     | Passed Wood Smoke Course | 1                      |
| SFD              | Z2587         | Petaluma     | Passed Wood Smoke Course | 1                      |
| SFD              | Z2469         | Santa Rosa   | Passed Wood Smoke Course | 1                      |
| SFD              | Z2485         | Petaluma     | Passed Wood Smoke Course | 1                      |

**Closed Notice of Violations with Penalties by County**  
**January 1, 2018 – March 31, 2018**  
**(continued)**

| <b>Sonoma</b>                   |               |             |                          |                        |
|---------------------------------|---------------|-------------|--------------------------|------------------------|
| <b>Site Name</b>                | <b>Site #</b> | <b>City</b> | <b>Penalty Amount</b>    | <b># of Violations</b> |
| SFD                             | Z2876         | Sebastopol  | Passed Wood Smoke Course | 1                      |
| SFD                             | Z2923         | Sebastopol  | Passed Wood Smoke Course | 1                      |
| <b>Total Violations Closed:</b> |               |             |                          | <b>48</b>              |
| <b>District Wide</b>            |               |             |                          |                        |
| <b>Site Name</b>                | <b>Site #</b> | <b>City</b> | <b>Penalty Amount</b>    | <b># of Violations</b> |
| Resource Environmental Inc      | Y7695         | Long Beach  | \$1,000                  | 1                      |
| RADC Enterprises Inc            | Z2353         | Upland      | \$500                    | 1                      |
| <b>Total Violations Closed:</b> |               |             |                          | <b>2</b>               |

## **Bay Area Air Quality Management District**

### **Board of Directors**

#### **LIST OF ACRONYMS**

|                                |                                                                                     |
|--------------------------------|-------------------------------------------------------------------------------------|
| AA                             | Annual Average                                                                      |
| AAMP                           | Ambient Air Monitoring Program                                                      |
| AB32                           | Assembly Bill 32 – Global Warming Solutions Act                                     |
| Al                             | Aluminium                                                                           |
| Al <sub>2</sub> O <sub>3</sub> | Alumina (Aluminium Oxide)                                                           |
| AlF <sub>3</sub>               | Aluminium Fluoride                                                                  |
| AIRS                           | Aeromatic Information Retrieval System                                              |
| AIRMoN                         | Atmospheric Integrated Research Monitoring Network                                  |
| ALAPCO                         | Association of Local Air Pollution Control Officials                                |
| Aluminium Plant                | Carbon Plant, Reduction Plant, Casthouse, Anode Service Area, and related utilities |
| Air District                   | Bay Area Air Quality Management District                                            |
| AMTAC                          | ARB Air Monitoring Technical Advisory Committee                                     |
| AMTIC                          | Air Monitoring Technology Information Center                                        |
| ANPR                           | Advanced Notice of Proposed Rulemaking                                              |
| APCD                           | Air Pollution Control District                                                      |
| APCO                           | Air Pollution Control Officer                                                       |
| API                            | American Petroleum Institute                                                        |
| APTI                           | Air Pollution Technology Institute                                                  |
| ARB                            | California Air Resources Board                                                      |
| ARM                            | Area Recognized Method                                                              |
| AQI                            | Air Quality Index                                                                   |
| AQIS                           | Air Quality Instrument Specialist                                                   |
| AQS                            | EPA's Air Quality (data) System                                                     |
| AQRS                           | Air Quality Research Subcommittee                                                   |
| AQTA                           | Air Quality Technical Assistant                                                     |
| ARM                            | Approved Regional Method                                                            |
| ASA                            | Anode Service Area                                                                  |
| ASP                            | Anode Service Plant                                                                 |
| ASTCM                          | Astroynamics Common                                                                 |
| ASTM                           | American Society for Testing and Materials                                          |
| AWMA                           | Air and Waste Management Association                                                |
| BAAQMD                         | Bay Area Air Quality Management District                                            |
| BAM                            | Beta Attenuation Monitor                                                            |
| BAM                            | Beta-Attenuation Metre                                                              |
| BAT(NEEC)                      | Best Available Techniques (Not Entailing Excessive Cost)                            |
| BC                             | Black carbon                                                                        |
| BC                             | Background Concentration                                                            |
| BCP                            | Best Current Practice                                                               |
| BGI                            | BGI, Incorporated                                                                   |
| BPT                            | Best Practicable Technology                                                         |
| BRC                            | Background Reference Concentration                                                  |
| bgl                            | Below ground level                                                                  |

|                  |                                                                    |
|------------------|--------------------------------------------------------------------|
| BOD              | Biochemical Oxygen Demand                                          |
| BPEO             | Best Practicable Environmental Option                              |
| BREF note        | Best Available Techniques Reference Document                       |
| btc              | Below top of casing                                                |
| BTEX             | Benzene, Toluene, Ethylbenzene and Xylene                          |
| °C               | Degrees Celsius                                                    |
| C                | Carbon                                                             |
| C <sub>a</sub> O | Lime (calcium oxide)                                               |
| CAA              | (Federal) Clean Air Act                                            |
| CAC              | Correlating Acceptable Continuous (monitor)                        |
| CAIR             | Clean Air Interstate Rule                                          |
| CAP              | Clean Air Plan                                                     |
| CARB             | California Air Resources Board                                     |
| CARE             | Community Air Risk Evaluation                                      |
| CASAC            | Clean Air Science Advisory Committee                               |
| CAS              | Chemical Abstracts Service (a chemical reference number)           |
| CASTNET          | Clean Air Status and Trends Network                                |
| CBSA             | Core Based Statistical Area                                        |
| CCC              | Criteria Continuous Concentration                                  |
| CCP              | Carbon Crushing Plant                                              |
| Cd               | Cadmium                                                            |
| CD               | Chart Datum                                                        |
| CDM              | Clean Development Mechanism                                        |
| CEM              | Continuous Emissions Monitoring                                    |
| CENR             | Committee for Environment and Natural Resources                    |
| CEQA             | California Environmental Quality Act                               |
| CEU              | Continuing Education Unit                                          |
| CFR              | U.S. Code of Federal Regulations                                   |
| CH <sub>4</sub>  | Methane                                                            |
| Cl <sup>-</sup>  | Chloride(s)                                                        |
| CI               | Confidence Interval                                                |
| CMAQ             | Community Model Air Quality (system)                               |
| CMC              | Criteria Maximum Concentration                                     |
| CN               | Cyanide                                                            |
| CO               | Carbon monoxide                                                    |
| CO <sub>2</sub>  | Carbon Dioxide                                                     |
| CoC              | Chain of custody                                                   |
| COD              | Chemical Oxygen Demand                                             |
| COH              | Coefficient of Haze                                                |
| Cr(VI)           | Chromium (hexavalent)                                              |
| CREL             | Chronic Reference Exposure Level                                   |
| CRPAQS           | Central Valley (California) Regional Particulate Air Quality Study |
| CRRP             | Community Risk Reduction Program                                   |
| CSN              | Chemical Speciation Network                                        |
| CSR              | Corporate Social Responsibility                                    |
| CV               | Coefficient of variation                                           |
| CWMP             | Construction Waste Management Plan                                 |
| CY               | Calendar Year                                                      |
| Cu               | Copper                                                             |
| DAS              | Data Acquisition System                                            |

|                               |                                                             |
|-------------------------------|-------------------------------------------------------------|
| dB(A)                         | ‘A’ weighted decibel noise level                            |
| dB <sub>L<sub>Aeq</sub></sub> | ‘A’ weighted energy-equivalent decibel noise level          |
| DC                            | Direct Current                                              |
| DEARS                         | Detroit Exposure and Aerosol Research Study                 |
| DHS                           | Department of Homeland Security                             |
| District                      | Bay Area Air Quality Management District                    |
| DIV                           | Dutch Intervention Values                                   |
| DMC                           | Data Management Center                                      |
| DMS                           | Data management system                                      |
| DNPH                          | 2, 4-dinitrophenyl hydrazine                                |
| DO                            | Dissolved Oxygen                                            |
| DOE                           | Department of Energy                                        |
| DOI                           | Department of Interior                                      |
| DQA                           | Data Quality Assessment                                     |
| DQI                           | Data Quality Indicators                                     |
| DQO                           | Data Quality Objectives                                     |
| DRI                           | Direct Reduction Iron                                       |
| DTV                           | Dutch Target Values                                         |
| DVM                           | Digital Voltmeter                                           |
| EC                            | European Commission                                         |
| EC/OC                         | Elemental carbon/organic carbon                             |
| EECS                          | Electrical Equipment Calibration Service (in Fremont, CA)   |
| EI                            | Extrusion Ingots                                            |
| EIA                           | Environmental Impact Assessment                             |
| EML                           | Environmental Measurements Laboratory                       |
| EMP                           | Environmental Management Plan                               |
| EPA                           | U.S. Environmental Protection Agency                        |
| EPC                           | Engineering, Procurement and Construction                   |
| EPS                           | Environmental Protection Standards                          |
| EQS                           | Environmental Quality Standard                              |
| ESAT                          | Environmental Services Assistance Team                      |
| ET                            | Enviro Technology                                           |
| EU                            | European Union                                              |
| F-                            | Fluoride(s)                                                 |
| FA                            | Foundry Alloy                                               |
| FEM                           | Federal Equivalent Method                                   |
| FLM                           | Federal Land Manager                                        |
| FMP                           | Flare Minimization Plan                                     |
| FRM                           | Federal Reference Method                                    |
| FTP                           | Fume Treatment Plant                                        |
| FY                            | Fiscal Year                                                 |
| g/s                           | Grams per second                                            |
| GAO                           | General Accounting Office                                   |
| GC                            | Gas Chromatograph                                           |
| GC-MS                         | Gas Chromatography-Mass Spectrometry                        |
| GDP                           | Gross Domestic Product                                      |
| GHG(s)                        | Greenhouse Gas(es)                                          |
| GIS                           | Geographical Information System                             |
| GLM                           | Ground Level Monitoring                                     |
| GMW                           | General Metal Works (PM <sub>10</sub> sampler manufacturer) |

|                  |                                                                           |
|------------------|---------------------------------------------------------------------------|
| GPS              | Global Positioning System                                                 |
| GWP              | Global Warming Potential                                                  |
| H <sub>2</sub> S | Hydrogen sulfide                                                          |
| HAL 275          | Norsk Hydro Reduction Technology                                          |
| HAP              | Hazardous Air Pollutants                                                  |
| HAZID            | Hazard Identification                                                     |
| HC               | Hydrocarbon                                                               |
| HCl              | Hydrogen chloride                                                         |
| HEI              | Health Effects Institute                                                  |
| HF               | Hydrogen fluoride                                                         |
| HPLC             | High Performance Liquid Chromatograph                                     |
| HSE              | Health, Safety and Environment                                            |
| HTM              | Heating Transfer Medium                                                   |
| Hydro            | Norsk Hydro ASA                                                           |
| IACET            | International Association for Continuing Education and Training           |
| IADN             | Interagency Deposition Network                                            |
| IC               | Ion Chromatography                                                        |
| ICR              | Information Collection Request                                            |
| IEA              | Initial Environmental Authorization                                       |
| IFC              | International Finance Corporation                                         |
| ILSC             | Indicative Levels of Serious Contamination                                |
| IMPROVE          | Interagency Monitoring of Protected Visual Environments                   |
| IPP              | Independent Power Producer                                                |
| ISQG             | Interim Sediment Quality Standard                                         |
| ISR              | Indirect Source Rule                                                      |
| ITEP             | Institute of Tribal Environmental Professionals                           |
| ITT              | Information Transfer Technology                                           |
| JV               | Joint Venture                                                             |
| K                | Kelvin                                                                    |
| K                | Thousand                                                                  |
| km               | kilometer                                                                 |
| kV               | Kilovolt                                                                  |
| kt/yr            | Thousands of tons per year                                                |
| kPa              | Thousand Pascal                                                           |
| l                | Litre                                                                     |
| LC-50            | Lethal Concentration of a chemical which kills 50% of a sample population |
| L <sub>eq</sub>  | Unweighted energy-equivalent noise level                                  |
| LCS              | Laboratory Control Sample                                                 |
| LDAR             | Leak Detection and Repair                                                 |
| LLD              | Lower Limit of Detection                                                  |
| LNB              | Low NO <sub>x</sub> Burner                                                |
| LOD              | Limit of Detection                                                        |
| LOQ              | Limit of Quantitation                                                     |
| lpm              | Liters per minute                                                         |
| l/s              | Litres per second                                                         |
| L <sub>WA</sub>  | 'A' weighted sound power level                                            |
| M                | Million                                                                   |
| m                | Metre                                                                     |
| m/s              | Metres per second                                                         |

|                                  |                                                                                                                                                                                                          |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| m <sup>3</sup> /s                | Cubic metres per second                                                                                                                                                                                  |
| MAC                              | Maximum Allowable Concentration                                                                                                                                                                          |
| MANE-VU                          | Mid-Atlantic/Northeast Visibility Union                                                                                                                                                                  |
| MDL                              | Method Detection Limit                                                                                                                                                                                   |
| MDN                              | Mercury Deposition Network                                                                                                                                                                               |
| MEI                              | Ministry of Energy and Industry                                                                                                                                                                          |
| MET/PE                           | Meteorology and Performance Evaluation                                                                                                                                                                   |
| mg/kg                            | Milligrams per kilogram                                                                                                                                                                                  |
| mg/l                             | Milligrams per litre                                                                                                                                                                                     |
| mg/m <sup>3</sup>                | Milligrams per cubic metre                                                                                                                                                                               |
| mg/Nm <sup>3</sup>               | Milligrams per normal cubic metre (i.e. expressed at 273K and 101.3 kPa); in the case of gas turbines, gas volumes in units on “Nm <sup>3</sup> ” are also expressed as dry gas, at 15% O <sub>2</sub> . |
| MHWTC                            | Mesaieed Hazardous Waste Treatment Centre                                                                                                                                                                |
| MIC                              | Mesaieed Industrial City                                                                                                                                                                                 |
| ml                               | Millilitre                                                                                                                                                                                               |
| MMAA                             | Ministry of Municipal Affairs and Agriculture                                                                                                                                                            |
| MMWDS                            | Mesaieed Municipal Waste Disposal Site                                                                                                                                                                   |
| MPA                              | Maximum Permissible Addition                                                                                                                                                                             |
| MPC                              | Maximum Permissible Concentration                                                                                                                                                                        |
| MQA                              | Meteorology and Quality Assurance                                                                                                                                                                        |
| MS                               | Matrix spikes                                                                                                                                                                                            |
| MSm <sup>3</sup>                 | Million standard cubic metres                                                                                                                                                                            |
| MW                               | Megawatts                                                                                                                                                                                                |
| MWe                              | Megawatts electrical (electrical output)                                                                                                                                                                 |
| MWth                             | Megawatts thermal (thermal input)                                                                                                                                                                        |
| N                                | Nitrogen                                                                                                                                                                                                 |
| NAAQS                            | National Ambient Air Quality Standard                                                                                                                                                                    |
| Na                               | Sodium                                                                                                                                                                                                   |
| NAAMS                            | National Ambient Air Monitoring System                                                                                                                                                                   |
| NAATS                            | National Ambient Air Toxics Sites                                                                                                                                                                        |
| NACAA                            | National Association of Clean Air Agencies                                                                                                                                                               |
| NADP                             | National Atmospheric Deposition Program                                                                                                                                                                  |
| NAMS                             | National Air Monitoring Station                                                                                                                                                                          |
| Na <sub>3</sub> AlF <sub>6</sub> | Cryolite                                                                                                                                                                                                 |
| NaCl                             | Sodium chloride (salt)                                                                                                                                                                                   |
| NAPAP                            | National Acid Precipitation Assessment Program                                                                                                                                                           |
| NARSTO                           | North American Research Strategy for Tropospheric Ozone                                                                                                                                                  |
| NAS                              | National Academy of Science                                                                                                                                                                              |
| NASA                             | National Aeronautics and Space Agency                                                                                                                                                                    |
| NATTS                            | National Ambient Toxic Tends Stations                                                                                                                                                                    |
| NAU                              | Northern Arizona University                                                                                                                                                                              |
| NCore                            | The National Core Monitoring Network                                                                                                                                                                     |
| NDIR                             | non-dispersive infrared                                                                                                                                                                                  |
| NDUV                             | Non-dispersive ultraviolet                                                                                                                                                                               |
| NEC                              | No Effect Concentration                                                                                                                                                                                  |
| NESHAPS                          | National Emission Standards for Hazardous Air Pollutants                                                                                                                                                 |
| NGO                              | Non-Governmental Organizations                                                                                                                                                                           |
| Ni                               | Nickel                                                                                                                                                                                                   |
| NILU                             | Norwegian Institute for Air Research                                                                                                                                                                     |

|                                  |                                                                                                                                                                                                      |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NISO                             | North Isomax                                                                                                                                                                                         |
| NIST                             | National Institute for Standards and Technology                                                                                                                                                      |
| Nm <sup>3</sup>                  | Normal cubic metre (i.e. expressed at 237K and 101.3 kPa); in the case of gas turbines, gas volumes in units of “Nm <sup>3</sup> ” are also expressed as dry gas, at 15% O <sub>2</sub> .            |
| Nm <sup>3</sup> /s               | Normal cubic metre per second (i.e. expressed at 237K and 101.3 kPa); in the case of gas turbines, gas volumes in units of “Nm <sup>3</sup> ” are also expressed as dry gas, at 15% O <sub>2</sub> . |
| NMHC                             | Non-Methane Hydrocarbons                                                                                                                                                                             |
| NMSC                             | National Monitoring Strategy (or Steering) Committee                                                                                                                                                 |
| NMVOOC                           | Non-Methane Volatile Organic Compounds                                                                                                                                                               |
| N <sub>2</sub> O                 | Nitrous Oxide                                                                                                                                                                                        |
| NO <sub>y</sub>                  | Odd Nitrogen                                                                                                                                                                                         |
| NIOSH                            | National Institute for Occupational Safety and Health                                                                                                                                                |
| NIST                             | National Institute of Standards and Technology                                                                                                                                                       |
| NO                               | Nitrogen monoxide/Nitric oxide                                                                                                                                                                       |
| NO <sub>2</sub>                  | Nitrogen dioxide                                                                                                                                                                                     |
| NO <sub>x</sub>                  | Oxides of nitrogen                                                                                                                                                                                   |
| NOAA                             | National Oceanic and Atmospheric Administration                                                                                                                                                      |
| NMHC                             | Non-methane hydrocarbon                                                                                                                                                                              |
| NMOC                             | Non-methane organic carbon                                                                                                                                                                           |
| NO <sub>x</sub> /NO <sub>y</sub> | Nitrogen Oxides                                                                                                                                                                                      |
| NPAP                             | EPA National Performance Audit Program                                                                                                                                                               |
| NPEP                             | National Performance Evaluation Program                                                                                                                                                              |
| NPS                              | National Parks Service                                                                                                                                                                               |
| NTN                              | National Trends Network                                                                                                                                                                              |
| NTU                              | Nephelometric Turbidity Units                                                                                                                                                                        |
| NVLAP                            | National Voluntary Laboratory Accreditation Program                                                                                                                                                  |
| O <sub>2</sub>                   | Oxygen                                                                                                                                                                                               |
| O <sub>3</sub>                   | Ozone                                                                                                                                                                                                |
| OAP                              | Office of Atmospheric Programs                                                                                                                                                                       |
| OAQPS                            | Office of Air Quality Planning and Standards                                                                                                                                                         |
| OAR                              | Office of Air and Radiation                                                                                                                                                                          |
| OC                               | Organic Carbon                                                                                                                                                                                       |
| OC/EC                            | Organic carbon/elemental carbon                                                                                                                                                                      |
| ODAMN                            | Operations Data Action Monitoring Notification                                                                                                                                                       |
| OEHHA                            | Office of Environmental Health Hazard Assessment                                                                                                                                                     |
| OEI                              | Office of Environmental Information                                                                                                                                                                  |
| ORD                              | Office of Research and Development                                                                                                                                                                   |
| ORIA                             | Office of Radiation and Indoor Air                                                                                                                                                                   |
| P                                | Phosphorous                                                                                                                                                                                          |
| P                                | Power                                                                                                                                                                                                |
| PAHs                             | Polycyclic Aromatic Hydrocarbons                                                                                                                                                                     |
| PAMS                             | Photochemical Assessment Monitoring Stations                                                                                                                                                         |
| Pb                               | Lead                                                                                                                                                                                                 |
| PBMS                             | Performance-Based Measurement System                                                                                                                                                                 |
| PBT                              | Persistent Bioaccumulative Toxics                                                                                                                                                                    |
| PCBs                             | Polychlorinated Byphenyls                                                                                                                                                                            |
| PCC                              | Petrochemical Complex                                                                                                                                                                                |
| PE                               | Performance Evaluation                                                                                                                                                                               |

|                      |                                                                  |
|----------------------|------------------------------------------------------------------|
| PEP                  | Performance Evaluation Program                                   |
| PEL                  | Probable Effect Level                                            |
| PFC                  | Polyfluorocarbons                                                |
| PM                   | Particulate matter                                               |
| PM <sub>10</sub>     | Particulate matter with mean aerodynamic diameter of 10 microns  |
| PM <sub>2.5</sub>    | Particulate matter with mean aerodynamic diameter of 2.5 microns |
| PM <sub>10-2.5</sub> | PM <sub>10</sub> minus PM <sub>2.5</sub>                         |
| PO                   | Purchase Order                                                   |
| POCP                 | Photochemical Ozone Creation Potential                           |
| POP                  | Persistent Organic pollutants                                    |
| ppb                  | Parts per billion                                                |
| PPAH                 | Pollution Prevention and Abatement Handbook                      |
| ppb (v)(w)           | Parts per billion (volume) (weight)                              |
| ppm (v) (w)          | Parts per million (volume) (weight)                              |
| ppt (v) (w)          | Parts per thousand (volume) (weight)                             |
| PQAO                 | Primary Quality Assurance Organization                           |
| PSD                  | Prevention of significant deterioration                          |
| QA                   | Quality Assessment                                               |
| QAFAC                | Qatar Additives Company                                          |
| QAFCO                | Qatar Fertiliser Company                                         |
| QASCO                | Qatar Steel Company Ltd                                          |
| Qatalum              | The Hydro/QP Aluminium and Power Plant Project                   |
| QAPP                 | Quality Assurance Project/Program Plan                           |
| QC                   | Quality Control                                                  |
| QEWG                 | Qatar Electricity and Water Company                              |
| QMP                  | Quality Management Plan                                          |
| QNHD                 | Qatar National Height Datum (QNHD is ~1.3 m above Chart Datum)   |
| QP                   | Qatar Petroleum                                                  |
| RADM                 | Regional Acid Deposition Model                                   |
| RCA                  | Reportable Compliance Activity                                   |
| RCEP                 | Royal Commission on Environmental Pollution                      |
| REL                  | Reference Exposure Level                                         |
| REM                  | Regional Equivalent Monitor                                      |
| RO                   | EPA Regional Office                                              |
| ROG                  | Reactive Organic Gases                                           |
| ROM                  | Regional Oxidant Model                                           |
| ROPME                | Regional Organisation for Protection of the Marine Environment   |
| RPO                  | Regional Planning Organization                                   |
| RTD                  | Resistance Temperature Detector                                  |
| RTP                  | Research Triangle Park (North Carolina)                          |
| RTI                  | Research Triangle Institute, a research/consulting company       |
| RTO                  | Regenerative Thermal Oxidiser                                    |
| S                    | Sulphur                                                          |
| S&T                  | Science and Technology                                           |
| SAB                  | Science Advisory Board                                           |
| SAMWG                | Standing Air Monitoring Work Group                               |
| SAP                  | Socio-Economic Action Plan                                       |
| SASP                 | Surface Air Sampling Program                                     |
| SARC                 | Scientific and Applied Research Centre                           |
| SB 375               | Sustainable Communities and Climate Protection Act of 2008       |

|                 |                                                            |
|-----------------|------------------------------------------------------------|
| SCAQMD          | South Coast Air Quality Management District                |
| SCENR/SCE       | Supreme Council for the Environment & Natural Reserves     |
| SIP             | State Implementation Plan                                  |
| SISO            | South Isomax                                               |
| SLAMS           | State or Local Air Monitoring Station                      |
| SLTs            | State, Local, and Tribal air monitoring agencies           |
| SO <sub>2</sub> | Sulfur dioxide                                             |
| SOP             | Standard operating procedure                               |
| SPL             | Spent Potlining                                            |
| SPM             | Special Purpose Monitor                                    |
| SRP             | Standard Reference Photometer                              |
| SS              | Supersite                                                  |
| SSEIA           | Scoping Study for Environmental Impact Assessment Report   |
| STAG            | State and Tribal Air Grant                                 |
| STAPPA          | State and Territorial Air Pollution Program Administrators |
| STN             | Speciation Trends Network                                  |
| Strategy        | The National Air Monitoring Strategy                       |
| SVOC            | Semi-Volatile Organic Compound                             |
| SWS             | Seawater Scrubber                                          |
| t/d             | Tonnes per day                                             |
| t/h             | Tonnes per hour                                            |
| t/yr            | Tonnes per year                                            |
| TAMS            | Tribal Air Monitoring Support (Center)                     |
| TAD             | Technical Assistance Document                              |
| TAR             | Tribal Authority Rule                                      |
| TBD             | To Be Determined                                           |
| TECO            | Thermo Electron Corporation, now Thermo Fisher Scientific  |
| TEOM            | Tapered Element Oscillation Monitor                        |
| THC             | Total hydrocarbons                                         |
| TIP             | Tribal Implementation Plan                                 |
| TNMHC           | Total non-methane hydrocarbons                             |
| TNMOC           | Total non-methane Organic Compound                         |
| TOC             | Total Organic Carbon                                       |
| TOM             | Total Organic Matter                                       |
| Tpd             | Tons per day                                               |
| TPH             | Total Petroleum Hydrocarbons                               |
| TPY             | Tons Per Year                                              |
| TSA             | Technical systems audits                                   |
| TSD             | Technical Services Division                                |
| TSP             | Total suspended particulates                               |
| TSS             | Total Suspended Solids                                     |
| T-REX           | Traffic Related Exposure Study                             |
| TWA             | Time Weighted Average                                      |
| UAM             | Urban Airshed Model                                        |
| UFP             | Ultrafine Particulate Matter                               |
| UN              | United Nations                                             |
| UNEP            | UN Environmental Program                                   |
| USB             | Universal Serial Bus                                       |
| US EPA          | United States Environmental Protection Agency              |
| UV              | Ultraviolet                                                |

|                   |                                                      |
|-------------------|------------------------------------------------------|
| VDC               | Vertical Direct Chill (Casting Machines)             |
| VOC               | Volatile Organic Compounds                           |
| WB                | World Bank                                           |
| WBT               | Wet Bulb Temperature                                 |
| WB PPAH           | WB Pollution Prevention and Abatement Handbook       |
| WHO               | World Health Organization                            |
| WMP               | Waste Management Plan                                |
| XML               | Extensible Markup Language                           |
| $\Delta T$        | Temperature differential                             |
| $\mu\text{g/l}$   | Microgrammes per litre                               |
| $\mu\text{g/m}^3$ | Micrograms (one millionth of a gram) per cubic metre |
| $\mu\text{m}$     | Micrometers                                          |
| $\mu\text{M/l}$   | Micromoles per litre                                 |

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: June 1, 2018

Re: Authorization to Execute Contract Amendments for Production System Office

**RECOMMENDED ACTION**

Recommend Board of Directors authorize the Executive Officer/APCO to execute contract amendments with the following vendors in the amounts listed below:

| Vendor                  | Amount           | Service Description                                                                                       |
|-------------------------|------------------|-----------------------------------------------------------------------------------------------------------|
| C&G Technology Services | \$80,841         | Software testing services for the permitting and compliance systems software.                             |
| Clearsparc, Inc.        | \$51,750         | Software architecture, design, development, build and release management services.                        |
| Trinity                 | \$62,972         | Legacy data management and transfer services. Business analysis, database rules and logic implementation. |
| Cylogy, Inc.            | \$74,848         | Backend website content management system integration, customization and infrastructure support.          |
| Malinda Lai             | \$26,179         | Website content management and infrastructure support.                                                    |
| Farallon Geographics    | \$199,833        | Geospatial software development and data management.                                                      |
| Avant Page              | \$22,598         | Language translation for public website content.                                                          |
| Rightpoint              | \$50,536         | Frontend website design and corresponding programming and functionality.                                  |
| <b>TOTAL</b>            | <b>\$569,557</b> |                                                                                                           |

## BACKGROUND

Air District staff is recommending contract amendments for existing vendors assisting with software development, website management support, interactive mapping, and language translation infrastructure to meet 2018 calendar year end goals.

## DISCUSSION

The Production System Office is composed of the Permitting and Compliance System, Data Services and Online Services. These systems and services abide by a continuous improvement process whereby existing functionality is maintained while new features are implemented extending functionality to match evolving business requirements. These efforts include expanding permitting and compliance system functionality, increasing the availability of translated content, and expanding our web presence.

To continue supporting the Air District's content management infrastructure and enhance current programs, staff plans to focus on the following activities in the 2018 calendar year:

- o Expansion of website language translation
- o Expansion of AB 617 website resources
- o Refactor and optimization of website maps
- o Facility inspection module expansion of permitting and compliance system
- o General Investigations module expansion of permitting and compliance system

Staff recommends the continued use of vendors proven familiar with the production system office for the Fiscal Year End (FYE) 2019. The Air District has successfully collaborated with ClayTablet, Exact Target, Avant Page, Cylogy, Rightpoint, and Malinda Lai in the design, development and testing of the language translation system and website content management system in prior engagements. The Air District has also successfully collaborated with C&G Technology Services, Clearsparc, Inc., Trinity, and Farallon Geographics in prior design, software development and quality assurance engagements.

| <b>Vendor</b>           | <b>Type of Services</b>                                                           | <b>Initial Contract</b>          | <b>Procurement Method</b>                                                                                                                    |
|-------------------------|-----------------------------------------------------------------------------------|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| C&G Technology Services | Software design and testing services for the permitting and compliance system.    | <a href="#"><u>FYE 2013*</u></a> | Selected the firm and resources through an informal bid process.                                                                             |
| Clearsparc, Inc.        | Software architecture, design, development, build and release management services | <a href="#"><u>FYE 2015*</u></a> | Request for Qualifications (RFQ). One of three firms to respond. Had staff expertise and availability to perform the required scope of work. |

|                                                                                    |                                                                                                  |                           |                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Trinity                                                                            | Legacy data management and transfer services. Business analysis, database rules and              | <a href="#">FYE 2015*</a> | New Request for Qualifications (RFQ) was done in FYE 2018.                                                                                                                                                         |
| Cylogy, Inc.                                                                       | Backend website content management system integration, customization and infrastructure support. | <a href="#">FYE 2013</a>  | Request for Proposal (RFP) rebid in FYE 2014. One of four firms to respond that had appropriate staff, expertise, and availability to perform the required scope of work.                                          |
| Malinda Lai                                                                        | Website content management system and infrastructure support.                                    | <a href="#">FYE 2006</a>  | Procurement occurred prior to the tenure of the web current team.                                                                                                                                                  |
| Farallon Geographics                                                               | Geospatial software design, development and data management.                                     | <a href="#">FYE 2011*</a> | New Request for Qualifications (RFQ) was done in FYE 2018.                                                                                                                                                         |
| Avant Page                                                                         | Language translation for public website content.                                                 | <a href="#">FYE 2015</a>  | Selected the firm and resources through a formal bid process via RFP.                                                                                                                                              |
| Rightpoint                                                                         | Frontend website design and corresponding programming and functionality.                         | <a href="#">FYE 2017</a>  | Original procurement occurred in FYE 2013 as part of an Request for Proposal (RFP) process in conjunction with another vendor. Executed a new contract to move forward with Rightpoint as sole vendor in FYE 2017. |
| * Contractors requalified through December 2017 Request for Qualification process. |                                                                                                  |                           |                                                                                                                                                                                                                    |

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Blair Adams  
Reviewed by: Damian Breen

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 16, 2018

Re: Report of the Personnel Committee Meeting of May 7, 2018

**RECOMMENDED ACTION**

The Personnel Committee (Committee) recommends the Board of Directors' approval of the following item:

- A) Recommend Reappointment of Five Incumbents and Interview and Recommend Applicants for Advisory Council vacancies
- 1) The reappointment of Advisory Council incumbents (Chairperson) Stan Hayes, Severin Borenstein, Ph.D., (Vice Chairperson) Michael Kleinman, Ph.D., Tim Lipman, Ph.D., and Jane Long, Ph.D., to serve additional two-year terms; and
  - 2) The appointment of Gina Solomon, M.D., M.P.H. to the Advisory Council to serve a two-year term; and
  - 3) The appointment of Linda Rudolph, M.D., M.P.H. to the Advisory Council to serve a two-year term.

**BACKGROUND**

The Committee met on Monday, May 7, and received the following report:

- A) Recommend Reappointment of Five Incumbents and Interview and Recommend Applicants for Advisory Council vacancies

Chairperson Jim Spering will provide an oral report of the Committee meeting.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

- A) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 9A: 05/07/18 - Personnel Committee Meeting Agenda #3

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Jim Spering and Members  
of the Personnel Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 3, 2018

Re: Recommend Reappointment of Five Incumbents and Interview and Recommend  
Applicants for Advisory Council Vacancies

---

**RECOMMENDED ACTION**

Conduct interviews and consider recommending Board of Directors' approval of up to two candidates for appointment and recommend reappointment of five incumbents to serve an additional two-year term to the Air District's Advisory Council.

**BACKGROUND**

Pursuant to Section 40262 of the California Health & Safety Code, the Air District is required to maintain an Advisory Council consisting of seven appointed members "skilled and experienced in the fields of air pollution, climate change, or the health impacts of air pollution. Members shall be selected to include a diversity of perspectives, expertise and backgrounds." The Council advises and consults with the Air District Board and the Air Pollution Control Officer on implementation of the Air District's regulatory authority.

**ADVISORY COUNCIL NEXT AREA OF FOCUS**

The Council has been focused on identifying strategies that will be most effective in improving air quality related health outcomes in the Bay Area. In particular, the Council is focusing on local effects, as opposed to basin-wide criteria pollutants, and especially on the effects of fine particulate matter. This focus is consistent with the Air District's work related to Rule 11-18, and AB 617.

**MEMBERSHIP**

The current five members of the Air District's Advisory Council represent an extraordinary resource to the District, and have provided invaluable service over the last two years. The members' backgrounds are provided below.

**Stan Hayes (Current Chair)**  
*Principal, Environ (Emeritus)*

M.S., Aeronautics & Astronautics, Stanford University

B.S., Mechanical Engineering, Stanford University

- More than 40 years' experience, air pollution science and engineering, including air quality modeling and health risk assessment
- Fellow, Air & Waste Management Association
- Chair, Advisory Council, Bay Area Air Quality Management District (member: 1995-2007, 2009-)
- Member, U.S. EPA Science Advisory Board panel on EPA risk assessment methods
- Several hundred air dispersion and HRAs of a wide range of industrial facilities
- More than seventy scientific papers and presentations
- Several hundred technical reports on air-related topics

**Severin Borenstein**

*E.T. Grether Professor of Business Administration and Public Policy, Haas School of Business  
Research Associate of the Energy Institute at the Haas School of Business  
Affiliated Faculty, Energy & Resources Group, UC Berkeley  
Research Associate of the National Bureau of Economic Research*

Ph.D., Economics, MIT

B.S., UC Berkeley

- Research focuses broadly on business competition, strategy, and regulation
- Published extensively on oil, gasoline, and electricity markets, and other industries
- Recent research on the impact of oil prices on gasoline markets, alternative models of retail electricity pricing, and the economics of renewable energy and climate change
- Past member of the editorial board of the *Journal of the Association of Environmental and Resource Economists*
- 1997-2003, member of the Governing Board of the California Power Exchange
- Served on the Emissions Market Assessment Committee, which advised the California Air Resources Board on the operation of California's Cap and Trade market
- Chaired California Energy Commission's Petroleum Market Advisory Committee from 2015 until 2017

**Michael T. Kleinman (Current Vice Chair)**

*Professor Environmental Toxicology  
Co-Director of the Air Pollution Health Effects Laboratory  
Adjunct Professor in College of Medicine  
University of California, Irvine*

Ph.D., Environmental Health Sciences, New York University, NY

- Expertise in the health effects of air pollution on animals and humans
- Development of analytical techniques for assessing biological and physiological responses to exposure to environmental contaminants
- Studies of the effects of ambient particles on blood pressure and heart rate

- Studies of the link between asthma and environmental exposures to ambient particles
- Mechanisms of cardiopulmonary injury following inhalation of toxic compounds
- Studies of inhalation exposures to manufactured and combustion-generated nanomaterials
- Biological mechanisms by which particulate matter exposure affects pathological and physiological changes in the heart and lungs

**Tim Lipman**

*Co-Director UC Berkeley Transportation Sustainability Research Center*

*Lecturer and Researcher: Energy and environmental technology, economics, and policy*

*University of California - Berkeley.*

Ph.D., Environmental Policy Analysis, Graduate Group in Ecology at UC Davis

M.S., Graduate Group in Transportation Technology and Policy at UC Davis

B.A., Stanford

- Co-Director for the campus' Transportation Sustainability Research Center
- Past Director: U.S. Department of Energy Pacific Region Clean Energy Application Center
- Research on the transformation of energy systems to support motor vehicles and buildings while reducing greenhouse gas emissions
- Research on electric-drive vehicles, fuel cell technology, combined heat and power systems, biofuels, renewable energy, and electricity and hydrogen energy systems infrastructure
- 2005 Climate Change Fellow with the Woods Institute at Stanford University

**Jane CS Long**

*Senior Fellow and Council Member of the California Council on Science and Technology*

*Associate Director for Energy and Environment, retired, Lawrence Livermore National Lab*

Ph.D., UC Berkeley

B.S., Engineering, Brown University

- Chairman of the California Council on Science and Technology's committee on California's Energy Future
- Current work involves strategies for dealing with climate change including reinvention of the energy system, geoengineering, and adaptation
- Past Dean of the Mackay School of Mines, University of Nevada, Reno
- Past Department Chair for the Energy Resources Technology and the Environmental Research Departments at Lawrence Berkeley National Lab.
- Fellow of the American Association for the Advancement of Science

**DISCUSSION**

Staff have assessed the candidates' experience and education relative to the Advisory Council and have determined that the candidates who are interviewing with the Committee possess the

necessary experience and education to serve on the Council. The application materials of the candidates will be provided to the Committee for your review.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Jeff McKay  
Rex Sanders

MEETING WAS HELD ON MAY 7, 2018

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 21, 2018

Re: Report of the Stationary Source Committee Meeting of May 21, 2018

RECOMMENDED ACTION

The Stationary Source Committee received only informational items and has no recommendations of approval by the Board of Directors.

BACKGROUND

The Committee met on Monday, May 21, 2018. The Committee received the following reports:

- A) Update on the Preliminary Best Available Retrofit Control Technology (BARCT) Evaluation and Identification of Potential Rule Development Projects;
- B) Update on Air District's Basin-Wide Methane Strategy; and
- C) Update on Regulation 11, Rule 18 – Reduction of Risk from Air Toxic Emissions at Existing Facilities.

Chairperson John Gioia will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None;
- B) None; and
- C) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Jeno Wilkinson  
Reviewed by: Vanessa Johnson

Attachment 9A: 05/21/18 - Stationary Source Committee Meeting Agenda #3  
Attachment 9B: 05/21/18 - Stationary Source Committee Meeting Agenda #4  
Attachment 9C: 05/21/18 - Stationary Source Committee Meeting Agenda #5

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson John Gioia and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 7, 2018

Re: Update on the Preliminary Best Available Retrofit Control Technology (BARCT)  
Evaluation and Identification of Potential Rule Development Projects

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Recently adopted legislation, Assembly Bill (AB) 617, requires air districts to focus on communities disproportionately impacted by air pollution, such as those communities identified under the Air District's Community Air Risk Evaluation (CARE) Program. AB 617 also requires air districts in non-attainment of ambient air quality standards to conduct a best available retrofit control technology (BARCT) evaluation of sources at facilities subject to the AB 32 Cap-and-Trade program and determine which sources are suitable for rule development.

In conducting this evaluation, Air District staff developed a list of potentially affected facilities, sources, and emissions from the 2016 Reporting Year Emissions Inventory. This evaluation indicated that the Bay Area has 80 facilities, subject to Cap-and-Trade, which encompass 3,246 individual sources in 61 source categories. Staff's process for developing the schedule of potential rule development projects involved 1) screening out sources with limited potential emission reductions, 2) screening out sources already subject to recent BARCT rules, 3) conducting preliminary BARCT evaluations, and 4) identifying and prioritizing potential BARCT rule development projects.

Based on this process, 11 potential rule development projects have been identified as candidates for the Expedited BARCT Implementation Schedule. Potential Rule Development Projects, including cement manufacturing (PM and SO<sub>2</sub>), storage tanks (ROG), refinery fuel gas (SO<sub>2</sub>), refinery fluid catalytic crackers and CO boilers (PM and SO<sub>2</sub>), refinery heavy liquid leaks (ROG), internal combustion (reciprocating) engines (ROG), fiberglass manufacturing (PM and NO<sub>x</sub>), landfills (PM and ROG), refinery wastewater treating (ROG), foundries (SO<sub>2</sub>), and coke calcining (NO<sub>x</sub>).

Through this process, staff also identified 15 other potential rule development projects for the remaining sources and source categories. These projects are not being proposed at this time

because the potential emission reductions would be relatively small (less than ten tons per year) and are anticipated to have low impact on local communities. Action on these potential rule development projects are more appropriately considered during the next phase when rules will be developed as part of local Community Action Plans.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

Resources to implement the BARCT requirements of AB 617 are included in the proposed FYE 2019 Budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: David Joe  
Reviewed by: Victor Douglas

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

## Memorandum

To: Chairperson John Gioia and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 7, 2018

Re: Update on the Air District's Basin-Wide Methane Strategy

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**RECOMMENDED ACTION**

None; receive and file.

**BACKGROUND**

The latest science has underscored the need to reduce emissions of short-lived greenhouses gases (GHG) in order to avoid the worse impacts of climate change (IPCC, 2014). Methane (CH<sub>4</sub>) is a potent but short-lived GHG. It is 86 times more potent than carbon dioxide (CO<sub>2</sub>) when compared on a 20-year time horizon and it has a much shorter atmospheric lifespan of 12 years (vs. 20 – 200 years for CO<sub>2</sub>) (IPCC, 2014). Due to these factors, actions to reduce methane emissions can provide significant and immediate climate benefits while CO<sub>2</sub> emissions are steadily reduced to achieve long-term climate stability. Curbing methane emissions would also reduce emissions of its co-pollutants, which can include key climate, criteria, and toxic pollutants, resulting in improvements to public health and further climate benefits.

In recognition of these benefits, the Air Resources Board (ARB) adopted a short-lived climate pollutant (SLCP) reduction strategy for the State of California in March 2017. The strategy addresses emissions of methane (and other SLCPs) not intended to be reduced by ARB's Cap-and-Trade program. The SLCP Strategy was developed to help the State achieve its goal of reducing methane (and other SLCP) emissions 40 percent by the year 2030, set by SB 1383. In the document, ARB emphasizes the critical role that air districts can play in the success of the State's strategy by implementing short-lived climate pollutant emission reduction strategies in their own jurisdictions.

Methane is the second leading GHG in the Bay Area Air District. In 2015, sources in the Air District emitted an estimated 10 million metric tons of CO<sub>2</sub> equivalent (MMT CO<sub>2</sub>e), about 10 percent of the GHG inventory. According to a recent study commissioned by the Air District to evaluate its methane inventory (Fischer and Jeong, 2016), three source categories represent approximately 84 percent of these emissions. These categories are mainly related to human activities; landfills are the largest source category by far, accounting for 53 percent of these emissions, followed by livestock (16 percent), and natural gas production and distribution (15 percent). These emissions estimates carry a large uncertainty (50 percent or more), consistent with a recent study that suggests that methane emissions in the Air District's "bottom-up"

inventory are 1.5 – 2 times lower than expected from top-down measurements (Fairley and Fischer, 2015). This “methane gap” has been repeatedly observed for the U.S. and California regions, where top-down observations that account for ambient methane concentrations suggest that there are large, unaccounted methane emissions that are not reflected in the bottom-up inventories.

Given the importance and potential co-benefits of controlling methane, the Air District has included a comprehensive basin-wide Methane Strategy (measure SS16) as part of its 2017 Clean Air Plan.

## DISCUSSION

The Methane Strategy seeks to better quantify and reduce emissions of methane, and its co-pollutants, from all sources throughout the Air District, in support of ARB’s methane reduction goals. The Methane Strategy will accomplish these objectives by combining research, rulemaking, collaborations with state agencies, and other efforts such as incentive programs.

Elements of this strategy will include: 1) intensifying efforts to improve the Air District’s methane emissions inventory, 2) developing a rule to prohibit significant methane releases throughout the Air District as a backstop while source-specific rules are developed, 3) collaborating with state agencies on their methane rules under development, 4) identifying cost effective and technically feasible methane emissions reduction opportunities throughout the Bay Area, and 5) considering the removal of methane exemptions from existing Air District rules when appropriate.

Staff will present an update on the Methane Strategy efforts, including progress on the Air District’s first methane rule (Regulation 13, Rule: Significant Methane Releases), and describe new initiatives such as the development of an Organics Recovery Strategy.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Idania Zamora  
Reviewed by: Victor Douglas

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson John Gioia and Members  
of the Stationary Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 7, 2018

Re: Update on Regulation 11, Rule 18 – Reduction of Risk from Air Toxic Emissions at  
Existing Facilities

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RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Air District adopted Regulation 11, Rule 18, Reduction of Risk from Air Toxic Emissions at Existing Facilities on November 15, 2017. Rule 11-18 is the most health protective regulation in the nation to address community health risks from toxic air contaminants emitted by stationary sources. The Air District will use air dispersion modeling and the latest science from the Office of Environmental Health Hazard Assessment (OEHHA) to evaluate health risks to communities from existing facilities. The key health risk measures are: cancer risk, which is the increased probability of contracting cancer due to a specific exposure scenario, and hazard index, which is an indicator of non-cancer health effects for specific exposure scenarios.

If health risks exceed Rule 11-18 risk action levels, facilities will be required to either:

- (a) Reduce health risks below the risk action levels: a cancer risk of 10 in a million and a non-cancer hazard index of 1.0, or
- (b) Install best available retrofit control technology for toxics (TBARCT) on all significant sources.

DISCUSSION

Regulation 11, Rule 18 will rely on the results of a District-approved Health Risk Assessment (HRA) to determine the applicability of the risk reduction requirements of this rule. The Air District will use a screening process called Facility Prioritization to determine which facilities need to have a site-wide HRA. The Rule 11-18 Implementation Flow Chart (Attachment 5A) gives an overview of the implementation steps and identifies public comment opportunities.

The Air District has convened a Rule 11-18 Implementation Workgroup to ensure transparency during the implementation of Rule 11-18. This workgroup includes representatives from

environmental and health organizations, industry groups, refineries, and Air District staff (Attachment 5B). The role of this workgroup is to identify educational and informational needs and provide industry and community perspectives during the implementation process, and facilitate communication with affected communities. The first meeting of the Rule 11-18 Implementation Workgroup occurred on April 30, 2018 with about 20 attendees. The Executive Officer/APCO explained the role of this Implementation Workgroup and a separate Technical Dispute Resolution Committee. The Implementation Workgroup will provide input to staff on the implementation process, while the Dispute Resolution Committee will resolve disputes over highly technical issues such as appropriate emission factors, feasibility of abatement technology for a specific source, or cost effectiveness of controls. Staff discussed the implementation procedures and the status of the implementation process to date. The Implementation Workgroup expects to meet on a quarterly basis with the next meeting in July 2018.

The Air District will implement Rule 11-18 in two phases. The first phase will apply to facilities with the highest potential for health risks. The second phase will include all other facilities that may be subject to Rule 11-18. To implement this rule, staff has devised a set of Implementation Procedures that are currently under review by the Implementation Workgroup.

The implementation schedule for Phase I facilities is presented in Attachment 5C. After an initial prioritization, the facilities will be asked to review and correct their toxic emissions inventory and to supply information needed for the HRA. The Air District staff will validate all requested changes and new data. After District approval of the updated toxic emissions inventory data, the Air District will re-calculate the site's prioritization score. Sites with a prioritization score above a threshold will be required to have an HRA. The Air District initiated a data review and validation process on April 24, 2018. The data for facility review will be sent out to sites in small batches over the next few months.

While facilities are conducting their review of their emissions inventory and emissions release data, the Air District is updating its infrastructure and improving its web site. Several projects are underway to improve its facility data collection and storage processes, to add additional search functions for prioritization scores and health risk assessment results, and to add report functionality to support Rule 11-18 needs. In addition, the Air District is updating the web site by reorganizing the web pages, consolidating air toxics and health risk information into one location, adding instructional webinars, and creating a searchable facility status report to aid both industry and communities as we navigate through implementation of Rule 11-18 and other community health protection programs, such as AB 617. Staff expects web site updates to be ready by June. Staff also expects to begin conducting health risk assessments by this summer.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Carol Allen  
Reviewed by: Sanjeev Kamboj  
Pam Leong  
Damian Breen

Attachment 5A: Rule 11-18 Implementation Flow Chart  
Attachment 5B: Rule 11-18 Implementation Workgroup Members (Attachment 2)  
Attachment 5C: Rule 11-18 Implementation Schedule for Phase I Facilities (Appendix 3)

**REGULATION 11 RULE 18 – IMPLEMENTATION WORKING GROUP MEMBERS**

| <b>Name</b>             | <b>Affiliation</b> |
|-------------------------|--------------------|
| Pam Leong               | BAAQMD             |
| Sanjeev Kamboj          | BAAQMD             |
| Carol Allen             | BAAQMD             |
| Liz Yura                | BAAQMD             |
| Judith Cutino           | BAAQMD             |
| Phil Martien            | BAAQMD             |
| Patrick Wenzinger       | BAAQMD             |
| Robert Blount           | UCSF               |
| Alvaro Casanova         | CEH                |
| Iven Jimenez            | Brightline Defense |
| Tanya Stevenson         | Breathe California |
| Fern Uennatornwarangoon | EDF                |
| Gary Latshaw            | Sierra Club        |
| Kevin Buchan            | WSPA               |
| Janet Whittick          | CCEEB              |
| Courtney Mizutani       | BACWA              |
| James Simonelli         | CMC                |
| Todd Osterberg          | Chevron            |
| Kathy Wheeler           | Shell              |
| Iren Suhami             | Valero             |
| Chris McDowell          | Andeavor           |
| Brent Eastep            | Phillips 66        |

**Rule 11-18 Implementation Schedule for Phase I Sites**

| Implementation Steps:                                 | 2018   |        |        |        | 2019   |        |        |        | 2020   |        |        |        | 2021-2025 |
|-------------------------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-----------|
|                                                       | Q<br>1 | Q<br>2 | Q<br>3 | Q<br>4 | Q<br>1 | Q<br>2 | Q<br>3 | Q<br>4 | Q<br>1 | Q<br>2 | Q<br>3 | Q<br>4 |           |
| Build Additional Infrastructure                       |        |        |        |        |        |        |        |        |        |        |        |        |           |
| Review, Correct, Approve Emissions and Input Data     |        |        |        |        |        |        |        |        |        |        |        |        |           |
| Conduct and Review HRAs                               |        |        |        |        |        |        |        |        |        |        |        |        |           |
| Notify Sites Subject to Rule 11-18                    |        |        |        |        |        |        |        |        |        |        |        |        |           |
| Review and Approve Risk Reduction Plans               |        |        |        |        |        |        |        |        |        |        |        |        |           |
| Implement Risk Reduction Measures: Phase I (43 Sites) |        |        |        |        |        |        |        |        |        |        |        |        |           |

Key:

Air District Infrastructure Activities

Phase I Sites - Prior to Rule 11-18 Applicability

Phase I Sites - After Rule 11-18 Becomes Applicable

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**Memorandum**

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 23, 2018

Re: Report of the Mobile Source Committee Meeting of May 24, 2018

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**RECOMMENDED ACTIONS**

The Mobile Source Committee (Committee) recommends Board of Directors' approval of the following items:

- A) Projects and Contracts with Proposed Grant Awards over \$100,000
  - 1) Approve Carl Moyer Program (CMP) and Transportation Fund for Clean Air (TFCA) projects with proposed grant awards over \$100,000 as shown in Attachment 1; and
  - 2) Authorize the Executive Officer/Air Pollution Control Officer (APCO) to enter into all necessary agreements with applicants for the recommended projects.
- B) Fiscal Year Ending (FYE) 2019 TFCA Regional Fund Policies and Evaluation Criteria
  - 1) Approve the proposed FYE 2019 TFCA Regional Fund Policies and Evaluation Criteria presented in Attachment A.
- C) New Program: Clean and Electric Vehicle Adoption in Disadvantaged Communities
  - 1) None; receive and file.

**BACKGROUND**

The Committee met on Thursday, May 24, 2018, and received the following reports:

- A) Projects and Contracts with Proposed Grant Awards over \$100,000;
- B) FYE 2019 TFCA Regional Fund Policies and Evaluation Criteria; and
- C) New Program: Clean and Electric Vehicle Adoption in Disadvantaged Communities

Chairperson Scott Haggerty will provide an oral report of the Committee meeting.

## BUDGET CONSIDERATION/FINANCIAL IMPACT

- A) None. Through the CMP, Mobile Source Incentive Fund (MSIF), Community Health Protection Grant Program, and TFCA, the Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for these and each of the new proposed funding programs are provided by each funding source;
- B) None. Through the CMP, MSIF, Community Health Protection Grant Program, and TFCA, the Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for these and each of the new proposed funding programs are provided by each funding source; and
- C) None. The Air District distributes “pass-through” funds to grantees on a reimbursement basis. Administrative costs for the TFCA Regional Fund program are provided by the funding source.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Jeno Wilkinson  
Reviewed by: Vanessa Johnson

Attachment 10A: 05/24/2018 – Mobile Source Committee Meeting Agenda #3  
Attachment 10B: 05/24/2018 – Mobile Source Committee Meeting Agenda #4  
Attachment 10C: 05/24/2018 – Mobile Source Committee Meeting Agenda #5

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Scott Haggerty and Members  
of the Mobile Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 14, 2018

Re: Projects and Contracts with Proposed Grant Awards over \$100,000

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**RECOMMENDED ACTION**

Recommend Board of Directors:

1. Approve Carl Moyer Program and Transportation Fund for Clean Air projects with proposed grant awards over \$100,000 as shown in Attachment 1; and
2. Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.

**BACKGROUND**

The Bay Area Air Quality Management District (Air District) has participated in the Carl Moyer Program (CMP), in cooperation with the California Air Resources Board (ARB), since the program began in fiscal year 1998-1999. The CMP provides grants to public and private entities to reduce emissions of oxides of nitrogen (NOx), reactive organic gases (ROG) and particulate matter (PM) from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engine applications include on-road trucks and buses, off-road equipment, marine vessels, locomotives, and stationary agricultural pump engines.

Assembly Bill 923 (AB 923 - Firebaugh), enacted in 2004 (codified as Health and Safety Code (HSC) Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited in the Air District's Mobile Source Incentive Fund (MSIF). AB 923 stipulates that air districts may use the revenues generated by the additional \$2 surcharge for projects eligible under the CMP.

In 2017, Assembly Bill (AB) 617 directed the ARB, in conjunction with local air districts to establish the Community Air Protection Program. AB 617 provides a new community-focused action framework to improve air quality and reduce exposure to criteria air pollutants and toxic air contaminants in communities most impacted by air pollution. In advance of the development of the Community Air Protection Program, the Governor and legislature established an early action component to AB 617 to use existing incentive programs to get immediate emission reductions in the communities most affected by air pollution. AB 134 appropriated \$250 million from the

Greenhouse Gas Reduction Fund (GGRF) to reduce mobile source emissions including criteria pollutants, toxic air contaminants, and greenhouse gases in those communities. The Bay Area has been allocated \$50 million of these funds for emission reduction projects. These funds will be used to implement projects under the CMP, and optionally under the Proposition 1B Goods Movement Emission Reduction Program.

On March 1, 2017, the Board of Directors (Board) authorized Air District participation in Year 19 of the CMP, and authorized the Executive Officer/APCO to execute Grant Agreements and amendments for projects funded with CMP funds or MSIF revenues, with individual grant award amounts up to \$100,000.

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions within the Air District's jurisdiction. The statutory authority for the Transportation Fund for Clean Air (TFCA) and requirements of the program are set forth in the HSC Sections 44241 and 44242. Sixty percent of TFCA funds are awarded by the Air District to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air, Plug-in Electric Vehicle Program) and to a program referred to as the TFCA Regional Fund. Each year, the Board allocates funding and adopts policies and evaluation criteria that govern the expenditure of TFCA funding.

On April 19, 2017, the Board allocated \$29.24 million in TFCA monies, including both new funds and carryover, for eligible projects in Fiscal Year Ending (FYE) 2018, authorized cost-effectiveness limits for Air District-sponsored FYE 2018 programs, and authorized the Executive Officer/APCO to execute Grant Agreements and amendments for TFCA-revenue funded projects with individual grant award amounts up to \$100,000. On August 2, 2017, the Board adopted policies and evaluation criteria for the FYE 2018 TFCA Regional Fund program.

CMP and TFCA projects with grant award amounts over \$100,000 are brought to the Mobile Source Committee for consideration at least on a quarterly basis. Staff reviews and evaluates grant applications based upon the respective governing policies and guidelines established by the ARB and the Board.

## DISCUSSION

### **Carl Moyer Program and Community Health Protection Grant Program:**

For the CMP Year 19 cycle, the Air District had more than \$16 million available for eligible CMP and school bus projects from a combination of MSIF and CMP funds. The Air District started accepting project applications for the CMP Year 19 funding cycle on October 12, 2017 and applications are accepted and evaluated on a first-come, first-served basis. On December 20, 2017 the Board authorized the Air District to accept, obligate and expend \$50 million in AB 134 funds through the Community Health Protection Grant Program.

As of May 4, 2018, the Air District had received 160 project applications. Of the applications that have been evaluated between April 5, 2018, and May 4, 2018, seven eligible projects have

proposed individual grant awards over \$100,000. These projects will replace seven pieces of agricultural equipment, three school buses, and 59 pieces of off-road equipment, and will reduce over 54 tons of NOx, ROG and PM per year. Staff recommends the allocation of \$8,641,427 for these projects from a combination of CMP funds, MSIF revenues and Community Health Protection Grant Program funds. Attachment 1, Table 1, provides additional information on these projects.

Attachment 2, lists all of the eligible projects that have been received by the Air District as of May 4, 2018, and summarizes the allocation of funding by equipment category, and county. Approximately 64% of the funds have been awarded to projects that reduce emissions in highly impacted Bay Area communities. Attachment 3 summarizes the cumulative allocation of CMP, MSIF, and Community Health Protection Grant Program funding since 2009 (more than \$160 million awarded to 875 projects).

### **Transportation Fund for Clean Air Program:**

The Air District started accepting project applications for the FYE 2018 TFCA funding cycle on July 1, 2017. As of May 4, 2018, the Air District had received 81 FYE 2018 project applications. Of the applications that were evaluated between April 5, 2018, and May 4, 2018, six eligible projects proposed an individual grant award over \$100,000. These projects will install 72 dual-port Level 2 charging stations with solar and 4.17 miles of bikeways, and will reduce over 0.76 tons of NOx, ROG, and PM per year. Staff recommends the allocation of \$1,196,371 in TFCA funds to these projects. Attachment 1, Table 2, provides additional information on these projects.

Attachment 4 lists the 68 eligible TFCA projects that were evaluated between July 1, 2017, and May 4, 2018, including FYE 2017 projects that were received before July 1, 2017. In total, these projects represent approximately \$12.15 million in funds awarded, and will annually reduce approximately 36.22 tons of NOx, ROG, and PM and 24,759 tons of tailpipe greenhouse gas emissions. Approximately 28% of the TFCA funds have been awarded to projects in highly impacted Bay Area communities. Attachment 5 summarizes the allocation of TFCA funding for all eligible projects that have been evaluated since July 1, 2017, by project category (Figure 1), and county (Figure 2).

### **BUDGET CONSIDERATION / FINANCIAL IMPACT**

None. Through the CMP, MSIF, Community Health Protection Grant Program, and TFCA, the Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for these and each of the new proposed funding programs are provided by each funding source.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Anthony Fournier and Michael Neward  
Reviewed by: Anthony Fournier and Chengfeng Wang

- Attachment 1: Projects with Grant Awards Greater than \$100,000
- Attachment 2: Year 19 CMP/MSIF and Community Health Protection Grant Program Approved Projects
- Attachment 3: Summary of Program Distribution by County and Equipment Category for CMP and MSIF Funding Since 2009
- Attachment 4: Summary of all TFCA Approved and Eligible Projects (evaluated 7/1/17-5/4/18)
- Attachment 5: Summary of Distribution of TFCA Funds by County and Project Category (evaluated 7/1/17-5/4/18)

### AGENDA 3 - ATTACHMENT 1

**Table 1** - Carl Moyer Program/ Mobile Source Incentive Fund, and Community Health Protection Grant Program projects with grant awards greater than \$100k (Evaluated between 4/5/18 and 5/4/18)

| Project #       | Applicant name                           | Equipment category | Project description                                                                                  | Proposed contract award | Total project cost | Emission Reductions (Tons per year) |       |       | County       |
|-----------------|------------------------------------------|--------------------|------------------------------------------------------------------------------------------------------|-------------------------|--------------------|-------------------------------------|-------|-------|--------------|
|                 |                                          |                    |                                                                                                      |                         |                    | NOx                                 | ROG   | PM    |              |
| <b>19MOY136</b> | Oak Knoll Farming Corp.                  | Ag/ off-road       | Replacement of 3 diesel-powered tractors                                                             | \$ 124,700.00           | \$ 200,865.98      | 0.236                               | 0.032 | 0.024 | Napa         |
| <b>19MOY145</b> | Robert J Camozzi II                      | Ag/ off-road       | Replacement of 1 diesel-powered tractor and 1 diesel-powered loader                                  | \$ 155,700.00           | \$ 194,761.87      | 0.719                               | 0.103 | 0.047 | Sonoma       |
| <b>19MOY120</b> | Regusci Vineyard Management, Inc.        | Ag/ off-road       | Replacement of 2 diesel-powered tractors                                                             | \$ 102,000.00           | \$ 135,082.00      | 0.182                               | 0.008 | 0.010 | Napa         |
| <b>19SBP64</b>  | San Mateo Foster City School District    | School bus         | Replacement of 3 diesel-powered school buses                                                         | \$ 461,416.00           | \$ 494,574.00      | 0.325                               | 0.007 | 0.000 | San Mateo    |
| <b>19MOY101</b> | SSA Terminals                            | Off-road           | Replacement of 13 diesel-powered rubber-tired gantry cranes with diesel-electric hybrid technologies | \$ 5,011,500.00         | \$ 5,896,683.00    | 43.377                              | 2.435 | 0.174 | Alameda      |
| <b>19MOY152</b> | Sims Group USA dba Sims Metal Management | Off-road           | Replacement of 6 diesel-powered off-road equipment                                                   | \$ 705,211.00           | \$ 3,930,153.00    | 2.516                               | 0.272 | 0.129 | Contra Costa |
| <b>19MOY160</b> | United Airlines, Inc.                    | Off-road           | Replacement of 40 pieces of diesel powered ground support equipment with electric technology         | \$ 2,080,900.00         | \$ 6,169,946.00    | 3.177                               | 0.410 | 0.260 | San Mateo    |

**7 Projects**

**\$ 8,641,427.00**

**\$ 17,022,065.85**

**50.532**

**3.268**

**0.643**

### AGENDA 3 - ATTACHMENT 1

**Table 2** - Summary of Transportation Fund for Clean Air projects  
with grant awards greater than \$100k (Evaluated between 4/5/18 and 5/4/18)

| Project # | Project Sponsor                   | Project Category                        | Project Description                                                                          | Est. C/E  | Proposed Contract Award | Emission Reductions<br>(Tons per year) |       |       | County        |
|-----------|-----------------------------------|-----------------------------------------|----------------------------------------------------------------------------------------------|-----------|-------------------------|----------------------------------------|-------|-------|---------------|
|           |                                   |                                         |                                                                                              |           |                         | NO <sub>x</sub>                        | ROG   | PM    |               |
| 18EV009   | City and County of San Francisco  | Electric Vehicle (EV) Charging Stations | Install and operate 72 dual-port Level 2 (low) charging stations with solar in San Francisco | \$340,138 | \$267,000               | 0.097                                  | 0.127 | 0.002 | San Francisco |
| 18R13     | City of Alameda                   | Bicycle Facilities                      | Install 0.8 miles of Class I and 0.1 miles of Class IV bikeways in Alameda                   | \$273,905 | \$138,560               | 0.017                                  | 0.022 | 0.033 | Alameda       |
| 18R15     | City of San Rafael                | Bicycle Facilities                      | Install 0.87 miles of Class I bikeway in San Rafael                                          | \$273,536 | \$248,400               | 0.030                                  | 0.039 | 0.060 | Marin         |
| 18R16     | City of South San Francisco       | Bicycle Facilities                      | Install 0.78 of Class II and 0.72 of Class III bikeways in South San Francisco               | \$147,198 | \$120,106               | 0.027                                  | 0.036 | 0.053 | San Mateo     |
| 18R17     | East Bay Regional Park District   | Bicycle Facilities                      | Install 0.45 miles of Class I bikeway in Rodeo                                               | \$273,905 | \$138,669               | 0.017                                  | 0.022 | 0.033 | Contra Costa  |
| 18R19     | Transportation Authority of Marin | Bicycle Facilities                      | Install 0.45 miles of Class I bikeway in Larkspur                                            | \$273,536 | \$283,637               | 0.035                                  | 0.045 | 0.069 | Marin         |

**6 Projects**

**\$1,196,371**

**0.224**

**0.291**

**0.251**

**AGENDA 3 - ATTACHMENT 2**

*Yr 19 CMP/MSIF and Community Health Protection Grant Program approved projects  
(between 10/12/17 and 5/4/18)*

| Project # | Equipment category | Project type           | # of engines | Proposed contract award | Applicant name                                      | Emission Reductions<br>(Tons per year) |        |       | Board approval date | County        |
|-----------|--------------------|------------------------|--------------|-------------------------|-----------------------------------------------------|----------------------------------------|--------|-------|---------------------|---------------|
|           |                    |                        |              |                         |                                                     | NOx                                    | ROG    | PM    |                     |               |
| 19MOY13   | Ag/ off-road       | Equipment replacement  | 1            | \$ 51,224.00            | Michael Viratos<br>(Viratos Vineyards)              | 0.102                                  | 0.016  | 0.011 | APCO                | Solano        |
| 19MOY21   | On-road            | Equipment replacement  | 1            | \$ 40,000.00            | Allied Materials, Inc                               | 0.751                                  | 0.109  | 0.008 | APCO                | Solano        |
| 19MOY16   | Ag/ off-road       | Equipment replacement  | 1            | \$ 144,055.00           | Achadinha Cheese, Inc.                              | 1.189                                  | 0.114  | 0.062 | 12/20/2017          | Sonoma        |
| 19MOY38   | Locomotive         | Equipment replacement  | 1            | \$ 1,080,500.00         | Oakland Global Rail Enterprise                      | 1.801                                  | 0.108  | 0.042 | 12/20/2017          | Alameda       |
| 19MOY20   | Ag/ off-road       | Equipment replacement  | 1            | \$ 43,800.00            | Bains Farms LLC                                     | 0.353                                  | 0.054  | 0.031 | APCO                | Solano        |
| 19MOY25   | Ag/ off-road       | Equipment replacement  | 1            | \$ 45,200.00            | Donald Buhman<br>(Farmer)                           | 0.091                                  | 0.015  | 0.010 | APCO                | Napa          |
| 19MOY24   | Off-road           | Equipment replacement  | 1            | \$ 66,775.00            | Dolan's Lumber of Concord                           | 0.403                                  | 0.058  | 0.033 | APCO                | Contra Costa  |
| 19MOY14   | On-road            | Equipment replacement  | 1            | \$ 60,000.00            | Simon Chuong<br>dba Simon Trucking                  | 1.126                                  | 0.170  | 0.008 | APCO                | Santa Clara   |
| 19MOY2    | Marine             | Engine replacement     | 1            | \$ 94,000.00            | Lovely Martha Sportfishing                          | 0.291                                  | -0.009 | 0.018 | APCO                | San Francisco |
| 19MOY10   | Marine             | Engine replacement     | 2            | \$ 134,800.00           | El Dorado Deep Sea Adventure                        | 1.513                                  | -0.022 | 0.060 | 12/20/2017          | Contra Costa  |
| 19MOY15   | Marine             | Engine replacement     | 1            | \$ 114,000.00           | F/V Rose Marie Inc.<br>(Commercial fishing)         | 0.254                                  | -0.003 | 0.014 | 12/20/2017          | San Francisco |
| 19MOY1    | Marine             | Engine replacement     | 2            | \$ 735,000.00           | Amnav Maritime Corporation<br>(Vessel: Sandra Hugh) | 14.327                                 | 0.095  | 0.591 | 12/20/2017          | Alameda       |
| 19SBP49   | School bus         | School bus replacement | 4            | \$ 496,459.22           | San Jose Unified School District                    | 0.480                                  | 0.047  | 0.000 | 12/20/2017          | Santa Clara   |
| 19MOY4    | Marine             | Engine replacement     | 2            | \$ 735,000.00           | Amnav Maritime Corporation<br>(Vessel: Revolution)  | 14.327                                 | 0.095  | 0.591 | 12/20/2017          | Alameda       |
| 19MOY11   | Ag/ off-road       | Equipment replacement  | 1            | \$ 41,110.00            | Bob Balestra<br>(Vineyard)                          | 0.138                                  | 0.021  | 0.012 | APCO                | Solano        |
| 19MOY6    | On-road            | Equipment replacement  | 1            | \$ 50,000.00            | J&G Transportaion                                   | 1.058                                  | 0.159  | 0.055 | APCO                | Alameda       |
| 19MOY35   | On-road            | Equipment replacement  | 1            | \$ 40,000.00            | Manuel Portela Trucking                             | 0.635                                  | 0.073  | 0.028 | APCO                | Santa Clara   |

## AGENDA 3 - ATTACHMENT 2

| Project # | Equipment category | Project type           | # of engines | Proposed contract award | Applicant name                                | Emission Reductions (Tons per year) |       |       | Board approval date | County        |
|-----------|--------------------|------------------------|--------------|-------------------------|-----------------------------------------------|-------------------------------------|-------|-------|---------------------|---------------|
|           |                    |                        |              |                         |                                               | NOx                                 | ROG   | PM    |                     |               |
| 19MOY28   | Ag/ off-road       | Equipment replacement  | 1            | \$ 27,885.00            | Scott T Murphy (Ranch/ farmer)                | 0.037                               | 0.034 | 0.009 | APCO                | Sonoma        |
| 19MOY44   | Ag/ off-road       | Equipment replacement  | 2            | \$ 62,800.00            | Willowbrook Stables LLC                       | 0.039                               | 0.034 | 0.011 | APCO                | Sonoma        |
| 19MOY43   | On-road            | Equipment replacement  | 1            | \$ 60,000.00            | Khaira Trucking, LLC                          | 1.297                               | 0.196 | 0.000 | APCO                | Alameda       |
| 19MOY22   | Marine             | Engine replacement     | 1            | \$ 59,000.00            | Flash Sport Fishing, DBA, Flash Sport Fishing | 0.176                               | 0.001 | 0.009 | APCO                | San Francisco |
| 19MOY19   | On-road            | Equipment replacement  | 1            | \$ 60,000.00            | G & C Trucking                                | 1.032                               | 0.138 | 0.045 | APCO                | Solano        |
| 19MOY39   | Ag/ off-road       | Equipment replacement  | 1            | \$ 20,270.00            | Cabrillo Farms Agriculture, Inc               | 0.096                               | 0.015 | 0.008 | APCO                | San Mateo     |
| 19MOY67   | On-road            | Equipment replacement  | 1            | \$ 60,000.00            | Pawar Brothers Trucking                       | 1.455                               | 0.220 | 0.011 | APCO                | Santa Clara   |
| 19MOY36   | On-road            | Equipment replacement  | 1            | \$ 20,000.00            | Guru Nanak Trucking                           | 1.028                               | 0.155 | 0.008 | APCO                | Alameda       |
| 19MOY70   | On-road            | Equipment replacement  | 1            | \$ 60,000.00            | E.P.A Trucking LLC                            | 0.894                               | 0.119 | 0.039 | APCO                | San Mateo     |
| 19MOY48   | Ag/ off-road       | Equipment replacement  | 1            | \$ 18,500.00            | Corona Vineyard Management LLC                | 0.065                               | 0.010 | 0.007 | APCO                | Napa          |
| 19MOY42   | Ag/ off-road       | Equipment replacement  | 1            | \$ 51,700.00            | Bains Farms LLC                               | 0.335                               | 0.044 | 0.025 | APCO                | Solano        |
| 19MOY47   | Ag/ off-road       | Equipment replacement  | 1            | \$ 247,240.00           | William Y. Gil dba Grass Farm                 | 1.041                               | 0.050 | 0.026 | 2/21/2018           | Santa Clara   |
| 19MOY7    | Marine             | Engine replacement     | 2            | \$ 140,000.00           | Warrior Poet Sportfishing                     | 0.679                               | 0.011 | 0.026 | 2/21/2018           | San Francisco |
| 19MOY72   | Off-road           | Engine replacement     | 26           | \$ 2,084,200.00         | Independent Construction, Co.                 | 9.410                               | 0.499 | 0.269 | 2/21/2018           | Contra Costa  |
| 19SBP53   | School bus         | School bus replacement | 4            | \$ 558,120.00           | Fairfield-Suisun Unified School District      | 0.259                               | 0.019 | 0.000 | 2/21/2018           | Solano        |
| 19MOY59   | Ag/ off-road       | Equipment replacement  | 1            | \$ 179,200.00           | Kabeela, Inc.                                 | 0.625                               | 0.060 | 0.033 | 2/21/2018           | Santa Clara   |
| 19SBP8    | School bus         | School bus replacement | 2            | \$ 330,000.00           | San Mateo Union High School District          | 0.195                               | 0.017 | 0.000 | 3/7/2018            | San Mateo     |

## AGENDA 3 - ATTACHMENT 2

| Project # | Equipment category | Project type           | # of engines | Proposed contract award | Applicant name                               | Emission Reductions (Tons per year) |        |       | Board approval date | County        |
|-----------|--------------------|------------------------|--------------|-------------------------|----------------------------------------------|-------------------------------------|--------|-------|---------------------|---------------|
|           |                    |                        |              |                         |                                              | NOx                                 | ROG    | PM    |                     |               |
| 19SBP86   | School bus         | School bus replacement | 1            | \$ 165,000.00           | San Lorenzo Unified School District          | 0.082                               | 0.007  | 0.000 | 3/7/2018            | Alameda       |
| 19MOY83   | On-road            | Equipment replacement  | 1            | \$ 40,000.00            | Katakis Trucking                             | 0.769                               | 0.101  | 0.005 | APCO                | San Mateo     |
| 19SBP96   | School bus         | School bus replacement | 2            | \$ 264,500.00           | San Lorenzo Unified School District          | 0.132                               | 0.010  | 0.000 | 4/4/2018            | Alameda       |
| 19SBP58   | School bus         | School bus replacement | 15           | \$ 2,018,169.00         | Antioch Unified School District              | 1.302                               | 0.105  | 0.000 | 4/4/2018            | Contra Costa  |
| 19MOY84   | Marine             | Engine replacement     | 2            | \$ 274,000.00           | Brian Collier (Charter fishing)              | 1.898                               | 0.022  | 0.068 | 5/2/2018            | San Francisco |
| 19MOY68   | Ag/ off-road       | Equipment replacement  | 1            | \$ 321,300.00           | Morrison Chopping                            | 2.844                               | 0.259  | 0.162 | 5/2/2018            | Sonoma        |
| 19MOY90   | Ag/ off-road       | Equipment replacement  | 2            | \$ 77,700.00            | Garvey Vineyard Management LLC               | 0.293                               | 0.050  | 0.032 | APCO                | Napa          |
| 19MOY81   | Marine             | Engine replacement     | 2            | \$ 156,000.00           | Tyler Butler (Commercial fishing)            | 0.768                               | -0.015 | 0.031 | 5/2/2018            | San Mateo     |
| 19MOY92   | Off-road           | Equipment replacement  | 1            | \$ 165,160.00           | L.H. Voss Materials                          | 0.638                               | 0.058  | 0.036 | 5/2/2018            | Contra Costa  |
| 19MOY95   | Off-road           | Equipment replacement  | 1            | \$ 109,000.00           | Bethel Island Municipal Improvement District | 0.356                               | 0.034  | 0.018 | 5/2/2018            | Contra Costa  |
| 19MOY77   | Ag/ off-road       | Equipment replacement  | 1            | \$ 35,725.00            | KM Vineyard Services                         | 0.103                               | 0.018  | 0.010 | APCO                | Alameda       |
| 19MOY94   | Off-road           | Equipment replacement  | 1            | \$ 175,200.00           | DJNI Engineering, Inc.                       | 0.835                               | 0.076  | 0.048 | 5/2/2018            | Santa Clara   |
| 19MOY109  | Ag/ off-road       | Equipment replacement  | 1            | \$ 36,500.00            | Achadinha Cheese, Inc.                       | 0.067                               | 0.011  | 0.008 | APCO                | Sonoma        |
| 19MOY111  | Ag/ off-road       | Equipment replacement  | 1            | \$ 40,000.00            | Michael Wolf Vineyard Services Inc.          | 0.053                               | 0.004  | 0.005 | APCO                | Napa          |
| 19MOY112  | Off-road           | Equipment replacement  | 1            | \$ 297,425.00           | Miller Milling Company                       | 0.378                               | 0.047  | 0.025 | 5/2/2018            | Alameda       |
| 19MOY113  | Ag/ off-road       | Equipment replacement  | 1            | \$ 34,100.00            | Schweiger Vineyards, Inc                     | 0.067                               | 0.012  | 0.008 | APCO                | Napa          |
| 19SBP79   | School bus         | School bus replacement | 1            | \$ 137,845.00           | San Carlos School Elementary School District | 0.098                               | 0.008  | 0.000 | 4/4/2018            | San Mateo     |

## AGENDA 3 - ATTACHMENT 2

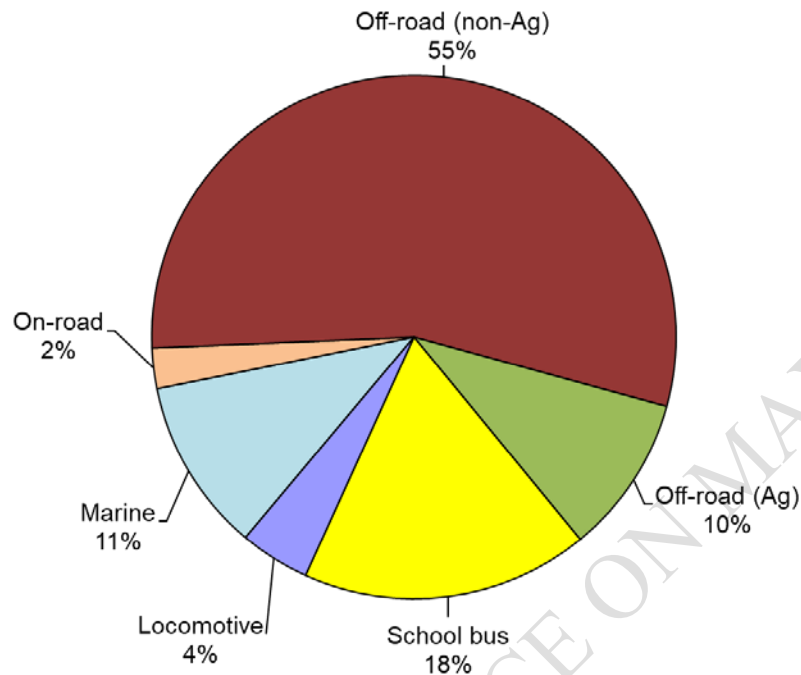
| Project # | Equipment category | Project type          | # of engines | Proposed contract award | Applicant name                             | Emission Reductions (Tons per year) |       |       | Board approval date | County       |
|-----------|--------------------|-----------------------|--------------|-------------------------|--------------------------------------------|-------------------------------------|-------|-------|---------------------|--------------|
|           |                    |                       |              |                         |                                            | NOx                                 | ROG   | PM    |                     |              |
| 19MOY46   | On-road            | Equipment replacement | 1            | \$ 40,000.00            | Likers Logistic Inc.                       | 0.534                               | 0.040 | 0.003 | APCO                | Alameda      |
| 19MOY103  | Marine             | Engine replacement    | 2            | \$ 164,000.00           | William Alexander (Commercial fishing)     | 1.063                               | 0.019 | 0.040 | 5/2/2018            | Sonoma       |
| 19MOY89   | Ag/ off-road       | Equipment replacement | 1            | \$ 36,600.00            | Winegrowers Farming Company                | 0.163                               | 0.030 | 0.022 | APCO                | Napa         |
| 19MOY144  | Off-road           | Equipment replacement | 1            | \$ 200,700.00           | West Marin Compost                         | 1.226                               | 0.111 | 0.070 | 5/2/2018            | Marin        |
| 19MOY108  | Off-road           | Equipment replacement | 1            | \$ 170,000.00           | JPW Development Co., LLC                   | 0.243                               | 0.032 | 0.018 | 5/2/2018            | Solano       |
| 19MOY65   | On-road            | Equipment replacement | 2            | \$ 78,000.00            | Herrera & Sons Two, Inc. dba family towing | 0.767                               | 0.068 | 0.019 | APCO                | Santa Clara  |
| 19MOY146  | Ag/ off-road       | Equipment replacement | 1            | \$ 37,300.00            | Volker Eisele Family Estate LLC            | 0.052                               | 0.013 | 0.008 | APCO                | Napa         |
| 19MOY17   | On-road            | Equipment replacement | 1            | \$ 15,000.00            | Shah Trucking                              | 0.831                               | 0.123 | 0.042 | APCO                | Alameda      |
| 19MOY116  | Off-road           | Equipment replacement | 1            | \$ 148,100.00           | Noah Concrete Corporation                  | 0.463                               | 0.061 | 0.042 | 5/2/2018            | Santa Clara  |
| 19MOY117  | Ag/ off-road       | Equipment replacement | 2            | \$ 113,200.00           | KKG Equipment Company, LLC                 | 0.229                               | 0.024 | 0.019 | 5/2/2018            | Napa         |
| 19MOY87   | Off-road           | Equipment replacement | 7            | \$ 2,464,000.00         | Hanson Aggregates Mid Pacific              | 11.142                              | 0.637 | 0.375 | 5/2/2018            | Contra Costa |
| 19MOY136  | Ag/ off-road       | Equipment replacement | 3            | \$ 124,700.00           | Oak Knoll Farming Corp.                    | 0.236                               | 0.032 | 0.024 | TBD                 | Napa         |
| 19MOY145  | Ag/ off-road       | Equipment replacement | 2            | \$ 155,700.00           | Robert J Camozzi II                        | 0.719                               | 0.103 | 0.047 | TBD                 | Sonoma       |
| 19MOY120  | Ag/ off-road       | Equipment replacement | 2            | \$ 102,000.00           | Regusci Vineyard Management, Inc.          | 0.182                               | 0.008 | 0.010 | TBD                 | Napa         |
| 19MOY121  | Ag/ off-road       | Equipment replacement | 1            | \$ 44,000.00            | Walter Hansel Winery & Vineyards LLC       | 0.045                               | 0.004 | 0.006 | APCO                | Sonoma       |
| 19MOY122  | Ag/ off-road       | Equipment replacement | 1            | \$ 36,600.00            | Groth Vineyards and Winery LLC             | 0.072                               | 0.013 | 0.009 | APCO                | Napa         |

## AGENDA 3 - ATTACHMENT 2

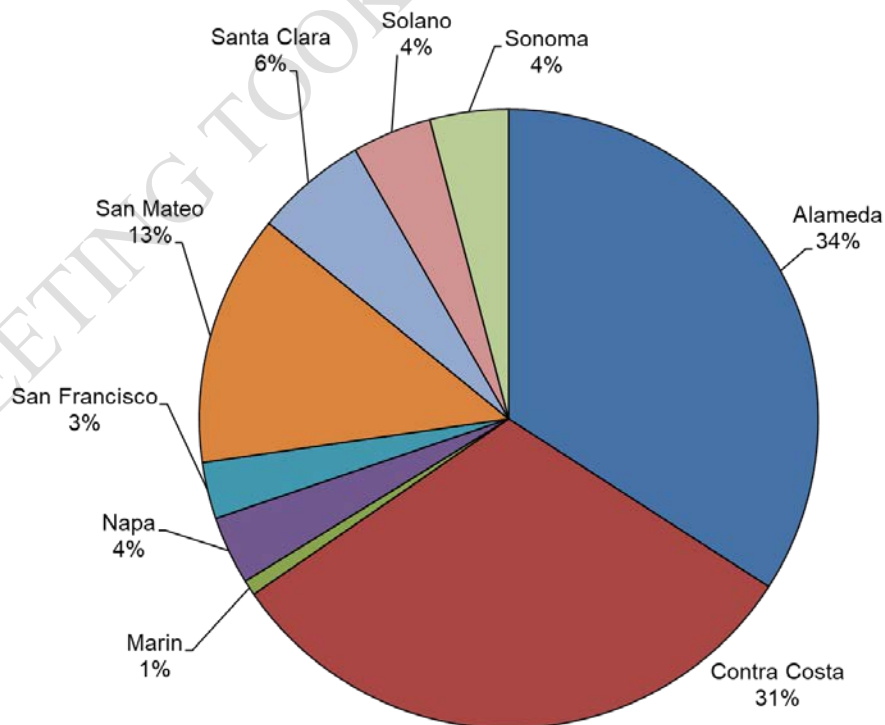
| Project #          | Equipment category | Project type          | # of engines | Proposed contract award | Applicant name                           | Emission Reductions<br>(Tons per year) |              |              | Board approval date | County        |
|--------------------|--------------------|-----------------------|--------------|-------------------------|------------------------------------------|----------------------------------------|--------------|--------------|---------------------|---------------|
|                    |                    |                       |              |                         |                                          | NOx                                    | ROG          | PM           |                     |               |
| 19MOY127           | Ag/ off-road       | Equipment replacement | 1            | \$ 39,900.00            | Kenefick Ranches LLC                     | 0.125                                  | 0.022        | 0.016        | APCO                | Napa          |
| 19MOY131           | Ag/ off-road       | Equipment replacement | 2            | \$ 28,600.00            | Andrea Bartolucci dba Madonna Vineyard   | 0.074                                  | 0.013        | 0.009        | APCO                | Napa          |
| 19MOY132           | Ag/ off-road       | Equipment replacement | 1            | \$ 44,000.00            | Bisordi Ranch and Vineyard LLC           | 0.027                                  | 0.017        | 0.001        | APCO                | Sonoma        |
| 19SBP64            | School bus         | Equipment replacement | 3            | \$ 461,416.00           | San Mateo Foster City School District    | 0.325                                  | 0.007        | 0.000        | TBD                 | San Mateo     |
| 19MOY151           | Ag/ off-road       | Equipment replacement | 1            | \$ 25,575.00            | Rare Breed Farm                          | 0.015                                  | 0.011        | 0.004        | APCO                | Sonoma        |
| 19MOY135           | Ag/ off-road       | Equipment replacement | 1            | \$ 39,955.00            | Kenzo Estate, Inc.                       | 0.053                                  | 0.006        | 0.007        | APCO                | Napa          |
| 19MOY141           | Ag/ off-road       | Equipment replacement | 1            | \$ 60,935.00            | White Rock Vineyards, Inc.               | 0.129                                  | 0.016        | 0.011        | APCO                | Napa          |
| 19MOY149           | Off-road           | Equipment replacement | 2            | \$ 57,800.00            | ACE Hauling Inc.                         | 0.126                                  | 0.032        | 0.026        | APCO                | San Francisco |
| 19MOY101           | Off-road           | Equipment replacement | 13           | \$ 5,011,500.00         | SSA Terminals                            | 43.377                                 | 2.435        | 0.174        | TBD                 | Alameda       |
| 19MOY138           | Ag/ off-road       | Equipment replacement | 1            | \$ 21,790.00            | Solano Foothill Vineyard, LLC            | 0.032                                  | 0.030        | 0.008        | APCO                | Solano        |
| 19MOY152           | Off-road           | Equipment replacement | 6            | \$ 705,211.00           | Sims Group USA dba Sims Metal Management | 2.516                                  | 0.272        | 0.129        | TBD                 | Contra Costa  |
| 19MOY118           | Marine             | Engine replacement    | 1            | \$ 75,000.00            | Mendler Brothers Fish LLC                | 0.150                                  | 0.002        | 0.006        | APCO                | Contra Costa  |
| 19MOY150           | Ag/ off-road       | Equipment replacement | 1            | \$ 58,000.00            | St. Supery Inc.                          | 0.151                                  | 0.023        | 0.017        | APCO                | Napa          |
| 19MOY160           | Off-road           | Equipment replacement | 40           | \$ 2,080,900.00         | United Airlines, Inc.                    | 3.177                                  | 0.410        | 0.260        | TBD                 | San Mateo     |
| <b>81 Projects</b> |                    |                       | <b>209</b>   | <b>\$ 24,998,944.22</b> |                                          | <b>136.428</b>                         | <b>8.143</b> | <b>3.976</b> |                     |               |

## AGENDA 3 - ATTACHMENT 2

**Figure 1:** CMP and MSIF Funding Distribution by Equipment Category as of 5/4/18



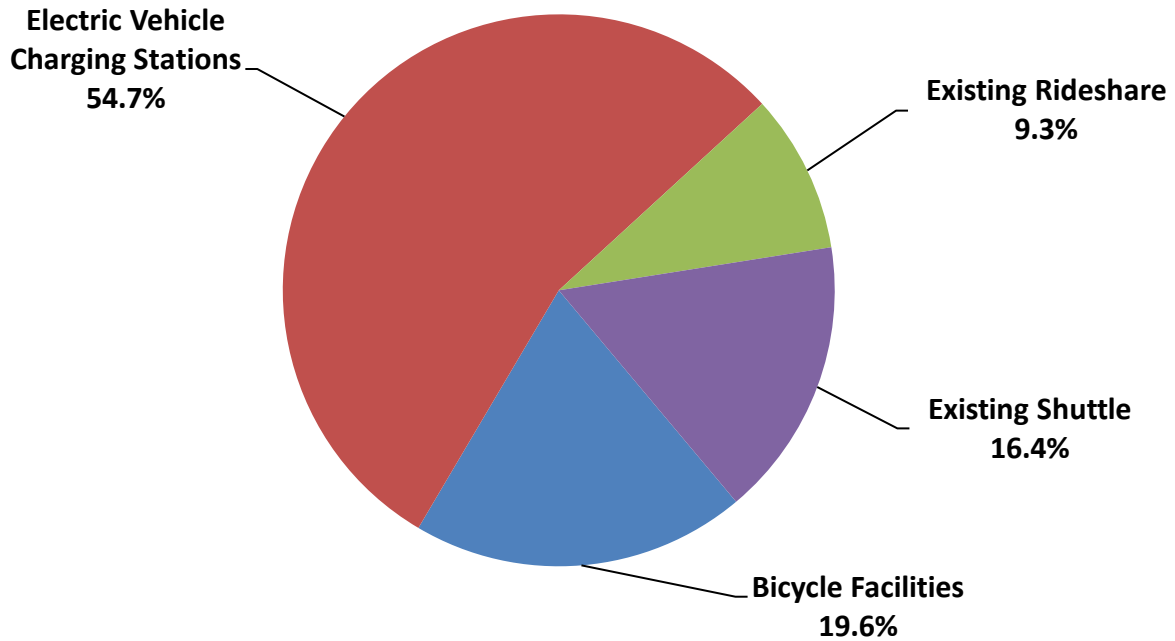
**Figure 2:** CMP and MSIF Funding Distribution by County as of 5/4/18



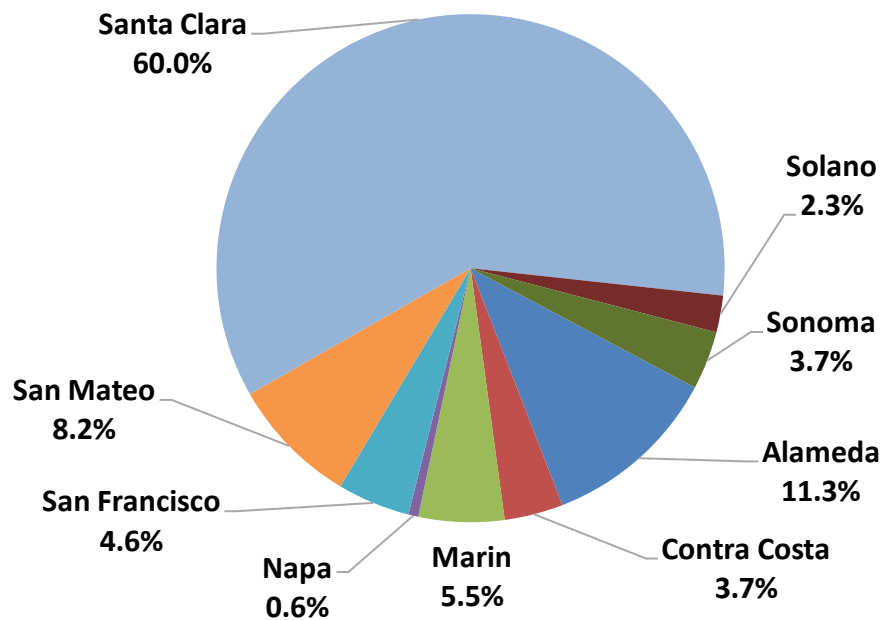
### AGENDA 3 - ATTACHMENT 5

Summary of TFCA funds distributed by county and project category  
(between 7/1/17 and 5/4/18)

**Figure 1: TFCA Projects Awarded**  
Distributed by Project Category



**Figure 2: TFCA Projects Awarded**  
Distributed by County



### AGENDA 3 - ATTACHMENT 4

Summary of all TFCA approved and eligible projects (evaluated between 7/1/17 and 5/4/18)

| Project #                       | Project Category                        | Project Description                                                                                                                            | Award Amount | Applicant Name                                                        | Emission Reductions<br>(Tons per year) |       |       | Board<br>Approval<br>Date | CARE<br>Area | County                  |
|---------------------------------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------------------------------------------------------------|----------------------------------------|-------|-------|---------------------------|--------------|-------------------------|
|                                 |                                         |                                                                                                                                                |              |                                                                       | NO <sub>x</sub>                        | ROG   | PM    |                           |              |                         |
| Projects Pending Board Approval |                                         |                                                                                                                                                |              |                                                                       |                                        |       |       |                           |              |                         |
| 18EV009                         | Electric Vehicle (EV) Charging Stations | Install and operate 72 dual-port Level 2 (low) charging stations with solar in San Francisco                                                   | \$267,000    | City and County of San Francisco                                      | 0.097                                  | 0.127 | 0.002 | Pending                   | No           | San Francisco           |
| 18R13                           | Bicycle Facilities                      | Install 0.8 miles of Class I and 0.1 miles of Class IV bikeways in Alameda                                                                     | \$138,560    | City of Alameda                                                       | 0.017                                  | 0.022 | 0.033 | Pending                   | Yes          | Alameda                 |
| 18R15                           | Bicycle Facilities                      | Install 0.87 miles of Class I bikeway in San Rafael                                                                                            | \$248,400    | City of San Rafael                                                    | 0.030                                  | 0.039 | 0.060 | Pending                   | Yes          | Marin                   |
| 18R16                           | Bicycle Facilities                      | Install 0.78 of Class II and 0.72 of Class III bikeways in South San Francisco                                                                 | \$120,106    | City of South San Francisco                                           | 0.027                                  | 0.036 | 0.053 | Pending                   | No           | San Mateo               |
| 18R17                           | Bicycle Facilities                      | Install 0.45 miles of Class I bikeway in Rodeo                                                                                                 | \$138,669    | East Bay Regional Park District                                       | 0.017                                  | 0.022 | 0.033 | Pending                   | No           | Contra Costa            |
| 18R19                           | Bicycle Facilities                      | Install 0.45 miles of Class I bikeway in Larkspur                                                                                              | \$283,637    | Transportation Authority of Marin                                     | 0.035                                  | 0.045 | 0.069 | Pending                   | No           | Marin                   |
| Projects Approved               |                                         |                                                                                                                                                |              |                                                                       |                                        |       |       |                           |              |                         |
| 17EV005                         | EV Charging Stations                    | Install and operate 5 single-port Level 2 (high) charging stations in Daly City, San Carlos, Menlo Park and Mountain View                      | \$15,000     | Concept Hotels                                                        | 0.008                                  | 0.011 | 0.000 | 7/11/17                   | No           | San Mateo / Santa Clara |
| 17EV009                         | EV Charging Stations                    | Install and operate 4 dual-port Level 2 (low) charging stations in Menlo Park and Cupertino                                                    | \$10,000     | J Cyril Johnson Investment Corp                                       | 0.005                                  | 0.007 | 0.000 | 7/27/17                   | No           | San Mateo / Santa Clara |
| 17EV011                         | EV Charging Stations                    | Install and operate 3 dual-port Level 2 (high) charging stations in San Francisco                                                              | \$10,936     | San Francisco Zoological Society                                      | 0.006                                  | 0.008 | 0.000 | 8/3/17                    | No           | San Francisco           |
| 17EV013                         | EV Charging Stations                    | Install and operate 4 dual-port Level 2 (high) charging stations in San Jose                                                                   | \$16,000     | San Jose Healthcare System, LP                                        | 0.009                                  | 0.011 | 0.000 | 7/20/17                   | Yes          | Santa Clara             |
| 17EV015                         | EV Charging Stations                    | Install and operate 14 dual-port Level 2 (high) charging stations in Santa Rosa and Petaluma                                                   | \$56,000     | Sonoma County Junior College District                                 | 0.030                                  | 0.040 | 0.001 | 7/6/17                    | No           | Sonoma                  |
| 17EV016                         | EV Charging Stations                    | Install and operate 6 dual-port Level 2 (low) charging stations in Hayward                                                                     | \$15,000     | California State University, East Bay Foundation Inc.                 | 0.008                                  | 0.011 | 0.000 | 7/18/17                   | No           | Alameda                 |
| 17EV018*                        | EV Charging Stations                    | Install and operate 182 single-port Level 2 (high) and 8 DC Fast charging stations with solar in Los Altos, Mountain View, and Los Altos Hills | \$1,400,763  | Los Altos School District                                             | 0.390                                  | 0.508 | 0.008 | 10/4/17                   | No           | Santa Clara             |
| 17EV019                         | EV Charging Stations                    | Install and operate 3 dual-port Level 2 (high) chargers in San Jose                                                                            | \$12,000     | Asian Americans for Community Involvement of Santa Clara County, Inc. | 0.007                                  | 0.009 | 0.000 | 8/28/17                   | Yes          | Santa Clara             |
| 17EV020                         | EV Charging Stations                    | Install and operate 6 single-port Level 2 (high) charging stations in Los Altos Hills                                                          | \$29,078     | Fremont Hills Country Club                                            | 0.018                                  | 0.024 | 0.000 | 7/20/17                   | No           | Santa Clara             |
| 17EV021                         | EV Charging Stations                    | Install and operate 52 single-port Level 2 (high) charging stations in San Jose                                                                | \$156,000    | North First SJ, LP                                                    | 0.084                                  | 0.110 | 0.002 | 10/4/17                   | No           | Santa Clara             |
| 17EV022                         | EV Charging Stations                    | Install and operate 26 single-port Level 2 (high) and 1 DC Fast charging stations in Los Altos                                                 | \$96,000     | Mountain View Los Altos High School District                          | 0.056                                  | 0.073 | 0.001 | 10/4/17                   | No           | Santa Clara             |
| 17EV023                         | EV Charging Stations                    | Install and operate 3 singe-port Level 2 (high) charging stations with solar in Richmond                                                       | \$18,000     | San Francisco Estuary Institute                                       | 0.005                                  | 0.006 | 0.000 | 8/15/17                   | Yes          | Contra Costa            |
| 17EV024                         | EV Charging Stations                    | Install and operate 20 single-port Level 2 (high) charging stations with solar in Cotati                                                       | \$120,000    | Old Redwood Commons Association                                       | 0.033                                  | 0.042 | 0.001 | 10/4/17                   | No           | Sonoma                  |
| 17EV025                         | EV Charging Stations                    | Install and operate 3 dual-port Level 2 (high) charging stations in San Mateo                                                                  | \$12,000     | BCSP Crossroads Property LLC                                          | 0.007                                  | 0.009 | 0.000 | 8/17/17                   | No           | San Mateo               |
| 17EV026                         | EV Charging Stations                    | Install and operate 3 dual-port Level 2 (high) charging stations in Half Moon Bay                                                              | \$12,000     | City of Half Moon Bay                                                 | 0.007                                  | 0.009 | 0.000 | 3/7/18                    | No           | San Mateo               |
| 17EV027                         | EV Charging Stations                    | Install and operate 8 dual-port Level 2 (high) charging station in San Jose                                                                    | \$32,000     | Santa Clara Valley Transportation Authority                           | 0.017                                  | 0.023 | 0.000 | 10/11/17                  | Yes          | Santa Clara             |
| 17EV029                         | EV Charging Stations                    | Install and operate 4 single-port Level 2 (high) charging stations in Albany                                                                   | \$12,000     | City of Albany                                                        | 0.007                                  | 0.009 | 0.000 | 11/13/17                  | Yes          | Alameda                 |
| 17EV031                         | EV Charging Stations                    | Install and operate 32 Level 2 (high) single port charging stations In Sunnyvale and Cupertino                                                 | \$96,000     | Fremont Union High School District                                    | 0.052                                  | 0.068 | 0.001 | 11/14/17                  | No           | Santa Clara             |
| 17R18                           | Bicycle Facilities                      | Install 0.31 miles of Class II and 10.48 miles Class III bikeways in Daly City                                                                 | \$133,117    | City of Daly City                                                     | 0.071                                  | 0.093 | 0.138 | 10/4/17                   | No           | San Mateo               |
| 17R19                           | Bicycle Facilities                      | Install 0.36 miles of Class IV bikeways in Half Moon Bay                                                                                       | \$25,099     | City of Half Moon Bay                                                 | 0.003                                  | 0.004 | 0.006 | 9/13/17                   | No           | San Mateo               |
| 17R20                           | Bicycle Facilities                      | Install 1.87 miles of Class II bikeways in Santa Rosa                                                                                          | \$201,907    | City of Santa Rosa                                                    | 0.027                                  | 0.039 | 0.050 | 10/4/17                   | No           | Sonoma                  |
| 17R21                           | Bicycle Facilities                      | Install 1.7 miles of Class II and 7.8 miles of Class III bikeways in San Leandro                                                               | \$139,128    | City of San Leandro                                                   | 0.030                                  | 0.040 | 0.059 | 10/4/17                   | Yes          | Alameda                 |
| 17R22                           | Bicycle Facilities                      | Install 3.05 miles of Class III bikeways in Redwood City                                                                                       | \$29,206     | City of Redwood City                                                  | 0.004                                  | 0.005 | 0.007 | 9/13/17                   | No           | San Mateo               |
| 17R23                           | Bicycle Facilities                      | Install 0.8 miles of Class I bikeway in Albany                                                                                                 | \$246,552    | East Bay Regional Park District                                       | 0.030                                  | 0.040 | 0.059 | 10/4/17                   | Yes          | Alameda                 |

### AGENDA 3 - ATTACHMENT 4

*Summary of all TFCA approved and eligible projects (evaluated between 7/1/17 and 5/4/18)*

| Project # | Project Category     | Project Description                                                                                                                                                     | Award Amount | Applicant Name                                 | Emission Reductions<br>(Tons per year) |       |       | Board<br>Approval<br>Date | CARE<br>Area | County                            |
|-----------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------------------------------------|----------------------------------------|-------|-------|---------------------------|--------------|-----------------------------------|
|           |                      |                                                                                                                                                                         |              |                                                | NO <sub>x</sub>                        | ROG   | PM    |                           |              |                                   |
| 17R24     | Bicycle Facilities   | Install 7.76 miles of Class III and 0.7 miles of Class IV bikeways in Cupertino                                                                                         | \$138,359    | City of Cupertino                              | 0.017                                  | 0.024 | 0.031 | 10/4/17                   | No           | Santa Clara                       |
| 17R26     | Bicycle Facilities   | Install 0.28 miles of Class I bikeway in San Carlos                                                                                                                     | \$120,721    | City of San Carlos                             | 0.015                                  | 0.024 | 0.023 | 10/4/17                   | No           | San Mateo                         |
| 17R27     | Bicycle Facilities   | Install 20 electronic bicycle lockers in Richmond                                                                                                                       | \$40,000     | City of Richmond                               | 0.005                                  | 0.007 | 0.009 | 9/13/17                   | Yes          | Contra Costa                      |
| 17R28     | Bicycle Facilities   | Install 104 electronic bicycle lockers in San Jose                                                                                                                      | \$208,000    | City of San Jose                               | 0.026                                  | 0.037 | 0.048 | 10/4/17                   | Yes          | Santa Clara                       |
| 17R29     | Bicycle Facilities   | Install 40 electronic bicycle lockers in San Francisco                                                                                                                  | \$100,000    | San Francisco Municipal Transportation Agency  | 0.014                                  | 0.019 | 0.028 | 9/13/17                   | Yes          | San Francisco                     |
| 17R30     | Bicycle Facilities   | Install 16 electronic bicycle lockers in Oakland                                                                                                                        | \$36,000     | City of Oakland                                | 0.005                                  | 0.007 | 0.009 | 9/13/17                   | Yes          | Alameda                           |
| 17R31     | Bicycle Facilities   | Install 74 bicycle racks and 8 electronic bicycle lockers in Fremont                                                                                                    | \$21,550     | City of Fremont                                | 0.006                                  | 0.008 | 0.011 | 9/13/17                   | No           | Alameda                           |
| 17R32     | Bicycle Facilities   | Install 171 bicycle racks in Palo Alto                                                                                                                                  | \$12,825     | Palo Alto Unified School District              | 0.012                                  | 0.016 | 0.016 | 9/13/17                   | No           | Santa Clara                       |
| 18EV001   | EV Charging Stations | Install and operate 244 Level 2 (high) single-port charging stations in San Jose, Campbell, and Saratoga                                                                | \$732,000    | Campbell Union High School District            | 0.396                                  | 0.516 | 0.008 | 12/20/17                  | No           | Santa Clara                       |
| 18EV002   | EV Charging Stations | Install and operate 5 dual-port Level 2 (high) charging stations in Mountain View and South San Francisco                                                               | \$15,000     | HCP, Inc.                                      | 0.008                                  | 0.011 | 0.000 | 3/14/18                   | No           | San Mateo / Santa Clara           |
| 18EV005   | EV Charging Stations | Install and operate 2 dual-port Level 2 (high) and 1 single-port Level 2 (high) charging stations in Napa                                                               | \$11,000     | Napa County Superintendent of Schools          | 0.006                                  | 0.008 | 0.000 | 1/3/18                    | No           | Napa                              |
| 18EV006   | EV Charging Stations | Install and operate 1 dual-port level 2 (high) and 1 DC Fast charging stations in Emeryville                                                                            | \$29,000     | City of Emeryville                             | 0.016                                  | 0.020 | 0.000 | 1/10/18                   | Yes          | Alameda                           |
| 18EV008   | EV Charging Stations | Install and operate 20 dual-port Level 2 (high) charging stations in Pleasant Hill, San Pablo, San Ramon, and Pittsburg                                                 | \$80,000     | Contra Costa Community College District        | 0.043                                  | 0.056 | 0.001 | 2/28/18                   | Yes          | Contra Costa                      |
| 18EV010   | EV Charging Stations | Install and operate 5 dual-port level 2 (high) charging stations in Milpitas                                                                                            | \$20,000     | Sonicwall Inc                                  | 0.011                                  | 0.014 | 0.000 | 1/17/18                   | No           | Santa Clara                       |
| 18EV011   | EV Charging Stations | Install and operate 24 single-port level 2 (high) charging stations in San Jose                                                                                         | \$72,000     | Vocera Communications, Inc.                    | 0.039                                  | 0.051 | 0.001 | 11/22/17                  | Yes          | Santa Clara                       |
| 18EV013   | EV Charging Stations | Install and operate 3 dual-port Level 2 (high) charging stations at 1 workplace facility in Fairfield                                                                   | \$12,000     | Solano Community College District              | 0.007                                  | 0.009 | 0.000 | 4/4/18                    | No           | Solano                            |
| 18EV014   | EV Charging Stations | Install and operate 32 single-port level 2 (high) charging stations in San Jose                                                                                         | \$96,000     | The Harker School                              | 0.052                                  | 0.068 | 0.001 | 1/17/18                   | No           | Santa Clara                       |
| 18EV016   | EV Charging Stations | Install and operate 8 single-port Level 2 (high) and 2 dual-port Level 2 (low) with solar at 3 multi-dwelling unit facilities in East Palo Alto, Danville, and Vallejo. | \$56,000     | GRID Alternatives                              | 0.016                                  | 0.020 | 0.000 | 4/11/18                   | Yes          | San Mateo / Contra Costa / Solano |
| 18EV017   | EV Charging Stations | Install and operate 74 single-port Level 2 (high) and 5 DC Fast charging stations with solar in Palo Alto                                                               | \$500,000    | Palo Alto Unified School District              | 0.161                                  | 0.210 | 0.003 | 5/2/18                    | No           | Santa Clara                       |
| 18EV018   | EV Charging Stations | Install and operate 10 single-port Level 2 (high) charging stations at 1 workplace facility in Los Altos                                                                | \$30,000     | Los Altos Fields, LLC                          | 0.016                                  | 0.021 | 0.000 | 4/4/18                    | No           | Santa Clara                       |
| 18EV021   | EV Charging Stations | Install and operate 14 dual-port and 3 single-port Level 2 (high) charging stations in San Rafael                                                                       | \$65,000     | County of Marin                                | 0.035                                  | 0.046 | 0.001 | 3/14/18                   | No           | Marin                             |
| 18EV022   | EV Charging Stations | Install and operate 1 dual-port Level 2 (high) and 1 DC Fast charging stations at 1 transportation corridor facility in Colma                                           | \$29,000     | Town of Colma                                  | 0.016                                  | 0.020 | 0.000 | 4/12/18                   | No           | San Mateo                         |
| 18EV023   | EV Charging Stations | Install and operate 24 single-port Level 2 (high) charging stations at 1 workplace facility in Burlingame.                                                              | \$72,000     | NABI LLC                                       | 0.039                                  | 0.051 | 0.001 | 4/12/18                   | No           | San Mateo                         |
| 18EV025   | EV Charging Stations | Install and operate 2 dual-port Level 2 (high) and 1 DC Fast at 1 transportation corridor facility in Newark                                                            | \$33,000     | DTP-LV Associates, LLC                         | 0.018                                  | 0.023 | 0.000 | 4/12/18                   | No           | Alameda                           |
| 18EV028   | EV Charging Stations | Install and operate 25 dual-port Level 2 (high) charging stations with solar in Alameda and Oakland                                                                     | \$130,000    | Peralta Community College District             | 0.054                                  | 0.071 | 0.001 | 5/2/18                    | Yes          | Alameda                           |
| 18EV030   | EV Charging Stations | Install and operate 150 single-port Level 2 (high) and 5 DC Fast charging stations in San Jose                                                                          | \$500,000    | East Side Union High School District           | 0.282                                  | 0.368 | 0.005 | 5/2/18                    | Yes          | Santa Clara                       |
| 18EV034   | EV Charging Stations | Install and operate 150 single-port Level 2 (high) and 5 DC Fast charging stations in San Jose                                                                          | \$500,000    | San Jose Unified School District               | 0.282                                  | 0.368 | 0.005 | 5/2/18                    | Yes          | Santa Clara                       |
| 18EV037   | EV Charging Stations | Install and operate 44 single port level 2 (high) and 6 DC Fast charging stations in Cupertino and San Jose                                                             | \$199,500    | Fremont Union High School District             | 0.122                                  | 0.159 | 0.002 | 5/2/18                    | No           | Santa Clara                       |
| 18EV039   | EV Charging Stations | Install and operate 144 single-port Level 2 (high) and 4 DC Fast charging stations in Saratoga and Santa Clara                                                          | \$500,000    | West Valley-Mission Community College District | 0.286                                  | 0.372 | 0.005 | 5/2/18                    | No           | Santa Clara                       |
| 18EV040   | EV Charging Stations | Install and operate 26 single-port level 2 (high) charging stations at 2 workplace facilities in Milpitas and Redwood City                                              | \$78,000     | Clean Fuel Connection, Inc.                    | 0.042                                  | 0.055 | 0.001 | 5/2/18                    | No           | San Mateo / Santa Clara           |

### AGENDA 3 - ATTACHMENT 4

*Summary of all TFCA approved and eligible projects (evaluated between 7/1/17 and 5/4/18)*

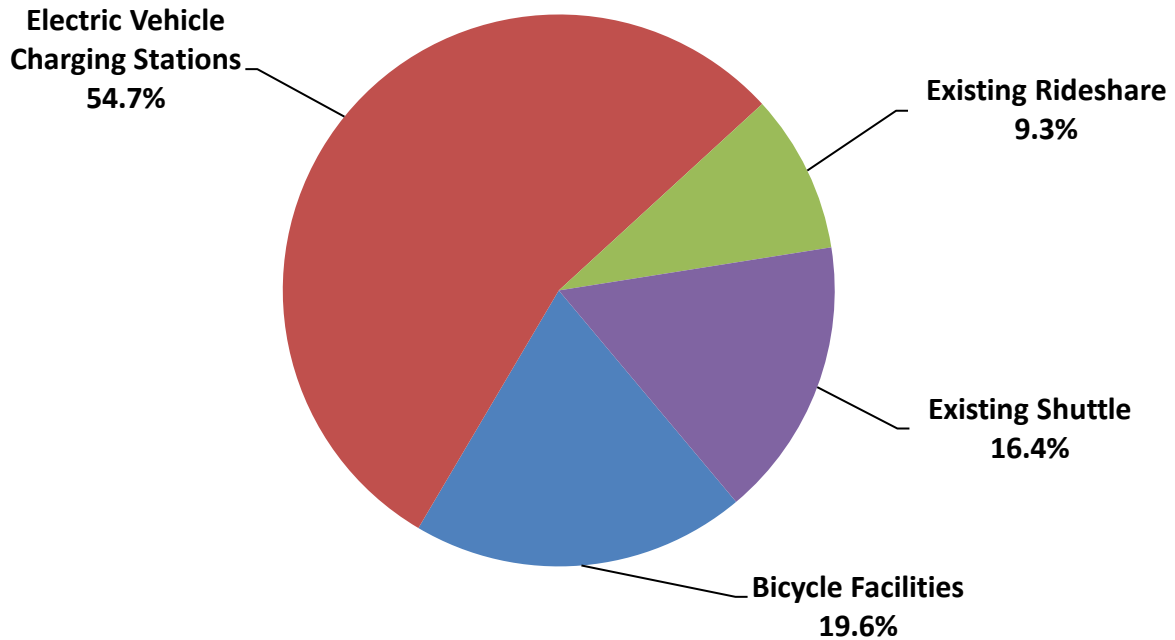
| Project #          | Project Category        | Project Description                                                                                                 | Award Amount        | Applicant Name                                 | Emission Reductions<br>(Tons per year) |               |               | Board<br>Approval<br>Date | CARE<br>Area | County                  |
|--------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------|---------------------|------------------------------------------------|----------------------------------------|---------------|---------------|---------------------------|--------------|-------------------------|
|                    |                         |                                                                                                                     |                     |                                                | NO <sub>x</sub>                        | ROG           | PM            |                           |              |                         |
| 18EV041            | EV Charging<br>Stations | Install and operate 144 single-port Level 2 (high) and 4 DC Fast charging stations in Cupertino and Los Altos Hills | \$500,000           | Foothill De-Anza Community College District    | 0.286                                  | 0.372         | 0.005         | 5/2/18                    | No           | Santa Clara             |
| 18R05              | Rideshare<br>Services   | SJSU Ridesharing & Trip Reduction                                                                                   | \$140,000           | Associated Students, San Jose State University | 0.808                                  | 0.920         | 1.282         | 11/1/17                   | Yes          | Regional                |
| 18R06              | Shuttle Services        | ACE Shuttle 53 and 54                                                                                               | \$80,000            | San Joaquin Regional Rail Commission           | 0.331                                  | 0.390         | 0.629         | 10/3/17                   | Yes          | Alameda                 |
| 18R07              | Shuttle Services        | ACE Shuttle Bus Program                                                                                             | \$960,000           | Santa Clara Valley Transportation Authority    | 2.455                                  | 2.508         | 4.222         | 11/1/17                   | Yes          | Santa Clara             |
| 18R09              | Shuttle Services        | PresidiGo Downtown Shuttle                                                                                          | \$100,000           | Presidio Trust                                 | 0.213                                  | 0.267         | 0.364         | 10/3/17                   | Yes          | San Francisco           |
| 18R10              | Shuttle Services        | Caltrain Shuttle Program                                                                                            | \$612,100           | Peninsula Corridor Joint Powers Board          | 1.539                                  | 1.832         | 2.641         | 11/1/17                   | No           | San Mateo / Santa Clara |
| 18R11              | Rideshare<br>Services   | 511 Regional Vanpool & Carpool Program                                                                              | \$991,000           | Metropolitan Transportation Commission         | 0.802                                  | 1.783         | 3.507         | 11/1/17                   | Yes          | Regional                |
| 18R12              | Shuttle Services        | Emery Go-Round Shuttle                                                                                              | \$238,819           | City of Emeryville                             | 0.233                                  | 0.270         | 0.415         | 11/1/17                   | Yes          | Alameda                 |
| <b>68 Projects</b> |                         |                                                                                                                     | <b>\$12,149,031</b> |                                                | <b>9.849</b>                           | <b>12.506</b> | <b>13.863</b> |                           |              |                         |

\*The award for Project #17EV018 includes \$99,900 of funds from the California Energy Commission (CEC). The TFCA award for this project is \$1,300,863.

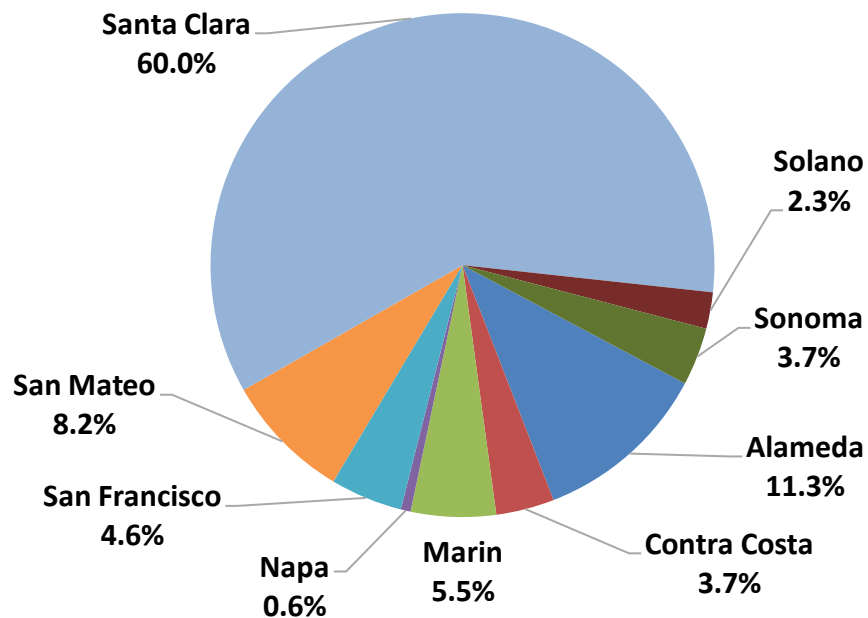
### AGENDA 3 - ATTACHMENT 5

Summary of TFCA funds distributed by county and project category  
(between 7/1/17 and 5/4/18)

**Figure 1: TFCA Projects Awarded**  
Distributed by Project Category



**Figure 2: TFCA Projects Awarded**  
Distributed by County



**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**Memorandum**

To: Chairperson Scott Haggerty and Members  
of the Mobile Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 14, 2018

Re: Fiscal Year Ending (FYE) 2019 Transportation Fund for Clean Air (TFCA) Regional  
Fund Policies and Evaluation Criteria

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**RECOMMENDED ACTION**

Recommend Board of Directors:

1. Approve the proposed FYE 2019 TFCA Regional Fund Policies and Evaluation Criteria presented in Attachment A.

**BACKGROUND**

In 1991, the California State Legislature authorized the Bay Area Air Quality Management District (Air District) to impose a \$4 surcharge on each motor vehicle registered within the nine-county Bay Area to fund projects that reduce on-road motor vehicle emissions within the Air District's jurisdiction. The statutory authority for the Transportation Fund For Clean Air (TFCA) and requirements of the program are set forth in California Health and Safety Code Sections 44241 and 44242. The authorizing legislation requires that the Air District's Board of Directors (Board) adopt cost-effectiveness criteria that govern the use of the TFCA funds.

Sixty percent of the TFCA funds are allocated by the Board to eligible projects and programs implemented directly by the Air District (e.g., Spare the Air, Plug-in Electric Vehicle Program) and to a program referred to as the TFCA Regional Fund.

On May 2, 2018, the Board approved an allocation of \$15.03 million in new TFCA monies to three program categories, including trip reduction, clean air vehicles, and other Air District sponsored programs for FYE 2019. An estimated \$22.11 million in TFCA funds, including both the new funds and carryover from projects that have been cancelled or completed under budget, will be available in FYE 2019. At the same meeting, the Board also authorized the Executive Officer/APCO to execute grant agreements with project sponsors who propose projects with individual grant award amounts of up to \$100,000 for projects that meet the respective governing policies and guidelines. TFCA Regional Fund projects with grant award amounts over \$100,000 are brought to the Air District's Mobile Source Committee for consideration at least on a quarterly basis.

Every year, the Board adopts the updated TFCA Regional Fund Policies and Evaluation Criteria (Policies), which guide the evaluation and award of the TFCA Regional Fund projects. The Policies include both general requirements that are applicable to all TFCA Regional Fund project types, as well as specific requirements for each eligible project categories.

## DISCUSSION

### *Public Outreach Process*

For FYE 2019, the proposed updates to the prior year Policies reflect feedback received from stakeholders over the past year through emails, conference calls, and meetings. On February 14, 2018, the Air District posted the updated Policies on the Air District's website and opened the public comment period. The public comment process was advertised via the Air District's TFCA grants email notification system, which was sent to more than 2,000 stakeholders and to representatives from each of the nine Bay Area Congestion Management Agencies (CMA). Three webinar workshops were held to discuss the proposed changes for FYE 2019 (on February 28, March 8, and March 28, 2018); in total, these webinars were attended by 18 stakeholders. Additional meetings were held with the CMAs, and current project sponsors of the Existing Shuttle and Ridesharing Program. The Air District received six sets of comments by the close of the comment period on April 9, 2018. Attachment C provides a summary of the six public comments received along with staff's responses.

### *Proposed Updated Policies for FYE 2019*

For FYE 2019, proposed updates were made to the prior year Policies to address the comments and suggestions received during the public outreach process. Language and grammatical revisions were also made for clarification purposes.

A redline copy of the Policies for FYE 2019 that shows the proposed updates to the prior year Policies is included as Attachment B. Below is a summary of the additional proposed updates:

- **Policy #11. In Compliance with Air Quality Regulations:** Clarify that applicants who are in compliance with all local, State, and federal air quality regulations, but who have pending litigation or who have unpaid civil penalties owed to the Air District, may be eligible for funding, following a review and approval by the Air District.
- **Policy #22. On-Road Truck and Bus Replacements:** Clarify that bus replacement projects are also eligible.
- **Policy #23. Light- and Medium-Duty Zero- and Partial-Zero-Emissions Vehicles for Fleets:** Clarify that motorcycles and medium-duty vehicle (gross vehicle weight rating up to 14,000 lbs) projects are eligible. Applicants that propose to replace and scrap existing vehicles are eligible for additional TFCA funding and up to 100% of the funds awarded can be used for costs related to infrastructure.

- **Policy #24. Heavy-Duty Zero- and Partial-Zero-Emissions Vehicles:** Provide flexibility of replacing vehicles of different weight classes and allow up to 100% of funds awarded to be used for costs related to infrastructure.
- **Policy #28. Existing Shuttle/Feeder Bus Services:** Exclude administrative costs paid for with TFCA Regional Funds from total project cost.
- **Policy #29. Pilot Trip Reduction:** Remove the mandatory pre-application workshop requirement.
- **Policy #31. Electronic Bicycle Lockers:** Remove the definition of the costs that are eligible for use as matching funds to avoid confusion.
- **Policy #32. Bikeways:** Allow for upgrade improvements from Class II or III to completely separated Class I or protected class IV bikeways.

#### BUDGET CONSIDERATION / FINANCIAL IMPACT

None. The Air District distributes “pass-through” funds to grantees on a reimbursement basis. Administrative costs for the TFCA Regional Fund program are provided by the funding source.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Ken Mak and Chengfeng Wang  
Reviewed by: Karen Schkolnick and Anthony Fournier

Attachment A: Proposed TFCA Regional Fund Policies and Evaluation Criteria for FYE 2019 (Clean)  
Attachment B: Proposed TFCA Regional Fund Policies and Evaluation Criteria for FYE 2019 (Redline)  
Attachment C: Comments Received and Staff Responses to Proposed FYE 2019 TFCA Regional Fund Policies

# AGENDA 10B—ATTACHMENT 1: Comments Received and Staff Responses to Proposed FYE 2019 TFCA Regional Fund Policies

| Commenter and Agency                                                                               | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Staff Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Jennifer Chu, PE<br>City of Cupertino                                                              | How is the maximum CE calculated for upgrading bikeway facilities? We applied for the County Fund with a project that would upgrade 0.65 miles of existing Class II bike lanes to a separated Class IV bike lane and found that the project was not cost effective; and therefore ineligible for the grant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>The cost-effectiveness (CE) of a bikeway upgrade improvement project is calculated based on the number of single occupancy vehicle (SOV) trips reduced as a result of this project, emission factors of light-duty vehicles, trip length, and TFCA funds requested.</p> <p>For the County Program Manager (CPM) Fund projects, please contact your CPM local liaison.</p>                                                                                                                                                                                                                                                                             |
| Donna L. Lee<br>Bay Area Rapid Transit District                                                    | <p>Can you please verify that the following uses are still allowed for the FYE19 TFCA Regional Fund:</p> <ul style="list-style-type: none"> <li>• Transit Signal Priority</li> <li>• Signal Timing</li> <li>• Travel Demand Management</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>The TFCA Regional Fund has funded arterial management projects, including transit signal priority, signal timing, and travel demand management in the past, but they are no longer eligible categories.</p> <p>These project types are still eligible for funding from the TFCA County Program Manager Program, which is administered through the Congestion Management Agency in each of the nine Bay Area counties. We encourage parties interested in these types of projects to work with the local Congestion Management Agency.</p>                                                                                                             |
| Barbara Laurenson<br>Association of Bay Area Governments<br>Metropolitan Transportation Commission | <p>Thank you for explaining how the changes to CARB's EMFAC emissions factors mean that each vehicle trip reduced by carpooling and vanpooling reduces less air pollution than in prior years, thereby making the cost/ton of pollutants reduced by MTC's carpooling and vanpooling programs not as effective.</p> <p>Pierce said that the Air District was accepting comments until today at noon, so I wanted to share our thinking on the impacts of the rising cost-effectiveness thresholds. MTC sees important regional air quality and congestion mitigation benefits in reducing vehicle trips via carpooling and vanpooling. MTC also sees carpooling and vanpooling as modes with much more potential to tap to achieve these benefits, and quicker as it takes less time to get someone to try carpooling than it does to buy a clean air vehicle. MTC has successfully formed and maintained carpools for many years and now technology and other social changes are amplifying carpooling's potential to achieve more congestion and air pollution reduction. TFCA is an important funding source supporting MTC's carpooling and vanpooling programs. We anticipate that the changes in the cost effectiveness calculation will be challenging for the carpool and vanpool programs to achieve. MTC would like the Air District to consider all the benefits of these programs, and their future potential, when making decisions about future cost effectiveness requirements.</p> | <p>Noted.</p> <p>The Air District recognizes that there are other benefits of carpool and vanpool projects in addition to the air quality benefits. However, the authorizing legislation requires TFCA projects to meet the Air District Board of Directors-adopted cost-effectiveness in reducing emissions of ROG, NOx, PM from on-road motor vehicles.</p> <p>The Air District will continue evaluating the cost-effectiveness limits and the justification for further adjusting these limits. The Air District will also continue looking for new and innovative projects that can cost-effectively reduce more single occupancy vehicle trips.</p> |

# AGENDA 10B—ATTACHMENT 1: Comments Received and Staff Responses to Proposed FYE 2019 TFCA Regional Fund Policies

| Commenter and Agency                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Staff Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                            | Thanks for your consideration.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Derek McGill, AICP<br>Transportation<br>Authority of Marin | <p>In reviewing the Draft FY2019 TFCA regional fund program guidance, TAM is encouraged to see a continuation of trip reduction programs, alternative fuel programs and bicycle facilities programs included in the TFCA Regional Fund as district sponsored programs. In developing next year's programs and budgets, TAM recognizes the rapidly shifting nature of transportation, with shared mobility offering new opportunities to increase transit usage and reduce air quality emissions, joint goals of BAAQMD and TAM.</p> <p>TAM has developed innovative TNC partnerships to support transit through shared ride services, and has delivered a new carshare pod at SMART stations in San Rafael. As we look towards developing a bikeshare program to further support SOV trip reduction, BAAQMD can play a role in supporting these joint goals of SOV trip reduction. With new mobility opportunities, BAAQMD's flexibility in supporting innovation and shared mobility through next year's regional program would be great.</p> | <p>Noted.</p> <p>The Air District recognizes the rapidly changing landscape of SOV trip reduction solutions. Policy #29, for Pilot Trip Reduction projects, was created to support piloting new, innovative, mobility opportunities that can provide more cost-effective, convenient, and reliable first- and last-mile connections to transit.</p>                                                                                                                                                                                                                      |
| Ying C. Smith<br>Town of Los Gatos                         | <p><b>29. Pilot Trip Reduction:</b><br/>Los Gatos staff welcomes the addition of this pilot category to encourage new applications that encourage mode shift and reduce SOV. We suggest that the Air District change the first bullet point as giving priority to the projects in a Highly Impacted Community or Episodic Area as defined in the Air District Community Air Risk Evaluation (CARE) Program, or in a Priority Development Area (PDA), rather than a requirement. The change would broaden the geographic areas that are eligible. Projects that located outside of these areas can still provide emission reduction benefits to all populations.</p>                                                                                                                                                                                                                                                                                                                                                                            | <p>Due to limited TFCA Regional Funds, the Air District is prioritizing projects in CARE areas, which are communities that are experiencing higher disproportionate impacts of air pollution, and PDAs, which are areas where there is mass transit and/or potential growth in population density, and has the greatest opportunity to effectively reduce air emissions by reducing SOV trips.</p> <p>Anyone who is interested in projects that are outside of CARE Areas or PDAs are encouraged to contact their local liaison for the County Program Manager Fund.</p> |
|                                                            | <p><b>32. Bikeways:</b><br/>Los Gatos staff supports the change in allowing upgraded Class I and Class IV bike facilities in this category. This is a recognition that the upgrades are effective in encouraging more bicycle usage, especially among the vulnerable roadway users, such as youth.</p> <p>Many agencies, schools and not-for-profit organizations have been successful in encouraging our younger population in schools on safe riding/walking practices. We further suggest that the Policies incentivize infrastructure improvements that support SR2S biking and walking and agencies with demonstrated experience in reducing emissions caused by school-related traffic.</p>                                                                                                                                                                                                                                                                                                                                              | <p>Improved safety can be an additional benefit of the TFCA funded bikeway upgrade improvement projects.</p> <p>Parties interested in Smart Growth projects, such as infrastructure improvements to encourage Safe Routes to School (SR2S) biking and walking are encouraged to contact their local liaison for the County Program Manager Fund.</p>                                                                                                                                                                                                                     |

**AGENDA 10B—ATTACHMENT 1: Comments Received and Staff Responses to Proposed FYE 2019 TFCA Regional Fund Policies**

| Commenter and Agency                                       | Comment                                                                                                                                                                                                                                                                                                                      | Staff Response                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Diana Meehan<br>Napa Valley<br>Transportation<br>Authority | <p>I am suggesting the following revisions for consideration by the BAAQMD on the TFCA Regional Fund FYE 2019 Policies:</p> <p>Policy 23-Light and Medium Duty Zero and Partial Zero Emissions Vehicles for Fleets:</p> <ul style="list-style-type: none"> <li>Consider adding Electric Bicycles to this category</li> </ul> | <p>Policies 23 and 24 are designed to encourage applicants to choose zero-emission vehicles when replacing petroleum-fueled vehicles in their fleets or when expanding their fleets. Since bicycles are not typically petroleum-fueled, they are not eligible for this category.</p> <p>Electric Bicycles could potentially be eligible for TFCA funding if they promote a mode-shift to biking. These projects could be funded under Policy 29, Pilot Trip Reduction.</p> |
|                                                            | <p>Policy 31-Electronic Bicycle Lockers</p> <ul style="list-style-type: none"> <li>Add additional language to include-Countywide Transportation Plan (CTP)</li> <li>The MTC Regional Bicycle Plan is outdated (2009), consider revising language to make reference to Plan Bay Area</li> </ul>                               | <p>The specific plans that are eligible are identified under the Health and Safety Code.</p>                                                                                                                                                                                                                                                                                                                                                                               |
|                                                            | <p>Policy 32 – Bikeways</p> <ul style="list-style-type: none"> <li>a. Add additional language for project types to include upgrades from Class II and Class III facilities to Class I or Class IV</li> <li>b. Include language to allow upgrades for Class II bike lanes to Class II buffered bike lanes</li> </ul>          | <p>Staff has proposed a revision to Policy 32 to include language to allow upgrades from Class II or III to Class I or IV.</p> <p>Upgrading within classes is not eligible because further research is needed to evaluate the additional air quality benefits from such projects.</p> <p>Anyone who is interested in funding projects that do not meet these requirements are encouraged to contact their local liaison for the County Program Manager Fund.</p>           |

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Scott Haggerty and Members  
of the Mobile Source Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 14, 2018

Re: New Program: Clean and Electric Vehicle Adoption in Disadvantaged Communities

RECOMMENDATIONS

None; receive and file.

BACKGROUND

The Air District's efforts in Electric Vehicle (EV) outreach, partnerships, and incentives, in combination with other initiatives, have contributed to Bay Area's high per-capita EV adoption rate of 13 registered light duty EVs per 1,000 people—the highest in the United States. More than 100,000 light duty EVs (nearly 40% of the EVs registered in California) are registered to Bay Area residents and businesses<sup>1</sup>. However, adoption of EVs within disadvantaged communities has been slower than in other areas, and has been identified by staff and the Board of Directors (Board) as a focus area for upcoming Air District programs.

DISCUSSION

In 2017, the California Air Resources Board (ARB) approved an expansion of the Enhanced Fleet Modernization Program Plus Up (EFMP Plus-Up), a clean vehicle rebate program for disadvantaged communities, to include the Bay Area. In November 2017, the Air District Board approved a resolution to accept funding and to be the lead agency to implement this two-year, \$5 million program.

This program will provide incentives for low income households (up to 400% of the Federal Poverty Level) in disadvantaged communities to retire older, high-polluting vehicles and replace them with a newer, cleaner vehicle or with alternative transportation options (e.g. Clipper card). Eligible vehicles for purchase or lease include hybrid electric, plug-in hybrid, or electric vehicles. The incentive amount (up to \$9,500) varies depending on household income, type of

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<sup>1</sup> Estimated using a 76% rebate use rate and data from CARB PEV Rebates Statistics: Center for Sustainable Energy (2015). California Air Resources Board Clean Vehicle Rebate Project, Rebate Statistics. Data last updated January 9, 2018. Accessed January 10, 2018 from <http://energycenter.org/clean-vehicle-rebate-project/rebate-statistics>

replacement vehicle, or alternative transportation. Air District staff are setting up the program components that are needed to open the program to the public, including:

- Application system and website;
- Case managers to support applicants through the application and incentive process;
- Partnerships with dealers, vehicle scrappers, and alternative transportation programs; and
- Materials for stakeholder engagement and outreach to disadvantaged communities.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The Air District distributes “pass-through” funds to grantees on a reimbursement basis. The ARB funding covers administration of the program.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Tin Le and Ranyee Chiang  
Reviewed by: Damian Breen

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**Memorandum**

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2018

Re: Report of the Climate Protection Committee Meeting of June 4, 2018

**RECOMMENDED ACTION**

A) Climate Protection Grant Program

- 1) The Committee will consider recommending Board of Directors' approval of proposed projects for the 2018 Climate Protection Grant Program and authorization for the Executive Officer/APCO to execute grant agreements for the recommended projects.

B) Consumption-Based Greenhouse Gas Emissions Inventory

- 1) None; receive and file.

**BACKGROUND**

The Committee met on Monday, June 4, 2018, and received the following reports:

A) Climate Protection Grant Program; and

B) Consumption-Based Greenhouse Gas Emissions Inventory.

Chairperson Teresa Barrett will provide an oral report of the Committee meeting.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

- A) Funding for the Climate Protection Grant Program is included in the FYE 2018 budget;  
and

- B) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Kristine Garcia  
Reviewed by: Maricela Martinez

Attachment 11A: 06/04/18 – Climate Protection Committee Meeting Agenda #3  
Attachment 11B: 06/04/18 – Climate Protection Committee Meeting Agenda #4

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Teresa Barrett and Members  
of the Climate Protection Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 24, 2018

Re: Climate Protection Grant Program

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**RECOMMENDED ACTION**

The Committee will consider recommending Board of Directors' approval of proposed projects for the 2018 Climate Protection Grant Program and authorization for the Executive Officer/APCO to execute grant agreements for the recommended projects.

**BACKGROUND**

The Air District Board of Directors established a \$4,500,000 Climate Protection Grant Program to fund greenhouse gas (GHG) reduction activities in the Bay Area during the the Fiscal Year Ending (FYE) 2018 budget.

On September 21, 2017, staff presented to the Climate Protection Committee early concepts for a grant program utilizing these funds. Staff proposed that the grants support implementation of local climate action plans and the Air District's regional Clean Air Plan, *Spare the Air – Cool the Climate*. To support these objectives, staff proposed that the grant program fund projects in two program categories: *Reducing GHG Emissions in Existing Buildings*, and *Fostering Innovative Strategies*. Staff also proposed that eligible applicants be limited to public agencies, and as such, the Committee directed staff to conduct targeted outreach and solicit input from public agency staff to contribute to the development of the grant guidelines. During the Fall of 2017, staff interacted extensively with public agency staff through county-based meetings, conference calls, presentations to standing committees and one-on-one conversations. Staff circulated the draft guidelines among public agency staff across the region, and incorporated feedback into the Draft Procedures and Guidelines. The Draft Procedures and Guidelines were presented to the Climate Protection Committee on March 15, 2018. The Committee directed staff to make limited changes to the guidelines, including adding additional points in the evaluation and scoring for grants that provide benefit to low income communities. The final Procedures and Guidelines, including the goals, objectives, application procedures, eligibility requirements and evaluation and scoring criteria (Attachment 3B) were approved by the Board of Directors on April 4, 2018.

The grant application period was from April 4, 2018 through May 11, 2018. In addition to conducting a kick-off webinar, staff conducted five outreach workshops in the cities of

Cupertino, San Ramon, Redwood City, Petaluma and Berkeley to promote the grant program to public agencies. Staff also fielded numerous telephone and email inquiries during the grant application period.

## DISCUSSION

The response to this grant program demonstrates a continued need in the region for funding to support local climate protection efforts. Recognizing that most of the “low-hanging fruit” has been picked, these applications reflect a commitment among Bay Area public agencies to new levels of collaboration across agencies, businesses, community organizations and individuals.

A total of 22 applications were received requesting \$6,123,884. Table 1 provides a summary of applications received.

**Table 1:**  
**Summary of Applications**

| <b>Applications by County</b>           | <b># of Applications</b> |
|-----------------------------------------|--------------------------|
| Alameda                                 | 5                        |
| Marin                                   | 2                        |
| Sonoma                                  | 1                        |
| Contra Costa                            | 1                        |
| San Mateo                               | 5                        |
| Santa Clara                             | 6                        |
| San Francisco                           | 1                        |
| Applications serving multiple counties  | 1                        |
| <b>Applications by Agency Type</b>      | <b># of Applications</b> |
| County government                       | 5                        |
| City government                         | 12                       |
| Community Choice Energy Program         | 2                        |
| Regional Agency                         | 1                        |
| Housing Authority                       | 1                        |
| Community College District              | 1                        |
| <b>Applications by Program Category</b> | <b># of Applications</b> |
| Reducing GHGs in Existing Buildings     | 11                       |
| Fostering Innovative Strategies         | 11                       |

## **Evaluation Criteria**

All applications were scored against the following criteria.

*Potential for GHG Emission Reduction* – how the proposed activity will reduce GHG emissions in the near (1-2 years) and medium (5 years) terms;

*Support for Air District's Goal and Objectives* – how well the project meets one or more of the District's stated objectives (e.g., achieving reductions in GHG emissions, achieving air quality co-benefits, supporting implementation of local climate strategies, implementing innovative and replicable approaches, benefitting CARE communities);

*Strength and Feasibility of Strategic Approach* – likelihood of the strategic approach to achieve its stated goals; appropriateness of budget, deliverables and timeline;

*Cost-effectiveness* – total dollar amount requested divided by estimated emission reductions;

*Feasibility of Deliverables and Timeline* – likelihood that deliverables will be completed within the proposed timeframe;

*Strength of Budget* – extent to which Air District funds are leveraging additional funding and extent to which additional funding has been secured;

*Benefit to CARE Communities* – how well the project impacts and benefits CARE communities; and

*Benefit to Low-income Communities* – how the project benefits low-income communities.

## **Evaluation Process**

All of the applications met all the relevant eligibility criteria and were evaluated based on the criteria set forth in the approved Climate Protection Grant Program Procedures and Guidelines. Staff members from the Planning and Climate Protection Division, the Technology Implementation Office, and the Executive Director of the Bay Area Regional Collaborative (BARC), participated in teams to score applications from the two program categories: *Reducing GHG Emissions from Existing Buildings*, and *Fostering Innovative Strategies*. All the scoring team members were provided with training on how to interpret the Guidelines and score the proposals. Each review team discussed the outcomes of their scoring in order to assure consistency in the evaluations.<sup>1</sup>

## **Project Scoring and Funding Recommendations**

Attachment 3A lists the final project scores, the ranking, the amount of funds requested, the amount of funding recommended by staff, and other information. There are four projects for which staff is recommending partial funding. The Program Guidelines generally limited grant awards to a range of \$100,000 - \$300,000. However, the Guidelines allowed for larger amounts (up to \$500,000) to be requested, provided that a letter of interest was submitted earlier in the call for applications period. Four projects requested approximately \$500,000. Several of these applications contain activities that overlap with other applications. Staff's recommendation to award lower levels of funding than was requested is based on potential overlap in activities across applications and the

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<sup>1</sup> One reviewer serves on the board of directors of a partner organization to one of the public agency applicants. The reviewer did not participate in the review of that application.

desire to allow for more funding to be offered to other worthy applications. Staff discussed the reduced funding levels with the applicants; all four applicants confirmed that they wish to keep their applications in consideration and that project outcomes would still be strong at the reduced funding levels. The projects recommended for funding total \$4,501,583, thus slightly exceeding the \$4.5 million allocated to this program. The additional \$1,583 would come from the Climate Protection Program professional services budget.

### **Projects Not Recommended for Funding**

Projects not recommended for funding at this time are also listed in Attachment 3A.

### **Emission Reductions**

The 17 projects recommended for funding will reduce annual greenhouse gas emissions by at least 22,553 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>e) in the near-term, and by at least 79,441 MTCO<sub>2</sub>e in the longer-term. These projects will do this by utilizing a variety of mechanisms and strategies and targeting various emission sources. Nine projects will reduce emissions from existing buildings, including single- and multi-family residential buildings, commercial buildings, data centers and community colleges. Additional projects will reduce GHG emissions through innovative use of renewable energy technologies, reducing short-lived “super-GHGs,” addressing the embodied carbon in construction and strategic community engagement.

The collection of new policies, projects, technological applications and collaborations receiving funding through these grants represents a wealth of benefit to the Bay Area and beyond. The stated GHG reductions in many of the applications are conservative, and staff anticipates that these projects will collectively achieve more climate protection benefit than reflected in the numbers listed above. In addition, a number of these projects will achieve multiple co-benefits, including reductions in non-GHG air pollutants, financial savings to low-income communities, improvements to indoor air quality and new markets for low- or zero-carbon technologies. All 17 projects recommended for funding will implement creative strategies that are highly replicable and will help launch the Bay Area forward on the path toward the region’s climate protection goals.

### **BUDGET CONSIDERATION / FINANCIAL IMPACT**

Funding for the Climate Protection Grant Program is included in the FYE 2018 budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Abby Young  
Reviewed by: Henry Hilken

Attachment 3A: Award Recommendations  
Attachment 3B: 2018 Climate Protection Grant Program Procedures & Guidelines

THIS MEETING TOOK PLACE ON JUNE 6, 2018

## AGENDA 11A -ATTACHMENT 1

### Award Recommendations

| Score                       | Applicant               | County        | Project                                                   | Category   | Requested Amount    | Recommend Amount | Running Tally       | GHG Redux Near-term | GHG Redux Long-term | CARE | Low Income |
|-----------------------------|-------------------------|---------------|-----------------------------------------------------------|------------|---------------------|------------------|---------------------|---------------------|---------------------|------|------------|
| 78                          | San Francisco DOE       | San Francisco | Refrigeration upgrades in markets                         | Buildings  | \$ 166,175          | \$ 166,175       | \$ 166,175          | 1,375               | 1,375               | ✓    | ✓          |
| 76                          | BayREN                  | Multi-county  | Reg'l market transformation for heat pump water heaters   | Buildings  | \$ 500,000          | \$ 400,000       | \$ 566,175          | 1,815               | 7,503               | ✓    | ✓          |
| 74                          | Contra Costa Co.        | Contra Costa  | Web-based community engagement                            | Innovation | \$ 198,617          | \$ 198,617       | \$ 764,792          | 8,219               | 16,438              |      |            |
| 69                          | San Jose                | Santa Clara   | City-based heat pump water heater project                 | Buildings  | \$ 499,951          | \$ 325,000       | \$ 1,089,792        | 121                 | 121                 | ✓    | ✓          |
| 69                          | Marin County            | Marin         | Building decarbonization pilot project                    | Buildings  | \$ 296,997          | \$ 296,997       | \$ 1,386,789        | 107                 | 120                 |      | ✓          |
| 68                          | San Mateo HEART         | San Mateo     | Green accessory dwelling units                            | Innovation | \$ 296,000          | \$ 296,000       | \$ 1,682,789        | 1,408               | 3,518               | ✓    | ✓          |
| 68                          | San Mateo Com. Colleges | San Mateo     | Climate Corps Fellows reducing GHGs in community colleges | Buildings  | \$ 300,000          | \$ 300,000       | \$ 1,982,789        | 1,471               | 1,471               | ✓    | ✓          |
| 67                          | Marin County            | Marin         | Develop market for low-carbon concrete                    | Innovation | \$ 206,456          | \$ 206,456       | \$ 2,189,245        | 2,750               | 36,500              |      |            |
| 66                          | Palo Alto               | Santa Clara   | Refrigerated appliance recycling                          | Innovation | \$ 132,000          | \$ 132,000       | \$ 2,321,245        | 1,016               | 1,016               |      |            |
| 64                          | StopWaste               | Alameda       | Reducing contamination in compost                         | Innovation | \$ 263,658          | \$ 263,658       | \$ 2,584,903        | 1,245               | 1,245               | ✓    |            |
| 63                          | Silicon Valley CCE      | Santa Clara   | County-based heat pump water heaters                      | Buildings  | \$ 500,000          | \$ 325,000       | \$ 2,909,903        | 144                 | 144                 | ✓    |            |
| 59                          | Brisbane                | San Mateo     | Commercial building ordinance                             | Buildings  | \$ 200,000          | \$ 200,000       | \$ 3,109,903        | 242                 | 7,350               |      |            |
| 57                          | East Bay CCE            | Alameda       | Resilient solar for critical facilities                   | Innovation | \$ 300,000          | \$ 300,000       | \$ 3,409,903        | 1,400               | 1,400               | ✓    |            |
| 56                          | Sonoma RCPA             | Sonoma        | E-bike incentive and marketing                            | Innovation | \$ 250,460          | \$ 250,460       | \$ 3,660,363        | 209                 | 209                 |      | ✓          |
| 55                          | City of Santa Clara     | Santa Clara   | Remove diesel generators from data centers                | Buildings  | \$ 500,000          | \$ 300,000       | \$ 3,960,363        | 275                 | 275                 | ✓    | ✓          |
| 54                          | Palo Alto               | San Mateo     | Replace wall furnaces with heat pumps                     | Buildings  | \$ 296,220          | \$ 296,220       | \$ 4,256,583        | 27                  | 27                  |      | ✓          |
| 54                          | Fremont                 | Alameda       | Distributed energy to decarbonize buildings               | Innovation | \$ 245,000          | \$ 245,000       | \$ 4,501,583        | 552                 | 552                 |      |            |
| Not Recommended for Funding |                         |               |                                                           |            |                     |                  |                     |                     |                     |      |            |
| 47                          | San Jose DPW            | Santa Clara   | Lighting upgrade at animal care center                    | Buildings  | \$ 130,000          | \$ -             |                     | 21                  | 21                  | ✓    |            |
| 39                          | City of Santa Clara     | Santa Clara   | EV charging at schools                                    | Innovation | \$ 300,000          | \$ -             |                     | 147                 | 147                 |      |            |
| 38                          | Piedmont                | Alameda       | Appliance upgrades in municipal buildings                 | Buildings  | \$ 135,817          | \$ -             |                     | 5                   | 5                   |      |            |
| 37                          | City of San Mateo       | San Mateo     | Safe Routes 2 School expansion                            | Innovation | \$ 211,290          | \$ -             |                     | 1                   | 1                   |      | ✓          |
| 31                          | Piedmont                | Alameda       | Bring Ford GoBike to Piedmont                             | Innovation | \$ 195,243          | \$ -             |                     | 3                   | 3                   |      |            |
| <b>TOTALS</b>               |                         |               |                                                           |            | <b>\$ 6,123,884</b> |                  | <b>\$ 4,501,583</b> | <b>22,553</b>       | <b>79,441</b>       |      |            |

# 2018 CLIMATE PROTECTION GRANT PROGRAM

Bay Area Air Quality Management District

Procedures & Guidelines

April 4, 2018

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Bay Area Air Quality Management District

## 2018 Climate Protection Grant Program GUIDELINES

### SECTION I GENERAL INFORMATION

#### Program Summary

The Bay Area Air Quality Management District (Air District) aims to create a healthy breathing environment for every Bay Area resident while protecting and improving public health, air quality, and the global climate. Climate change—which has already begun to affect the region, state and world—threatens to degrade air quality and to potentially jeopardize the health and well-being of Bay Area residents, especially those in the most vulnerable communities. In 2017, the Air District adopted *Spare the Air, Cool the Climate*, its multi-pollutant Clean Air Plan (Plan). Consistent with the greenhouse gas (GHG) reduction targets adopted by the State of California, the Plan lays the groundwork for a long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

The 2018 Climate Protection Grant Program is a one-time funding program that prioritizes projects that make progress towards achieving the Air District's 2030 and 2050 GHG targets and accelerating the implementation of local climate protection efforts. Under this grant program, the Air District will fund activities in two categories:

- 1) Reducing GHGs from Existing Buildings, and
- 2) Fostering Innovative Strategies with long-term impacts in reducing GHG emissions.

Further descriptions of these two categories and examples of eligible projects are listed in Section III Grant Program Categories.

The Climate Protection Grant Program is intended to complement the emission reduction goals contained in the Air District's existing and future grant and incentive programs while establishing distinct funding requirements. In 2018, the Air District's Strategic Incentives Division (SID) will provide up to \$100 million in grants and incentives for a wide variety of on-and off-road clean and zero-emission vehicles and infrastructure projects, trip reduction, and woodstove replacements. The Air District's new Technology Implementation Office (TIO) will focus on deploying innovative technologies for commercial and industrial applications. The Climate Protection Grant Program offers funding that aligns with the emission reduction goals of SID and TIO, but the funding eligibility requirements are distinct from those of these existing programs. For more information about Air District grant programs, please visit the Air District's website <http://www.baaqmd.gov/grant-funding>.

#### Schedule

| Tentative Dates | Action                                     |
|-----------------|--------------------------------------------|
| April 4, 2018   | Release final guidelines/Call for Projects |
| Mid April       | Convene application workshops              |
| April 20, 2018  | Optional Letters of Interest due           |
| May 11, 2018    | Applications due                           |
| Mid June 2018   | Announce grant awards                      |
| July 2018       | Execute award agreements                   |

### **Who Can Apply**

Only public agencies are eligible to apply. Public agencies include cities, counties, water and other special districts, housing authorities, school and community college districts, joint powers authorities, and community choice energy programs that are located and provide services within the Air District's jurisdiction, i.e., Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo and Santa Clara Counties, and the southern parts of Solano and Sonoma Counties.<sup>1</sup> Eligible grant recipients must be responsible for the implementation of the project and have the authority and capability to complete the project. Partnerships with third parties - such as non-profit organizations, private business, and other public agencies - are encouraged, however, only public agencies may apply for and administer the grants. There is no limit to the number of applications a jurisdiction can submit, however, only one application can be submitted per distinct project.

### **Award Amounts**

A total of \$4.5 million is available for climate protection grants. Award amounts are limited to between \$100,000 and \$300,000. Applications that exceed this range will be considered if a Letter of Interest is submitted prior to submission of a full application. There is no guarantee that awards exceeding \$300,000 will be made.

### **Duration**

All work funded by Climate Protection Grants must be completed within 1-2 years of the execution of a funding agreement with the Air District.

### **Activities not Eligible for Air District Funding**

The Grant Program will not fund:

- cost of preparing or submitting grant application
- lobbying
- development of climate action plans or general plans
- endowment campaigns
- fundraising activities
- grants/scholarships to individuals
- primary academic research
- marketing of products or technologies for profit
- research and development for new technologies or products

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<sup>1</sup>Air District boundary maps: <http://www.baaqmd.gov/research-and-data/interactive-data-maps>

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Any work performed prior to the full execution of a funding agreement with the Air District is not eligible for Climate Protection Grant Program funding.

## SECTION II GOAL AND OBJECTIVES

The over-arching goal of the Climate Protection Grant Program is to ***achieve GHG reductions by accelerating implementation of the Air District's 2017 Clean Air Plan.***

To be eligible for funding, applications *must* support Objective 1; applications *may* support one or more of the other optional objectives.

***Objective 1 (Mandatory):*** *Support implementation of measure(s) outlined in the Air District's 2017 Clean Air Plan*

Applications must support the implementation of one or more of the 85 control measures described in the [2017 Clean Air Plan](http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans) (<http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>).

***Objective 2:*** *Achieve air quality co-benefits*

The Air District's Clean Air Plan addresses multiple pollutants including GHGs. Certain, but not all, actions that reduce GHG emissions also reduce emissions of criteria air pollutants (ozone, particulate matter, sulfur dioxide, lead, nitrogen oxide, and carbon monoxide) and toxic air contaminants (e.g., diesel particulate matter, benzene).<sup>2</sup> The Air District seeks to fund projects that reduce these pollutants in addition to GHGs.

***Objective 3:*** *Accelerate local implementation of GHG reduction policies and programs*

Local climate protection policies and programs often serve as the critical framework that identifies specific actions local governments plan to take to reduce GHG emissions. The Air District seeks to accelerate the implementation of local GHG reduction activities, particularly where they overlap with the Air District's Clean Air Plan.

***Objective 4:*** *Engage and benefit impacted/CARE communities*

Some communities in the Bay Area continue to be disproportionately impacted by higher pollution levels than other areas. These communities are generally near freeways, large industrial facilities and/or busy distribution centers such as ports. The Air District's Community Air Risk Evaluation (CARE) program has identified communities most affected by high levels of toxic air contaminants, particulate matter and emissions that lead to smog formation. Applicants should consult the CARE program map (see <http://www.baaqmd.gov/plans-and-climate/community-air-risk-evaluation-care-program>) to determine if the proposed project is within or serves a CARE community. These "impacted communities" may include neighborhoods that would benefit from climate protection solutions (e.g., financial savings, job creation, improved air quality). The Air District seeks to fund projects that engage or benefit these impacted communities and ensure their ability to enjoy the many co-benefits of climate protection activities.

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<sup>2</sup> For a list of toxic air contaminants, see [http://www.oehha.ca.gov/air/toxic\\_contaminants/pdf\\_zip/Appendix%20A.pdf](http://www.oehha.ca.gov/air/toxic_contaminants/pdf_zip/Appendix%20A.pdf)

**Objective 5:** *Implement innovative approaches*

Grant funds may be used for pilot-testing innovative new projects or policy approaches, particularly those that hold promise for long-term reductions in GHG emissions.

**Objective 6:** *Create replicable solutions for the Bay Area and elsewhere*

The Air District seeks to identify GHG emission reduction strategies that can be easily and widely replicated throughout Bay Area cities and counties, throughout the State and beyond.

## SECTION III GRANT PROGRAM CATEGORIES

In order to achieve the goal and objectives of the Climate Protection Grant Program, the Air District is focusing on two important program areas:

- Reducing GHG emissions from existing buildings; and
- Fostering innovative, cutting-edge GHG-reducing policies and strategies.

This funding strategy allows the Air District to invest deeply in one focused area – energy use in existing buildings – while also making funding available for projects in any economic sector that are particularly innovative and demonstrate potential for GHG reductions over the long term.

### **1) Reducing GHGs from Existing Buildings**

Energy use in residential and commercial buildings is a major source of GHG emissions. Commercial and residential buildings account for nearly 70 percent of California's electricity consumption and 55 percent of its natural gas use. While the State of California and many local governments are aggressively addressing GHG emissions associated with energy use from new construction, existing buildings will continue to be a large source of emissions well into the future. In fact, two-thirds of the buildings that will exist in 2050 have already been built. This grant program is designed to address this legacy of building-related GHG emissions.

State, regional and local climate protection goals are well-aligned around reducing GHG emissions from the buildings sector. Under SB 350, the State of California is aiming to increase the energy efficiency of existing buildings by 50 percent by 2030. The Air District's 2017 Clean Air Plan includes many actions focused on building energy use and specifically on reducing fossil fuel use in buildings. All of the 65+ local climate action plans in the Bay Area include measures designed to reduce GHG emissions from the buildings sector. This grant program is intended to accelerate the implementation of all these efforts.

History has shown that achieving large-scale reductions in GHG emissions from the existing building stock has been exceptionally difficult. This is largely because the decision-making and implementation associated with changes to building energy use is extremely decentralized. Decision-makers are individual building owners. Their decisions to switch to more energy-efficient building systems and technologies, or to switch to lower carbon/carbon-free energy alternatives depend on multiple factors, including

access to information about both the alternatives and financing/rebates available. What low carbon alternatives are available? What is the payback time for different technologies? What rebates and tax credits might be available? Building owners may not know what questions to ask, let alone where to ask them. Since building owners often rely on contractors, vendors and installers of building technologies for advice on building improvements, it is critical for that group to be knowledgeable about these options.

This funding category is intended to facilitate the implementation of energy efficiency and renewable energy technologies in existing buildings to reduce building energy use overall. These efforts would also serve to reduce fossil fuel use and/or combustion in buildings, as well as reduce emissions of high-global warming potential (GWP) gases. Examples of the types of practices and technologies that could be supported by programs funded under this funding category include: energy efficiency and conservation, solar-water heating, heat pumps, solar photovoltaic energy, battery storage, switching from natural-gas to electric or renewable-energy end uses, and reducing refrigerant use or switching to low-GWP refrigerants.

Eligible projects could include (but are not limited to):

- Training and outreach programs for contractors, vendors and installers about preferable technologies to offer customers at time of equipment replacement;
- Development of new local building standards to support equipment upgrades when property is sold or renovated;
- Streamlining of permitting processes, reducing of fees for low-carbon remodels and installation of low-carbon alternative technologies and energy systems;
- Co-op funding program between public agency and vendors to incentivize low-carbon technologies and energy systems;
- Development of funding mechanisms for home or business owners to install low-carbon technologies and renewable-energy generation systems;
- Outreach and incentive programs for commercial building owners to address refrigeration system leaks and replacement with more climate-friendly refrigerants.

These examples provide general guidance, and neither limit the range of potentially eligible projects nor guarantee funding for any project.

## **2) Innovative Strategy Grants**

Transitioning to a post-carbon economy presents a daunting challenge. This challenge provides a tremendous opportunity for the development of new technologies, solutions, and ideas that will ensure humanity's continued viability and prosperity.

*"To protect public health and stabilize the climate, we must quickly reduce our dependence on fossil fuels and embark on the transition to a post-carbon economy."*

*- 2017 Clean Air Plan*

The Air District is committed to achieving GHG-emission reductions across all economic sectors, including energy, solid waste, water, agriculture, stationary sources, transportation, and natural and working lands. In 2017, the Air District launched a Technology Implementation Office (TIO), which will offer financing and matchmaking to accelerate the deployment of disruptive, low-cost technologies in the areas of zero emission vehicles, smart/connected technologies, and lower emission industrial processes. The Climate Protection Grant Program is designed

to support and complement the efforts of the TIO by funding policy development and implementation strategies that enable greater GHG emission reductions. Applications may be submitted for all economic sectors described in the Air District's 2017 Clean Air Plan.

This grant category is specifically intended to encourage and support innovative policies and strategies with regional potential. The Air District will maximize the impact of its grant funding by supporting projects that foster the development and implementation of ground-breaking approaches that overcome current barriers and create new pathways to a post-carbon economy.

#### Fostering Innovation

Achieving the long-term goal of reducing GHG emissions 80% below 1990 levels by 2050 will require the development and implementation of new approaches and new ways of conducting business, by all sectors of the community. Grant funds are available to help bring creative, innovative strategies to fruition, especially those that result in transformative impacts well beyond the scope of the original project. For example, when the Air District issued climate protection grants in 2010, two particularly innovative strategies that were funded were *Marin Clean Energy*, California's first community choice energy program, and *Berkeley First*, which created the concept of property-assessed clean energy (PACE) financing. Both of these projects resulted in widespread impacts and replication. This is the intent of this grant category – to launch new game-changing policies, strategies and programs that will have long-term, transformative impacts.

Grant funds may be used for scoping and piloting innovative new projects or policy approaches in any economic sector. A specific barrier to large-scale GHG reduction must be identified and addressed. Eligible projects could include (but are not limited to):

- Design and implementation of innovative financing mechanisms;
- Development of GHG-based, market-based mechanisms;
- Creation of a small business purchasing collective for energy-efficient lighting/equipment/solar/clean vehicles/etc.
- Combination of new policy/program driver plus incentives to create a comprehensive program to stimulate market demand for transformative technologies;
- New, innovative uses of social marketing to drive large-scale, near-term action, consumer awareness and behavior change;
- Creatively addressing barriers to implementing low-carbon solutions through technology or practices.

These examples provide general guidance and are neither intended to limit the range of projects submitted for funding nor to assure funding for any project.

## **SECTION IV APPLICATION REQUIREMENTS AND PROCEDURES**

### **Application Deadline**

Applications must be uploaded electronically through the Air District's Procurement Portal no later than 5:00 pm on Friday, May 11, 2018. Only completed applications received by the deadline will be evaluated; incomplete applications will be rejected.

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***Please see detailed instructions about the electronic submission process later in this section.***

## **Application Checklist**

***Any items submitted other than those specified in this Checklist will not be reviewed.***

### Cover sheet – Maximum 1 page (required)

The Air District's Climate Protection Grant Program Cover Sheet (Appendix A) must be signed by a person with authority to legally bind your organization (in electronic applications, a typed-in name is legally equivalent to a signature<sup>3</sup>).

### Proposal Narrative – Maximum 8 pages (required):

Project narratives should be concise, and adequately and clearly address all the following required elements.

- a. *Summary of Project* – Provide a clear and concise description of the project, including the need or problem being addressed, and why funding from the Air District is critical in meeting that need.
- b. *Strategic approach* – Include a detailed description of what the project will do, how it will do it, any partners and their specific roles, why this particular approach is proposed. Provide a table of major deliverables and estimated completion dates. Deliverables should include expected milestones and coincide with stated objectives of the project.
- c. *Connection with Air District's goal and objectives* – State specifically how the project and approach will support the grant program's goal and objectives, being clear as to which objectives the project will support. Quantify co-benefits as much as possible, clearly explaining the assumptions and methodologies used for making these estimations.
- d. *Potential for GHG Reduction* – Use the emissions quantification guidelines in Appendix B to estimate the GHG emission reductions expected to result from the project. Describe the basis for estimating the potential emission reductions. Discuss the likelihood that the proposed project activity will achieve the emission reduction goals (e.g., will implementation actions be mandatory versus voluntary; have incentive funds been secured). Provide a quantified estimate of annual GHG emission reductions achieved at the time of project completion. Include a discussion of how soon the project will begin demonstrating GHG reductions.
- e. *Measuring success* – Clearly state the metrics by which success will be evaluated. Describe the criteria to be used to determine if the project has achieved its goals and objectives. A combination of both qualitative and quantitative metrics can be used.

### Project Budget – Maximum 2 pages (required)

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<sup>3</sup> See the Electronic Signatures in Global and National Commerce Act, <http://www.ftc.gov/os/2001/06/esign7.htm>

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Provide a full budget for the proposed activity, broken out by year (if applicable). The budget will enable evaluators to determine the likelihood of the full project being funded, how Air District funds might be leveraged, the relative weight of different elements of the proposed activity, etc. Identify budget line items funded by the Air District's Climate Protection Grant Program. List all other funders, their total contribution (including in-kind), and indicate whether that contribution has been secured (in-hand), committed, requested or not yet requested.

Include, at a minimum, the following line items:

- Salary – list project team members, hours for each and hourly rates for each
- Fringe/benefits – list fringe rate
- Consultants/sub-contractors – list estimated hours and rates if possible
- Meetings – convening of any public meetings, workshops, trainings, etc. required as part of your project (NOT internal project team meetings)
- Materials design & production (including web)
- Indirect expenses / overhead – list your indirect/overhead rate
- Other expenses

In addition, provide a brief budget narrative of 1-2 sentences for each line item to add clarity and specificity.

#### Partnership Letter of Commitment (optional)

If applicable, provide letters of commitment from any other public agencies, non-profit, business or other collaborators detailing what they are providing to the proposed project (technical support, matching funds, etc.).

#### **Formatting**

Proposals must be single-spaced, with a minimum of 1-inch margins and 12-point font. The Air District's Climate Protection Grant Cover Sheet (Appendix A) will serve as the proposal's cover sheet / title page. Proposals should have the name of the applying organization and page number on each page. Proposals must be submitted as a PDF.

#### **Letter of Interest (optional)**

A potential applicant may wish to submit a Letter of Interest if they would like Air District staff to preliminarily review their project concept and provide feedback. This may be particularly helpful if an applicant is planning to collaborate with other public agencies on a joint application, is looking to be matched with potential partner agencies, or simply if an applicant wishes to receive initial feedback about the eligibility or potential competitiveness of a proposed project. In addition, a Letter of Interest is required to be submitted prior to developing a full proposal if an applicant is planning to request more than \$300,000.

Deadline for submission of Letters of Interest is 5:00 pm on Friday, April 20, 2018. Detailed instructions and a template are located in Appendix C.

#### **Electronic Submittal Process**

Interested applicants must create an account through the Air District's Procurement Portal and use the link provided below to submit required applications, optional Letters of

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Interest and general questions. Faxed, mailed or couriered proposals will not be accepted.

Using the Air District's Procurement Portal to submit your application:

Step 1: Go to Procurement Portal at:

<https://baaqmd.bonfirehub.com/portal/?tab=openOpportunities>

Step 2: Under the Login tab, create a Bonfire account under 'New Vendor Registration.' Fill out all fields and select 'Create account.' An Account Confirmation Email will be sent to the email address provided. Once received, open the email and follow instructions to confirm your account.

Step 3: Return to Bonfire account and create a 'Vendor Record.' Complete all fields and select 'Yes' for email notifications, to receive upcoming due date reminders, or other applicable information related to the grant program.

Step 4: Once saved, you will have access to the Climate Protection Grant Program option. Here you can download the grant program guidelines, upload completed applications and Letters of Interest, and view FAQs that will be developed and posted during the open application period.

Step 5: While logged in to the Climate Protection Grant Program, select 'Prepare Submission.' Upload your document (Letter of Interest or full application). Once submitted, you will receive a submission receipt and confirmation code.

**Contact Information**

Grant applicants are encouraged to discuss their grant proposals with Air District staff prior to submittal. The primary contact for the Climate Protection Grant Program is:

Geraldina Grunbaum  
Senior Environmental Planner  
[climate@baaqmd.gov](mailto:climate@baaqmd.gov)

## SECTION V EVALUATION AND SCORING CRITERIA

Applications will be reviewed after the submittal deadline, and eligible projects will be evaluated and ranked according to the scoring criteria described below.

|                                                       | Possible Points  |
|-------------------------------------------------------|------------------|
| Potential for GHG reduction                           | 25               |
| Support for Air District's goal and objectives        | 20               |
| Strength and feasibility of strategic approach        | 20               |
| Cost-effectiveness                                    | 15               |
| Strength and feasibility of deliverables and timeline | 10               |
| Strength of budget                                    | 5                |
| Benefit to CARE communities                           | 5                |
| Benefit to low-income communities                     | 5                |
| <b>TOTAL Points Possible</b>                          | <b>105 Total</b> |

- 1) Potential for GHG reduction [25 points]  
Amount of annual GHG emission reductions achieved after full implementation of the project, including reasonableness of assumptions. While the maximum annual emissions reductions may occur in a future year, the extent to which near-term GHG reductions will be achieved should be discussed. Guidelines for estimating GHG reductions are included in Appendix B.
- 2) Support for Air District's goal and objectives [20 points]  
Extent to which the proposed activity is consistent with and supports the goal and objectives of the Climate Protection Grant Program. Scoring will take into consideration the number of objectives the proposed activity supports, as well as how strongly the proposed activity supports a given objective. It is possible for an application that supports one or two objectives very strongly to score higher than a proposal that supports all six objectives superficially.
- 3) Strength and feasibility of strategic approach [20 points]  
Achievability of the project's goals and objectives and likelihood that the strategic approach will be successful. Extent to which partners are used appropriately and effectively (if applicable). Extent to which the deliverables are commensurate with the level of funding requested. Extent to which the proposed project budget is adequate for successful implementation of the strategic approach and of achieving the deliverables of the project.
- 4) Cost-effectiveness [15 points]  
Extent to which the GHG emission reductions estimated in the proposed project can be accomplished in a cost-effective manner. This is determined by dividing the total amount of funding requested under the Climate Protection Grant Program by the estimated annual GHG emission reductions achieved after full implementation of the project.
- 5) Feasibility of deliverables and timeline [10 points]  
Viability of the schedule and likelihood that all deliverables will be completed within the proposed timeframe.

6) Strength of budget [5 points]

Scoring will take into consideration the extent to which Air District funds are leveraging additional funding, the extent to which full funding for the project has been secured, the balance between programmatic expenses (key staff time, project activities, etc.) and administrative costs, and the degree to which the applicant is providing matching funds (matching funds are not required). For scoring purposes, the value of in-kind resources, such as expected staff or volunteer hours, will be calculated at 50% of cash contributions.

7) Benefit to CARE communities (as described in Objective 4, page 3) [5 points]

Extent to which the proposed activity occurs within a CARE community<sup>4</sup>, serves a CARE community, and/or provides a benefit to a CARE community. Benefits might include lower air pollution, reduced energy need/use, financial savings, job creation, etc.

8) Benefit to low-income communities [5 points]

Extent to which the proposed activity benefits low-income communities and their residents. Benefits may include reducing energy use, financial savings, job creation, etc. Low-income communities include low-income, very-low and extremely-low income levels defined by the U.S. Department of Housing and Urban Development for the Bay Area<sup>5</sup>.

## SECTION VI AFTER RECEIVING A GRANT

### Award Process

Notification of awards are anticipated to be made in June, 2018. Applicants will be notified electronically after projects are preliminarily approved for funding by the Air District Board of Directors. However, final approval for funding occurs only when a funding agreement has been signed by both the project sponsor and the Air District (i.e., is fully executed). Air District staff will prepare funding agreements that set forth the terms, conditions, and monitoring and reporting requirements of each Climate Protection Grant. **Via funding agreements, project sponsors are legally bound to meet certain requirements**, including notifying the Air District of any change in project implementation, making periodic reports, and providing certificates of insurance. If a project sponsor does not comply with all the terms and conditions of a funding agreement, it may have to repay a portion or all of the funds granted, and the sponsor may be barred from future Air District grants. If the Air District awards an amount that differs from the amount requested, Air District staff will work with the awardee to align deliverables, outcomes and timelines appropriately. Upon execution of the grant contract, the awardee can commence work on its funded activities.

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<sup>4</sup> Geographic boundaries of CARE communities can be found at <http://www.baaqmd.gov/plans-and-climate/community-air-risk-evaluation-care-program>.

<sup>5</sup> HUD income limits for the San Francisco Bay Area can be found at <https://www.huduser.gov/portal/datasets/il/il2017/2017summary.odn>.

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## **Payment of Grant Funds**

The payment schedule will be established in the funding agreement for each project. No funds will be released until the funding agreement has been fully executed by the project sponsor and the Air District. In general, payment will be made on a reimbursement basis, after eligible project costs are incurred and documented. The final payment will be made upon adequate completion of all deliverables and submittal of a complete final report (including narrative and financial reporting).

## **Reporting**

Grantees are required to report on the progress of their grant activities every six months. Interim reports (for the first six-month period) include narrative descriptions of progress and financial accounting of the grant program to date. Annual reports include narrative descriptions of the second half of the year's activities and final fiscal accounting for the whole year. For one-year grants, the annual report is considered the final report. Interim reports are used by the Air District to identify potential problems with grant implementation, to intervene with grantees and modify approaches to ensure successful outcomes. Final reports are used to analyze the impact of the Air District's investments and assist in shaping future grant programs. All reports will be used to share information and promote successes among grantees and with the greater Bay Area community.

Report formats and requirements will be provided to grantees with their award materials.

## **Meetings/conferring**

The Air District will convene a meeting for all its grantees after the first year of grant implementation to share program information and results, and to foster the creation of partnerships and important collaborations among public agencies throughout the Bay Area. Attendance at the annual meeting is strongly encouraged, but not required.

In addition, Air District staff will make every attempt to meet individually with all grantees midway through their project implementation.

## APPENDIX A

## Climate Protection Grant Cover Sheet

**I. Applicant**

Name of Jurisdiction: \_\_\_\_\_

Type of Public Agency: ☐ Local government ☐ Special District ☐ Community Choice Energy☐ Other (specify) \_\_\_\_\_Primary  
Contact Person: \_\_\_\_\_

Phone #: (     ) \_\_\_\_\_

E-mail: \_\_\_\_\_

**II. Project**

Project Title: \_\_\_\_\_

Program Category: ☐ Reducing GHGs from Existing Buildings ☐ Fostering Innovative Strategies

Total Project Cost: \$ \_\_\_\_\_

Funding Request: \$ \_\_\_\_\_

***Individual authorized to enter into a formal agreement with the Air District:***

I authorize the submittal of this grant application and certify that all information is correct and accurately reflects the project scope, costs, timeline, and availability of funds.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX B

### Guidelines for Estimating Greenhouse Gas (GHG) Emission Reductions

Applicants are encouraged to use the emission factors and equations provided below to determine GHG reductions from proposed projects. However, applicants may use established protocols and methodologies (such as the California Air Resources Board's GHG quantification guidance<sup>6</sup>) but must document these approaches. Total estimated GHG emission reduction units should be expressed in metric tons of CO<sub>2</sub> equivalent (MTCO<sub>2</sub>e). Evaluation and scoring of applications with regard to GHG emission reductions will be based on estimated annual GHG emission reductions achieved after full implementation of the project.

Quantification should calculate the net GHG reduction from the proposed activity. This includes calculating the emission reductions, but also any associated emissions increases resulting from the proposed project. For example, a waste diversion project may achieve GHG reductions due to reducing the waste stream, but may also increase GHG emissions due to adding vehicle trips to and from recycling or composting facilities. Quantification of net GHG reductions should include an overall equation:

*(GHG reductions from project) – (any associated GHG increases) = net project GHG impact*

#### Determining GHG reductions from projects addressing building energy use:

##### Electricity emission factors:

*If electricity is provided by PG&E:*

$(\text{number of megawatt hours saved}) \times .197 = \text{MTCO}_2\text{e reduced}^7$

*If electricity is provided by a Community Choice Energy (CCE) program:* contact the CCE for its 2015 emission factor for CO<sub>2</sub>e, and multiply by the amount of megawatt hours reduced by the project. If a 2015 emission factor is not available, please indicate the year that corresponds with the emission factor used.

##### Natural gas:

$(\text{number of therms saved}) \times 0.005 = \text{MTCO}_2\text{e reduced}^8$

#### Determining GHG reductions from projects addressing waste management:

##### Waste Diversion

Compost emission reduction factors by feedstock:<sup>9</sup>

Food waste:  $(\text{tons diverted}) \times 0.62 = \text{MTCO}_2\text{e reduced}$

Yard trimmings:  $(\text{tons diverted}) \times 0.44 = \text{MTCO}_2\text{e reduced}$

Mixed organics:  $(\text{tons diverted}) \times 0.56 = \text{MTCO}_2\text{e reduced}$

For other waste reduction projects (recycling, waste diversion, etc.), identify the type(s) of waste reduced, and simply specify the amount (in tons) reduced for each waste type:

<sup>6</sup> CARB, <https://www.arb.ca.gov/cc/capandtrade/auctionproceeds/quantification.htm>

<sup>7</sup> This emission factor is the latest third-party verification for PG&E's 2015 delivered electricity.

<sup>8</sup> U.S. EPA, <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

<sup>9</sup> California Air Resources Board, [www.arb.ca.gov/cc/waste/cerffinal.pdf](http://www.arb.ca.gov/cc/waste/cerffinal.pdf)

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aluminum, glass, plastic, yard waste, food waste, newspaper, office paper, cardboard. If you do not know or cannot estimate waste reduction by waste type, estimate an aggregated amount of waste reduced and indicate the type as “mixed waste.”

**Determining GHG reductions from projects addressing transportation:**

Transportation

On-road gasoline: (# gallons of gasoline saved) X 0.009 = MTCO<sub>2</sub>e reduced<sup>10</sup>

On-road diesel: (# gallons of diesel saved) X 0.01 = MTCO<sub>2</sub>e reduced<sup>11</sup>

**Contact the Air District for additional guidance (climategrants@baaqmd.gov).**

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<sup>10</sup> U.S. EPA, <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

<sup>11</sup> U.S. EPA, <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

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## APPENDIX C

### Letter of Interest Instructions and Template

#### **Instructions**

Applicants planning on requesting more than \$300,000 in Climate Protection Grant Program funding *must* submit a Letter of Interest prior to submittal of their application. Applicants seeking less than \$300,000 may, but are not required to, submit a Letter of Interest if they would like Air District staff to review their project concept and provide feedback. This may be particularly helpful if an applicant is planning to collaborate with other public agencies on a joint application, is looking to be matched with potential partner agencies, or simply if an applicant wishes to receive initial feedback about the eligibility or potential competitiveness of a proposed project.

Letters of Interest will not be taken into consideration during the final evaluation and scoring of applications.

Deadline for submission of Letters of Interest is 5:00 pm on Friday, April 20, 2018.

Letters of Interest must follow the template format below. A Letter of Interest may only address one proposed project.

Letters of Interest must be submitted via the Air District's Procurement Portal following the instructions on page 9 of these Guidelines.

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**Appendix C – Continued**

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**Letter of Interest Template**

Format requirements: No longer than 2 pages, single spaced with 12-point font, no attachments. Submissions longer than 2 pages will not be reviewed.

**Provide Contact Information**

*Full Name of Public Agency*

*Contact Name*

*Contact Phone*

*Contact Email*

**Indicate Program Category**

*Specify the grant program category for which you expect to apply:*

- Reduce GHGs from Existing Buildings
- Fostering Innovative Strategies

**Provide a Project Summary**

*Succinctly describe the proposed project. Include information about the problem to be addressed and how the proposed project would address the problem. List other known and relevant information about the project that will help Air District staff provide useful feedback.*

**Provide a Project Timeline**

*Include a timeline that outlines major tasks and deliverables.*

**Provide a Budget Summary**

*Indicate the expected amount of funding sought from the Air District, and list any other major funders. Provide a description of anticipated expenses for major budget categories such as programmatic costs, staff time, consultants, etc.*

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Teresa Barrett and Members  
of the Climate Protection Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 24, 2018

Re: Consumption-Based Greenhouse Gas Emissions Inventory

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Air District employs the most cutting-edge tools and methodologies available to inform our climate protection program. To develop effective greenhouse gas (GHG) reduction strategies, we need to understand not only the GHG emissions directly produced from transportation, buildings and other sources within the region, but also the GHG emissions embedded in the goods and services that we consume. Researchers have developed methodologies to prepare “consumption-based” GHG emission inventories by estimating the entire life-cycle emissions (including materials extraction, production, distribution, use, and disposal) embedded in the full range of goods and services that we consume, regardless of where they are physically produced. Consumption-based emission inventories can be used to analyze the GHG footprint of an individual household, or scaled up to calculate the GHG footprint of a neighborhood, city, region, state or nation.

DISCUSSION

To help inform the climate protection strategy described in the 2017 Clean Air Plan, the Air District collaborated with the UC Berkeley Energy Resources Group to prepare a regional consumption-based GHG inventory for the Bay Area. This inventory shows how key activities and sectors contribute to the total GHG footprint of the average Bay Area household, and how the average GHG footprint in the Bay Area compares to the GHG footprint in other regions.

Recognizing that consumption-based GHG data could be useful to the climate protection efforts of our local partners, we also provided a consumption-based GHG inventory for each Bay Area city and county. This information helps to explain how and why the GHG footprint of the average household varies across the neighborhoods and communities within the Bay Area, and helps the development of GHG reduction strategies.

Staff will summarize key findings from the Bay Area consumption-based GHG inventory for the Committee and describe how the Air District and its local partners are using the inventory to inform our respective climate protection and public education efforts.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: David Burch  
Reviewed by: Henry Hilken

THIS MEETING TOOK PLACE ON JUNE 4, 2018

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**Memorandum**

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 29, 2018

Re: Report of the Ad Hoc Building Oversight Committee Meeting of June 6, 2018

**RECOMMENDED ACTION**

A) Discussion of Space on the Eight Floor of 375 Beale Street and Recommendation to Purchase

- 1) The Committee will consider recommending that the Board of Directors approve the purchase of approximately 11,400 rentable square feet (rsf), but not more than 13,000 rsf, on the 8th Floor of 375 Beale Street, in substantially the form of Attachment A, Purchase and Sale Agreement (PSA) and Joint Escrow Instructions, at a price of \$385/rsf, with a total purchase price not to exceed \$5,005,000, and authorize the Executive Officer to negotiate and execute the Purchase and Sale Agreement and Joint Escrow Instructions with the Bay Area Headquarters Authority (BAHA), and to negotiate and execute amended Covenants, Conditions, and Restrictions (CC&Rs).

B) Closed Session

- 1) REAL PROPERTY NEGOTIATIONS – (Government Code Section 54956.8) The Committee will meet in closed session pursuant to Government Code Section 54956.8 to confer with real property negotiators to discuss acquisition of real property.

Property: 3033, 3065, and 3095 Richmond Parkway,  
Richmond, CA 94806

Air District Negotiators: Jack P. Broadbent, Executive Officer/APCO  
Rex Sanders, Chief Administrative Officer

Negotiating Parties: Wang Brothers Investment, LLC

Under Negotiation: Price and Terms

**BACKGROUND**

The Committee met on Wednesday, June 6, 2018, and received the following reports:

A) Discussion of Space on the Eight Floor of 375 Beale Street and Recommendation to Purchase; and

B) Closed Session – Real Property Negotiations

Chairperson Mark Ross will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

A) The proposed purchase would be a cash purchase from Air District Reserves; and

B) None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Kristine Garcia  
Reviewed by: Maricela Martinez

Attachment 12A: 06/06/18 – Ad Hoc Building Oversight Committee Meeting Agenda #3

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Mark Ross and Members  
of the Ad Hoc Building Oversight Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 30, 2018

Re: Discussion of Space on the Eighth Floor of 375 Beale Street and Recommendation to  
Purchase

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**RECOMMENDED ACTION**

The Committee will consider recommending that the Board of Directors approve the purchase of approximately 11,400 rentable square feet (rsf), but not more than 13,000 rsf, on the 8<sup>th</sup> Floor of 375 Beale Street, in substantially the form of Attachment A, Purchase and Sale Agreement (PSA) and Joint Escrow Instructions, at a price of \$385/rsf, with a total purchase price not to exceed \$5,005,000, and authorize the Executive Officer to negotiate and execute the Purchase and Sale Agreement and Joint Escrow Instructions with the Bay Area Air Quality Management District (Air District), and to negotiate and execute amended Covenants, Conditions, and Restrictions (CC&Rs).

**BACKGROUND**

The Air District agreed to participate in the purchase of 390 Main Street in June 2011, under the terms of a Purchase and Sale Agreement pursuant to which the Air District acquired a condominium unit in the building at a purchase price of \$385/rentable square foot (rsf). BAHA and the Air District have drafted terms for the sale of additional space, as reflected in Attachment A, PSA and Joint Escrow Instructions. BAHA would sell approximately 11,400 rsf (measured at a load factor of 1.07), but not more than 13,000 rsf, as depicted in Attachment B, to the Air District at the price of \$385/rsf. The CC&Rs dated December 22, 2016 establish BAHA as the owner of Unit 2 and the Air District as the owner of Unit 3; the agreement would transfer the space from Unit 2 to Unit 3, thereby maintaining a four-unit condominium. A civil engineering firm will map and calculate the exact area, and the final purchase price will be determined based upon the final square footage figure.

Execution of the PSA is subject to the approval of the transaction by the 375 Beale Condominium Corporation.

**BUDGET CONSIDERATION/FINANCIAL IMPACT**

The proposed purchase would be a cash purchase from Air District Reserves.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Stephanie Osaze  
Reviewed by: Jeff McKay

Attachment 1: Draft Purchase and Sale Agreement  
Attachment 2: Proposed 8<sup>th</sup> Floor Plan

**PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS**

THIS PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS (this "Agreement") is made and entered into as of the \_\_\_\_ day of April, 2018, by and between BAY AREA HEADQUARTERS AUTHORITY, a joint powers authority established pursuant to the California Joint Exercise of Powers Act ("Seller"), and BAY AREA AIR QUALITY MANAGEMENT DISTRICT, a regional air pollution control agency ("Buyer").

WHEREAS, Seller is the owner of two condominium units in the building located at 375 Beale Street in the City and County of San Francisco (the "Building"), which units are identified as Lots 1 and 2 on the Condominium Plan recorded in the Official Records of the City and County of San Francisco as Parcel Map No. 8905 on October 28, 2016 ("Condominium Plan"), a copy of which is attached to Exhibit A to this Agreement; and

WHEREAS, Buyer is the owner of one condominium unit in the Building, identified as Lot 3 on the Condominium Plan; and

WHEREAS, the Association of Bay Area Governments ("ABAG") is the owner of the remaining condominium unit in the Building, identified as Lot 4 on the Condominium Plan; and

WHEREAS, the condominium units identified in the Condominium Plan and related interior and exterior common areas are subject to the terms of that certain Declaration of Covenants, Conditions and Restrictions for 375 Beale Street. recorded in the Official Records of the City and County of San Francisco as 2016K388389 on December 27, 2016 ("CC&Rs"); and

WHEREAS, Buyer desires to purchase from Seller a portion of Lot 2, containing approximately 11,400 sq. ft. located on the 8<sup>th</sup> floor of the Building (the "8<sup>th</sup> Flr Additional Space"), as more particularly depicted on Exhibit B attached to this Agreement (the "Additional Space"). IN CONSIDERATION of the respective agreements hereinafter set forth, Seller and Buyer hereby agree as follows:

1. Property. Seller hereby agrees to sell and convey to Buyer, and Buyer hereby agrees to purchase from Seller, subject to the terms and conditions set forth herein, the following (collectively, the "Property"):

(a) The Additional Space, together with all rights, privileges, easements and appurtenances to or affecting the Additional Space set forth in the CC&Rs (collectively, the "Real Property"); and

(b) all of Seller's right, title and interest in and to the furniture and other personal property installed by Seller listed in the table in Exhibit B attached hereto (the "Personal Property").

All capitalized terms not otherwise defined herein shall have the meanings set forth in the CC&Rs.

2. Purchase Price; Independent Consideration.

(a) Purchase Price and Manner of Payment.

(i) Base Purchase Price. The purchase price (the "Purchase Price") to be paid by Buyer to Seller for the Property at closing shall be Four Million Three Hundred Eighty-nine Thousand Dollars (\$4,389,000.00). The Purchase Price shall be paid in cash or other immediately available funds through the escrow established pursuant to Section 7 below.

(ii) Contingent Purchase Price. At such time as Buyer sells the Real Property to any party other than a successor agency charged with managing air quality in the San Francisco Bay Area, if the net proceeds received by Buyer, after deducting Buyer's share of closing costs, exceeds the Purchase Price set forth in subparagraph (i) above, Buyer shall pay to Seller immediately upon the closing of such sale that portion of such excess equal to the amount, if any, by which the Agency Footprint Actual Cost exceeds the Purchase Price set forth in (i) above. "Agency Footprint Actual Cost" shall mean the total cost actually incurred by Seller in acquiring, remodeling and furnishing the Agency Space (as defined in the CC&Rs) in the amount of \$ [REDACTED] multiplied by [REDACTED]%. The provisions of this Section 2(a)(ii) shall survive the Closing.

(b) Independent Consideration. Upon mutual execution of this Agreement, Buyer shall deliver to Seller in cash the sum of ONE HUNDRED AND NO/100 DOLLARS (\$100.00) (the "Independent Contract Consideration") which amount has been bargained for and agreed to as consideration for Buyer's exclusive option to purchase the Property provided hereunder and for Seller's execution and delivery of this Agreement. The Independent Contract Consideration is in addition to and independent of all other consideration provided in this Agreement, and is nonrefundable in all events.

3. Amendment of Condominium Plan and CC&Rs. Seller and Buyer shall work together cooperatively to develop an amended Condominium Plan modifying the footprints of Lots 2 and 3 and to agree upon any amendments required to the CC&Rs, including without limitation corresponding changes to the percentage ownership interests of each of Buyer and Seller and the exhibits depicting the location and size of each condominium unit. The parties agree that the amendments to the CC&Rs are not intended to otherwise change the respective rights and obligations of the Unit Owners, as currently set forth in the CC&Rs.

4. Seller's Deliveries. Within a reasonable period of time following the mutual execution of this Agreement, Seller shall, to the extent Seller has not already done so, deliver or cause to be delivered to Buyer the following, to the extent in Seller's actual possession (collectively, the "Due Diligence Materials") at Seller's sole cost and expense: (a) a current preliminary title report prepared by Title Company with respect to Lots 2 and 3, together with legible copies of all underlying documents referenced therein (collectively, the "Preliminary Report") and (b) copies of any Due Diligence Materials, as defined in that certain Purchase and Sale Agreement and Joint Escrow Instructions dated March [REDACTED], 2017 with respect to Buyer's acquisition of Lot 3 (the "Lot 3 Purchase Agreement"), pertaining to the Real Property and not previously provided to Buyer pursuant to the Lot 3 Purchase Agreement. The Due Diligence Materials are for Buyer's use in connection with Buyer's investigation of the Property. Buyer acknowledges that, except as otherwise provided in Section 10 below, Seller is not making any

representation or warranty of any kind with respect to the Due Diligence Materials, including their accuracy, completeness or suitability for reliance thereon by Buyer.

5. Buyer's Review and Seller's Disclaimer.

(a) Inspection Period. As used herein, the term "Inspection Period" shall refer to a period of time to expire at 5:00 p.m., Pacific Time, on the date that is ten (10) days following the later of (i) full execution of this Agreement by Buyer and Seller or (ii) the date on which Seller has delivered to Buyer any new Due Diligence Materials or a written statement addressed to Buyer that there are no Due Diligence Materials not delivered to Buyer in connection with its purchase of Lot 3.

(b) Physical Inspection. Buyer hereby acknowledges that it has had ample opportunity to observe and inspect the physical condition of the Additional Space and the building of which it is a part.

(c) Title. Buyer shall complete its review of the Preliminary Report and all documents and information pertaining to any exceptions to title listed therein prior to the expiration of the Inspection Period. Any such exceptions not expressly disapproved by Buyer in writing within the applicable review period shall be deemed approved and shall be referred to as "Permitted Exceptions." In the event that Buyer notifies Seller in writing of its disapproval of any exceptions to title listed in the Preliminary Report on or before the expiration of the applicable review period ("Objections"), Seller shall have the right, but not the obligation, to cure any of the Objections by removing or causing the Title Company to insure over such Objections within thirty (30) days after receipt of the Objections, during which period the Closing will be postponed if necessary. If Seller is unable to cure any Objections within said thirty (30) day period, or if Seller gives Buyer written notice at any time during said thirty (30) day period stating that Seller declines to attempt to cure any of the Objections, then Buyer will have the option, within five (5) business days after the end of said thirty (30) day period or receipt of said written notice from Seller, as its sole right and remedy, to either (i) terminate this Agreement in which event neither party shall have any further obligations to the other hereunder except under provisions of this Agreement which specifically state that they survive termination or (ii) waive the Objections (and the Buyer's Condition Precedent described in Section 6(b) of this Agreement) and proceed to Closing. Notwithstanding anything to the contrary contained herein, Seller shall be obligated to remove from title on or before Closing any monetary liens affecting the Property (other than monetary liens resulting from Buyer's acts).

(d) As-Is Sale. Except as otherwise expressly set forth in Sections 10, 14, and 16 of this Agreement and any of the documents delivered by Seller at Closing, neither Seller nor its directors, officers, employees, agents, representatives or attorneys (collectively, the "Seller Parties") or contractors have made any representations, guaranties, promises, statements, assurances or warranties, express or implied, to Buyer including, without limitation, any pertaining to the suitability, habitability or merchantability or fitness of the Property for Buyer's intended use or for any use whatsoever, the physical or environmental condition thereof, the expenses of operating the Additional Space, the condition of title thereto, the truth, accuracy or completeness of the Due Diligence Materials, or as to any other past, present or future matter whatsoever. Buyer acknowledges and agrees that it has satisfied itself regarding the condition of

the Property and the foregoing matters, and, except as otherwise provided in this Section 5(d), that the Property will be purchased in its "AS IS" condition and "WITH ALL FAULTS" on the Closing Date and that Buyer assumes the risk that adverse physical, environmental, economic or legal conditions may not have been revealed by its investigation.

(e) Buyer's Release. Except with respect to any claims arising out of any breach of covenants, representations or warranties set forth in this Agreement or in the documents delivered by Seller at Closing or the breach of any covenants in that certain Office Lease (the "Lease") between Seller, as landlord, and Buyer, as tenant, which by their terms survive the termination of the Lease, Buyer, for itself and its agents, affiliates, successors and assigns, hereby releases and forever discharges Seller, its agents, affiliates, successors and assigns from any and all rights, claims and demands at law or in equity, whether known or unknown at the time of this agreement, which Buyer has or may have in the future, arising out of the physical, environmental, economic or legal condition of the Property. Buyer hereby specifically waives the provisions of section 1542 of the California Civil Code ("Section 1542") and any similar law of any other state, territory or jurisdiction. Section 1542 provides:

A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

Buyer hereby specifically acknowledges that Buyer has carefully reviewed this subsection and discussed its import with legal counsel and that the provisions of this subsection are a material part of this Agreement.

\_\_\_\_\_  
Buyer Initials

6. Buyer's Conditions Precedent to Closing. The following are conditions precedent to Buyer's obligation to purchase the Property (the "Buyer's Conditions Precedent"). Buyer's Conditions Precedent are intended solely for the benefit of Buyer and may be waived only by Buyer in writing. In the event any Buyer's Condition Precedent is not satisfied, Buyer may, in its sole and absolute discretion and without limiting any of its other rights and remedies under this Agreement, at law or in equity, terminate this Agreement.

(a) Property Condition. Buyer's inspection, review and approval, prior to expiration of the Inspection Period, of the Preliminary Report and any new Due Diligence Materials provided to Buyer pursuant to Section 5 above, which approval shall be deemed given unless Buyer shall give written notice of disapproval prior to the expiration of the Inspection Period.

(b) Amendment of Condominium Plan and CC&Rs. Buyer and Seller have agreed upon amendments to the Condominium Plan and the CC&Rs in accordance with the provisions of Section 3 above, and any required governmental and/or Unit Owner approvals of such amendments have been obtained.

(c) Title Insurance. Title Company shall be irrevocably and unconditionally committed to issue to Buyer upon the Closing an ALTA owner's policy of title insurance (2006) in the amount of the Purchase Price, insuring fee simple title to Lot 3, as reconfigured, in Buyer, subject only to the Permitted Exceptions and such other exceptions as Buyer shall have approved in writing prior to Closing and containing such endorsements as are approved by the Title Company during the Inspection Period (the "Buyer's Title Policy").

(d) Performance by Seller. Seller shall have complied, in all material respects, with all of Seller's duties and obligations contained in this Agreement and all of Seller's representations and warranties contained in or made pursuant to this Agreement shall have been true and correct, in all material respects, when made and shall remain true and correct, in all material respects, as of the Closing Date.

7. Seller's Conditions Precedent to Closing. The following are conditions precedent to Seller's obligation to sell the Property (the "Seller's Conditions Precedent"). Seller's Conditions Precedent are intended solely for the benefit of Seller and may be waived only by Seller in writing. In the event any Seller's Condition Precedent is not satisfied, Seller may, in its sole and absolute discretion and without limiting any of its other rights and remedies under this Agreement, at law or in equity, terminate this Agreement.

(a) Performance by Buyer. Buyer shall have complied, in all material respects, with all of Buyer's duties and obligations contained in this Agreement and all of Buyer's representations and warranties contained in or made pursuant to this Agreement shall have been true and correct, in all material respects, when made and shall remain true and correct, in all material respects, as of the Closing Date.

(b) Amendment of the Condominium Plan and CC&Rs. Buyer and Seller shall have agreed upon amendments to the Condominium Plan and CC&Rs in accordance with Section 3, and any required governmental and/or Unit Owner approvals of such amendments have been obtained.

(c) Title Insurance. Title Company shall be irrevocably and unconditionally committed to issue to Seller upon the Closing an ALTA owner's policy of title insurance (2006) [in the amount of \_\_\_\_\_], insuring fee simple title to Lot 2, as reconfigured, in Seller, subject only to such exceptions as Seller shall have approved in writing prior to Closing and containing such endorsements as are approved by the Title Company [during the Inspection Period?] (the "Seller's Title Policy").

8. Escrow; Closing.

(a) Escrow. Upon mutual execution of this Agreement, the parties hereto shall deposit a fully executed copy of this Agreement with First American Title Insurance Company, 1850 Mt. Diablo Blvd., Suite 300, Walnut Creek, California 94596; Escrow Officer: Kitty Schlesinger) (hereinafter "Title Company" or "Escrow Holder") and this Agreement shall serve as instructions to Escrow Holder for consummation of the purchase contemplated hereby. Seller and Buyer shall execute such supplemental escrow instructions as may be appropriate to enable Escrow Holder to comply with the terms of this Agreement, provided such supplemental

escrow instructions are not in conflict with this Agreement as it may be amended in writing from time to time. In the event of any conflict between the provisions of this Agreement and any supplementary escrow instructions signed by Buyer and/or Seller, the terms of this Agreement shall control.

(b) Closing. The parties intend for the consummation of the sale of the Property as provided hereunder (the "Closing") to take place through escrow on such date as may be agreed to by Seller and Buyer, but in no event later than \_\_\_\_\_ (the "Closing Date").

(c) Seller's Closing Deliveries. On or before the last business day immediately preceding the Closing Date, Seller shall deliver to Escrow Holder the following:

(i) Deed. A duly executed and acknowledged grant deed in the form attached to this Agreement as Exhibit C (the "Deed");

(ii) Bill of Sale. Two (2) duly executed counterpart originals of a bill of sale with respect to the Personal Property in the form attached to this Agreement as Exhibit D (the "Bill of Sale");

(iii) Amended Condominium Plan and CC&Rs. An amended Condominium Plan and a duly executed and recorded Amended Declaration of Covenants, Conditions and Restrictions for 375 Beale Street, San Francisco; and

(iv) Seller's Certificate. A duly executed Certificate confirming the continued truth and accuracy as of the Closing Date of the representations and warranties set forth in Section 10, except as otherwise may be set forth in the Certificate.

(d) Buyer's Closing Deliveries. On or before the last business day immediately preceding the Closing Date, Buyer shall deliver to Escrow Holder the following:

(i) Bill of Sale. Two (2) duly executed counterpart originals of the Bill of Sale;

(ii) Preliminary Change of Ownership Report. A duly executed and original preliminary change of ownership report (if required); and

(iii) Purchase Price. Immediately available funds in the amount of the Purchase Price plus Buyer's share of Closing Costs.

(e) Additional Closing Documents. Seller and Buyer shall each deposit such other instruments as are reasonably required by Escrow Holder or otherwise required to close the escrow and consummate the purchase of the Property in accordance with the terms hereof.

9. Closing Costs and Prorations. Seller and Buyer agree to the following prorations and allocation of costs ("Closing Costs") regarding this Agreement:

(a) Real Estate Taxes Assessments. Buyer and Seller are each governmental entities and are not subject to real property taxes. In the event there are any assessments which

attach to governmentally owned real property, such assessments shall be prorated and adjusted between Seller and Buyer as of the Closing Date so that Seller shall pay, or give Buyer credit for, any such assessments that accrued on or prior to the Closing Date and Buyer shall pay, or assume, any such assessments that accrue after the Closing Date. The obligations of Buyer and Seller set forth in this Section 9(a) shall survive the Closing.

(b) Property Expenses. Any utilities or other operating expenses attributable to the Additional Space shall be prorated and adjusted between Buyer and Seller as of the Closing Date.

(c) Title Insurance and Escrow Fee. Seller shall pay the premium attributable to the Title Policy and any reasonable and customary escrow fee or charge imposed by Escrow Holder.

(d) Recording Costs. Seller shall pay the cost of recording the Deed and all other documents, if any, recorded pursuant to the terms of this Agreement.

(e) Transfer Taxes. No governmental documentary transfer or transaction taxes or fees shall be payable in connection with this transaction because both Buyer and Seller are exempt governmental entities.

The provisions of this Section 9 shall survive the Closing.

10. Representations and Warranties of Seller. Seller hereby represents and warrants to Buyer as follows:

(a) Power and Authority. Seller has the power and authority (i) to enter into this Agreement and all of the documents to be executed and delivered by Seller to Buyer at the Closing, (ii) to perform its obligations under this Agreement and under the documents to be executed and delivered by Seller to Buyer at the Closing and (iii) to complete the transaction contemplated by this Agreement. Seller has taken all governmental action necessary to authorize (A) the execution and delivery of this Agreement and all of the documents to be executed and delivered by Seller to Buyer at the Closing, (B) the performance by Seller of its obligations under this Agreement and under the documents to be executed and delivered by Seller to Buyer at the Closing and (C) the completion of the transaction contemplated by this Agreement.

(b) Binding and Enforceable. This Agreement and all of the documents to be executed and delivered by Seller to Buyer at the Closing have been duly executed and delivered by Seller and constitute valid and binding obligations of Seller.

(c) No Conflict. The execution and delivery of this Agreement and all of the documents to be executed and delivered by Seller to Buyer at the Closing and the performance by Seller of its obligations under this Agreement and under the documents to be executed and delivered by Seller to Buyer at the Closing and the completion of the transaction contemplated by this Agreement will not result in (i) a breach of, or a default under, any contract, agreement, commitment or other document or instrument to which Seller is party or by which Seller is bound or (ii) a violation of any law, ordinance, regulation or rule of any governmental authority

applicable to Seller or any judgment, order or decree of any court or governmental authority that is binding on Seller.

(d) Ownership. Seller has not granted any option or right of first refusal or first opportunity to any other party to acquire any interest in any of the Property.

(e) Actions. To Seller's knowledge (i) there are no condemnation, zoning or other land-use regulation proceedings, either instituted or planned to be instituted, which would materially and adversely affect the use, operation or value of the Property, (ii) there are no special assessment proceedings affecting the Property, (iii) there is no litigation pending or threatened in writing against Seller arising out of the ownership or operation of the Property or that might detrimentally affect the Property or the ability of Seller to perform its obligations under this Agreement. Seller shall notify Buyer promptly of any such proceedings or litigation of which Seller becomes aware, and (iv) Seller has received no written notice from any governmental entity that the Property is in violation of any applicable laws, ordinances or regulations.

(f) Contracts for Improvements and Other Encumbrances. To Seller's knowledge, other than possible construction contract retentions for which funds have been reserved by Seller or contracts related to 375 Beale Street generally that will not be assumed by Buyer at Closing, at the time of Closing there will be no outstanding written or oral contracts made by Seller for any improvements to the Property which have not been fully paid for and, except as set forth in the Preliminary Report, there are no existing or proposed easements, covenants, restrictions, agreements or other documents which affect title to the Property and which were not disclosed in writing to Buyer prior to the date of this Agreement.

(g) Hazardous Materials. To Seller's knowledge and except as set forth in the Due Diligence Materials delivered pursuant to this Agreement or the Prior Purchase Agreement, there has been no release, storage, treatment, generation or disposal of Hazardous Materials by Seller, or any other party during Seller's ownership of the Property, on, under or from the Property in violation of any applicable laws, ordinances or regulations. For purposes of this Agreement, the term "Hazardous Materials" shall mean any toxic or hazardous waste, material or substance, including, without limitation, asbestos, petroleum, petroleum products, underground storage tanks now or previously containing any other Hazardous Materials, substances defined as "hazardous substances", "hazardous waste" or "toxic substances" in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Sec. 9601, et seq.; Hazardous Materials Transportation Act, 49 U.S.C. Sec. 1801; and Resource Conservation and Recovery Act, 42 U.S.C. Sec. 6901 et seq.; and other substances defined as hazardous waste and hazardous substances in applicable state or local laws and/or in any regulations and publications promulgated pursuant to said laws.

11. Representations and Warranties of Buyer. Buyer hereby represents and warrants to Seller as follows:

(a) Power and Authority. Buyer has the power and authority (i) to enter into this Agreement and all of the documents to be executed and delivered by Buyer to Seller at the Closing, (ii) to perform its obligations under this Agreement and under the documents to be

executed and delivered by Buyer to Seller at the Closing and (iii) to complete the transaction contemplated by this Agreement. Buyer has taken all governmental action necessary to authorize (A) the execution and delivery of this Agreement and the documents to be executed and delivered by Buyer to Seller at the Closing, (B) the performance by Buyer of its obligations under this Agreement and under the documents to be executed and delivered by Buyer to Seller at the Closing and (C) the completion of the transaction contemplated by this Agreement.

(b) Binding and Enforceable. This Agreement and all of the documents to be executed and delivered by Buyer to Seller at the Closing have been duly executed and delivered by Buyer and constitute valid and binding obligations of Buyer.

(c) No Conflict. The execution and delivery of this Agreement and all of the documents to be executed and delivered by Buyer to Seller at the Closing and the performance by Buyer of its obligations under this Agreement and under the documents to be executed and delivered by Buyer to Seller at the Closing and the completion of the transaction contemplated by this Agreement will not result in (i) a breach of, or a default under, any contract, agreement, commitment or other document or instrument to which Buyer is party or by which Buyer is bound or (ii) a violation of any law, ordinance, regulation or rule of any governmental authority applicable to Buyer or any judgment, order or decree of any court or governmental authority that is binding on Buyer.

(d) Buyer's Investigation. Buyer has or, prior to the expiration of the Due Diligence Period, will have examined, inspected and conducted its own investigation of all matters with respect to the physical and environmental condition of the Property, permissible uses, zoning, covenants, conditions and restrictions and all other matters which in Buyer's judgment bear upon the value and suitability of the Property for Buyer's purposes. Buyer acknowledges that, except as otherwise provided herein, Seller has not made any representation of any kind in connection with soils, environmental or physical conditions on, or bearing on, the use of the Property, and Buyer is relying solely on Buyer's own inspection and examination of such items and not on any representation of Seller.

12. Survival. All representations and warranties by the respective parties contained herein or made in writing pursuant to this Agreement are intended to and shall be deemed made as of the date of this Agreement or such writing and shall survive the execution and delivery of this Agreement, the Deed and the Closing, provided that the representations and warranties set forth in Section 10(d) through (g) shall survive the Closing only for a period of nine (9) months following the Closing Date and, if no claim is made in writing within such period, shall expire and be of no further force and effect.

13. Casualty or Condemnation.

(a) In the event any of the Property is damaged and/or destroyed by fire or other casualty prior to the Closing, and the cost to repair and/or restore such damage and/or destruction exceeds \_\_\_\_\_ Dollars (\$\_\_\_\_\_), then Buyer shall have the right to terminate this Agreement by written notice to Seller within five (5) business days after Buyer has received written notice from Seller of the occurrence of such casualty and the cost of such repair and/or restoration. In the event of any such termination, Buyer and Seller shall each be

liable for one-half of any escrow fees or charges, and neither party shall have any further liability or obligation under this Agreement.

(b) In the event any of the Property is damaged and/or destroyed by fire or other casualty prior to the Closing where (i) the cost to repair and/or restore such damage and/or destruction does not exceed \_\_\_\_\_ Dollars (\$\_\_\_\_\_), or (ii) the cost to repair and/or restore such damage and/or destruction exceeds \_\_\_\_\_ Dollars (\$\_\_\_\_\_) but this Agreement is not terminated pursuant to Section 13(a) above as a result thereof, then the Closing shall occur as scheduled notwithstanding such damage; provided, however, that Seller shall be obligated, at its cost, to restore or repair the Additional Space to its prior condition and shall retain its interest in all insurance proceeds payable in connection with such damage or destruction. Seller's obligations pursuant to the immediately preceding sentence shall survive the Closing.

(c) In the event a governmental entity commences eminent domain proceedings (or threatens in writing to commence such proceedings) to take any portion of the Additional Space or any other portion of the building in which it is located which would impair Buyer's use of the Additional Space after the date hereof and prior to the Closing, then Buyer shall have the option to terminate this Agreement by written notice to Seller within five (5) business days after Buyer has received written notice from Seller of the occurrence of such commencement or threatened commencement. In the event of any such termination, Buyer and Seller shall each be liable for one-half of any escrow fees or charges, and neither party shall have any further liability or obligation under this Agreement.

(d) In the event a governmental entity commences any such eminent domain proceedings after the date hereof and prior to the Closing and this Agreement is not terminated pursuant to Section 13(c) above as a result thereof, then the Closing shall occur as scheduled notwithstanding such proceeding; provided, however, that Seller's interest in all awards arising out of such proceedings which are attributable to the taking of any portion of the Additional Space shall be assigned to Buyer as of the Closing or credited to Buyer if previously received by Seller. Seller's obligations pursuant to the immediately preceding sentence shall survive the Closing.

14. Seller Covenants.

(a) Continued Operation of the Property. Between Seller's execution of this Agreement and the Closing, Seller shall cause the Property to be operated and maintained in substantially the condition existing upon the date of this Agreement.

(b) Construction Defects. To the extent any warranties relating to the construction of the Additional Space or the Building are not assigned to Buyer at Closing, Seller shall assert and pursue in good faith satisfaction of any warranty claims with respect to any construction defects discovered by Buyer and reported in writing to Seller pertaining to the improvements to the Additional Space or otherwise to the Building but affecting the operation of the Additional Space made by or at the direction of Seller. The foregoing covenant shall survive the Closing of this transaction.

15. Brokers. Each party hereby agrees to indemnify, protect and defend the other (by counsel reasonably acceptable to the party seeking indemnification) against and hold the other harmless from and against any and all loss, damage, liability or expense, including costs and reasonable attorneys' fees, resulting from any claims for a real estate commission, finder's fee or other real estate brokerage-type compensation by any person or entity based upon the acts of that party with respect to the transaction contemplated by this Agreement. The obligations of Buyer and Seller under this Section 15 shall survive the Closing.

16. Hazardous Materials Indemnity. Seller shall indemnify, defend and hold harmless Buyer from any Repair and Remediation Costs (as defined below) arising from the release, treatment, use, generation, storage or disposal by Seller or any of its employees, agents or contractors of Hazardous Materials on, under or from the Additional Space occurring prior to the Closing. As used herein the term "Repair and Remediation Costs" means the cost of any required or necessary remediation or removal of Hazardous Materials from the Additional Space, any cost of repair of the Additional Space necessitated by the remediation or removal of Hazardous Materials from the Additional Space and the costs of any testing, sampling or other investigations or preparation of remediation or other required plans undertaken in connection with the remediation or removal of Hazardous Materials from the Additional Space. The indemnification obligations set forth in this Section 16 shall survive the Closing. Seller expressly preserves its rights against other parties, and does not release or waive its rights to contribution, against any other party.

17. Miscellaneous.

(a) Notices. Any and all notices, elections, approvals, consents, demands, requests and responses ("Notice") permitted or required to be given under this Agreement shall be given in writing, signed by or on behalf of the party giving the same, and sent by certified or registered mail, postage prepaid, return receipt requested, or by hand delivery or overnight courier service (such as Federal Express), to the party to be notified at the address of such party set forth below or at such other address within the continental United States as such other party may designate by notice specifically designated as a notice of change of address and given in accordance with this Section 17(a). Any Notice shall be effective upon receipt but if attempted delivery is refused or rejected, the date of refusal or rejection shall be deemed the date of receipt. Notices sent by telecopy shall be effective only if also sent by nationally recognized express overnight courier service for delivery within two (2) business days.

If to Buyer:

Bay Area Air Quality Management District  
375 Beale Street, Suite 800  
San Francisco, CA 94105  
Attn: Deputy Air Pollution Control Officer,  
Finance  
Tel: 415-749-4629

With a copy to:

Bay Area Air Quality Management District  
375 Beale Street, Suite 800

San Francisco, CA 94105  
Attn: General Counsel  
Tel: 415-749-4920

If to Seller:

Bay Area Headquarters Authority  
375 Beale Street, Suite 800  
San Francisco, CA 94105  
Attn: Andrew B. Fremier  
Tel: 415-778-5240

with a copy to:  
Farella Braun + Martel LLP  
235 Montgomery Street  
San Francisco, CA 94104  
Attn: Tony Ratner  
Telephone: (415) 954-4448  
Email: tratner@fbm.com

If to Escrow Holder:

First American Title Insurance Company  
1850 Mt. Diablo Blvd., Suite 300  
Walnut Creek, California 94596  
Attn: Kitty Schlesinger  
Tel: 925-927-2154

(b) Successors and Assigns. Subject to the provisions hereof, this Agreement shall be binding upon the successors and assigns of Seller and Buyer. The parties acknowledge that the right to purchase the Property pursuant to the terms of this Agreement is personal to the Bay Area Air Quality Management District or any successor governmental agency performing the same functions, and Buyer's rights hereunder may not otherwise be assigned without the prior written consent of Seller, which may be withheld in Seller's sole discretion. Any assignment in violation of this Section 17(b) shall be void.

(c) Attorneys' Fees. In the event of any litigation or other proceeding to enforce the provisions of this Agreement or to resolve any dispute arising as a result of or by reason of this Agreement, the prevailing party in any such litigation or other proceeding shall be entitled to, in addition to any other damages assessed, its or his reasonable attorneys' fees and all other costs and expenses incurred in connection with such litigation or other proceeding.

(d) Amendments. This Agreement may be amended or modified only by a written instrument executed by Seller and Buyer.

(e) Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

(f) Exhibits. Each of the exhibits attached hereto is an integral part of this Agreement and is incorporated herein by this reference.

(g) Entire Agreement. This Agreement, the exhibits hereto and the Lease constitute the entire agreement between the parties and supersede all prior agreements and understandings between the parties relating to the subject matter hereof, including, without limitation, any letters of intent previously executed or submitted by either or both of the parties hereto, which shall be of no further force or effect upon execution of this Agreement.

(h) Captions. The Section headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement and are not to be considered in interpreting this Agreement.

(i) Time of the Essence. Time is of the essence of this Agreement. As used in this Agreement, a "business day" shall mean a day which is not a Saturday, Sunday or recognized federal or state holiday. If the last date for performance by either party under this Agreement occurs on a day which is not a business day, then the last date for such performance shall be extended to the next occurring business day.

(j) Severability. If any provision of this Agreement, or the application thereof to any person, place, or circumstance, shall be held by a court of competent jurisdiction to be invalid, unenforceable or void, the remainder of this Agreement and such provisions as applied to other persons, places and circumstances shall remain in full force and effect.

(k) Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but any number of which, taken together, shall be deemed to constitute one and the same instrument.

*[Signature Page to Follow]*

IN WITNESS WHEREOF, the parties hereto have executed this Purchase and Sale Agreement and Joint Escrow Instructions as of the date first above written.

BUYER:

SELLER:

BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT

BAY AREA HEADQUARTERS  
AUTHORITY

By: \_\_\_\_\_  
Name: Jack P. Broadbent  
Its: Executive Officer/APCO

By: \_\_\_\_\_  
Name: Steve Heminger  
Its: Executive Director

Approved as to form:

\_\_\_\_\_  
Brian Bungler  
District Counsel

By: \_\_\_\_\_  
Name: Brian Mayhew  
Its: Chief Executive Officer

Approved as to form:

\_\_\_\_\_  
Adrienne D. Weil  
General Counsel

EXHIBIT A  
CONDOMINIUM PLAN

DRAFT

EXHIBIT B

DEPICTION OF ADDITIONAL SPACE

DRAFT

EXHIBIT C  
FORM OF DEED

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attn: \_\_\_\_\_

APN: \_\_\_\_\_

THIS SPACE ABOVE FOR RECORDER'S USE

Pursuant to Section 11922 of the Revenue and Taxation Code, no transfer tax will be due and owing.

**GRANT DEED**

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, BAY AREA HEADQUARTERS AUTHORITY, a joint powers authority established pursuant to the California Joint Exercise of Powers Act ("Grantor"), hereby grants, transfers and assigns to BAY AREA AIR QUALITY MANAGEMENT DISTRICT, a regional air pollution control agency ("Grantee"), that certain real property located in the City and County of San Francisco, State of California and which is more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, together with all rights, privileges, easements and appurtenances pertaining thereto.

IN WITNESS WHEREOF, Grantor has executed this Grant Deed, to be effective as of this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

"GRANTOR"

BAY AREA HEADQUARTERS AUTHORITY, a  
joint powers authority established pursuant to the  
California Joint Exercise of Powers Act

By: \_\_\_\_\_  
Name: Steve Heminger  
Its: Executive Director

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_, a Notary Public, personally appeared \_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of \_\_\_\_\_ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

Exhibit A to Grant Deed

Description of Real Property

A condominium in fee as defined in Civil Code Section 6500, et seq.

Parcel One:

Unit 3, shown as Lot 3 on the Condominium Plan ("Condominium Plan") attached as Exhibit A-2 to the Declaration of Covenants, Conditions and Restrictions for 375 Beale Street, San Francisco recorded December 27, 2016 as Document No. 2016K388389, San Francisco County Records ("Declaration"), as amended by an Amendment to the Declaration, recorded \_\_\_\_\_ 2018 as Document No. \_\_\_\_\_, being a subdivision of the Facility (as defined in the Declaration) located on Parcel A of Parcel Map No. 8905, filed October 28, 2016, in Condominium Map Book 130, Page 126, as amended by \_\_\_\_\_ filed \_\_\_\_\_, 2018 in Condominium Map Book \_\_, Page \_\_ San Francisco County Records.

Reserving therefrom:

Non-exclusive easements for utilities, encroachment, maintenance and repair, air and light, and a right of access, as set forth in the Declaration.

Parcel Two:

An undivided \_\_\_\_% interest in the Common Area, consisting of the entrance and reception area located on the first floor, and the hallways marked as "Common Area" on the Occupancy Plan attached as Exhibit A-3 to the Declaration ("Occupancy Plan") and as set forth in the Declaration.

Reserving therefrom:

Non-exclusive easements appurtenant to all units for utility services, maintenance and repair, use, enjoyment and for ingress, egress, support and emergency access as set forth in the Declaration.

Parcel Three:

An undivided \_\_\_\_% interest in the "Common Use Easements" and "Ingress and Egress Easements", as shown on the Condominium Plan and as provided for in the Declaration.

Parcel Four:

Non-exclusive easements for utility services, encroachment, maintenance, repair, use and enjoyment, ingress, egress and emergency access, as set forth in the Declaration.

Parcel Five:

Non-exclusive easements to maintain equipment and cabling in the network closets and MPOE room as described in the Declaration.

DRAFT

EXHIBIT D

FORM OF BILL OF SALE

This BILL OF SALE is made and entered into to be effective as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between BAY AREA HEADQUARTERS AUTHORITY ("Seller") and BAY AREA AIR QUALITY MANAGEMENT DISTRICT ("Buyer").

WHEREAS, Seller and Buyer are parties to that certain Purchase and Sale Agreement and Joint Escrow Instructions dated \_\_\_\_\_, 20\_\_ (the "Agreement"), pursuant to which Seller agreed to sell to Buyer and Buyer agreed to purchase from Seller certain additional space, which is being added to the office condominium unit located at 375 Beale Street, Suite 600, in the City and County of San Francisco, State of California which is owned by Buyer, all as more particularly described in the Agreement.

WHEREAS, pursuant to the Agreement, Seller is to convey to Buyer certain office furnishings, equipment and other personal property (collectively, the "Personal Property") listed below.

NOW, THEREFORE, in consideration of Buyer entering into the Agreement and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Seller hereby sells, transfers, conveys and assigns all of Seller's right, title and interest in and to the Personal Property, to have and to hold the Personal Property unto the Buyer and its successors and assigns forever.

**EXCEPT FOR ANY EXPRESS REPRESENTATIONS OR WARRANTIES SET FORTH IN THE AGREEMENT, SELLER EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS, IMPLIED OR STATUTORY, REGARDING THE ABOVE-DESCRIBED PERSONAL PROPERTY, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ENVIRONMENTAL CONDITION, AND BUYER ACCEPTS THE ABOVE-DESCRIBED PROPERTY IN AN "AS IS - WHERE IS" CONDITION, WITH ALL FAULTS.**

IN WITNESS WHEREOF, the undersigned has executed this Bill of Sale as of the date first written above.

BUYER:

SELLER:

BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT

BAY AREA HEADQUARTERS  
AUTHORITY

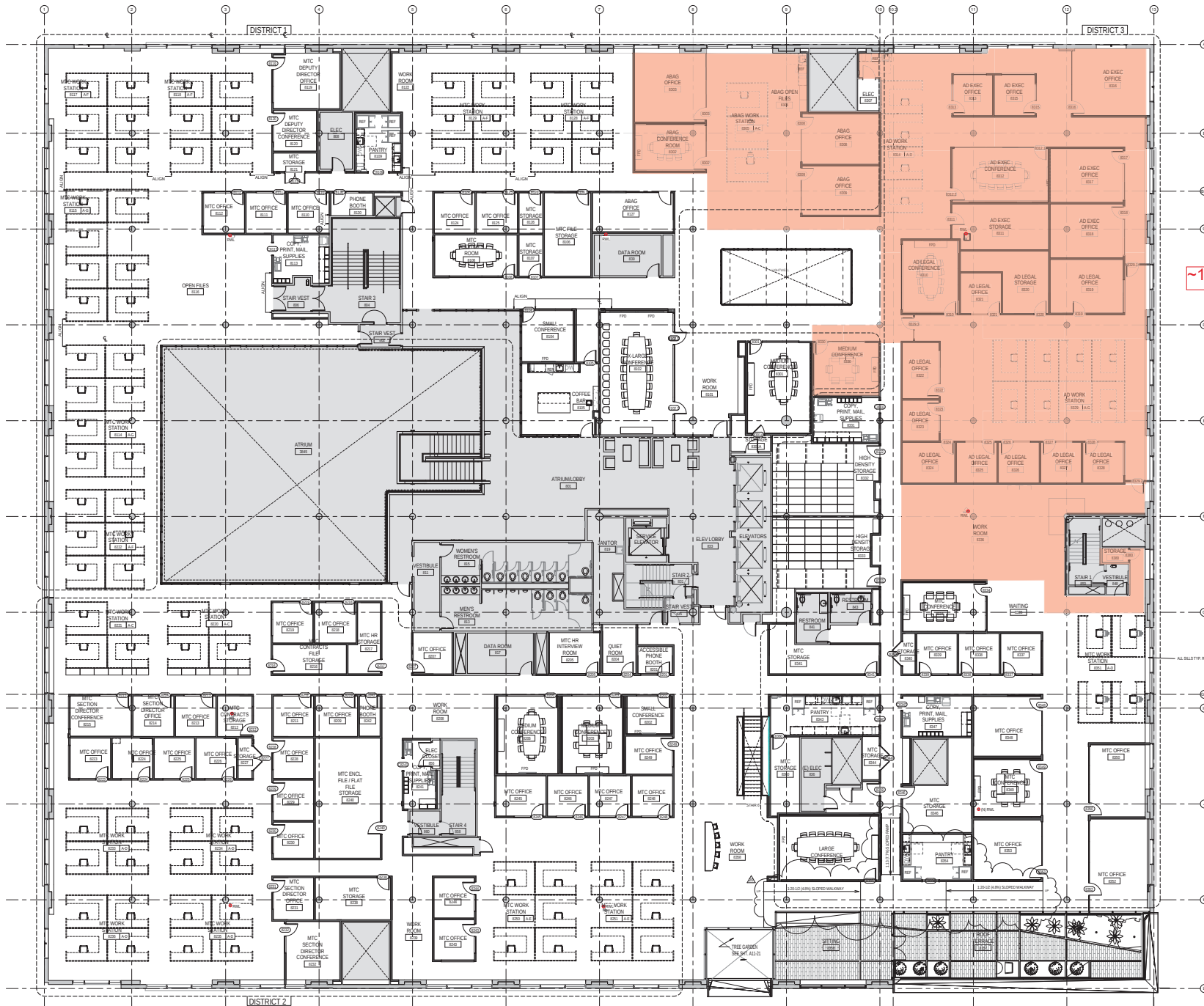
By: \_\_\_\_\_  
Name: Jack P. Broadbent  
Its: Executive Officer/APCO

By: \_\_\_\_\_  
Name: Steve Heminger  
Its: Executive Director

## List of Personal Property

The personal property located at 375 Beale Street, San Francisco CA being transferred by BAHA to the BAAQMD is listed in this table.

| Type                     | Number of Units | Locations | Furniture |
|--------------------------|-----------------|-----------|-----------|
|                          |                 |           |           |
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|                          |                 |           |           |
| Jointly Shared Locations |                 |           |           |
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|                          |                 |           |           |



# GENERAL NOTES

- GLASS TYPES VARY AT TYPICAL OFFICES AND CONFERENCE ROOMS. SEE SPECIFICATIONS GLASS TYPES TO BE AS SHOWN BASED ON DISTRICT OUTLINES (SEE GENERAL NOTE ON PLANS OR DISTRICT SPECIFICATIONS).
- TYPICAL OFFICE AND PHONE ROOMS: GL-200
- DISTRICT 1 CONF. ROOMS & ELEC. ROOMS
- DISTRICT 2 CONF. ROOMS & ELEC. ROOMS
- DISTRICT 3 CONF. ROOMS & ELEC. ROOMS
- DISTRICT 4 CONF. ROOMS & ELEC. ROOMS

# SYMBOL LEGEND

- NEW CONSTRUCTION
- EXISTING AND CORRECTION CONSTRUCTION (REFER TO CORRECTION SHEET)
- PARTITION TYPE
- DISTRICT DELINEATION LINE
- RAILWAY LEADER

~10,700 usf x 1.07 = 11,400 rsf

# PERKINS + WILL

100 Berry St., Suite 200  
San Francisco, CA 94102  
415.774.2900  
www.perkinswill.com

300 Main Street  
San Francisco, CA 94102  
415.774.2900

BAY AREA  
HEADQUARTERS  
ARCHITECTURE

TOM ELIOT FISCH  
201 Mission Street, Suite 200  
San Francisco, CA 94102  
415.774.2900

1000 California Street, Suite 400  
San Francisco, CA 94102  
415.774.2900

GLS Landscape Architecture  
201 Mission Street, Suite 200  
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1000 California Street, Suite 400  
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San Francisco, CA 94102  
415.774.2900

# CONFORM SET

February 8, 2014

SPM #: 01-38-11-0015

DSA #: 01-113249



# Revisions

|    |            |          |
|----|------------|----------|
| 01 | PERMIT SET | 01/08/14 |
| 02 | REVISIONS  | 01/08/14 |
| 03 | REVISIONS  | 01/08/14 |

# Sheet Information

|            |           |
|------------|-----------|
| Date       | 01/08/14  |
| Job Number | 212001-00 |
| Drawn      | 01/08/14  |
| Checked    | 01/08/14  |
| Approved   | 01/08/14  |
| Title      |           |

Level 08 Floor Plan

|   |   |
|---|---|
| A | B |
| C | D |

1 8TH - Key Plan

Sheet

104-08

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**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chair Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 31, 2018

Re: Governor's Global Climate Action Summit 2018

---

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Governor Jerry Brown announced in 2017 that he would be hosting a Governor's Climate Summit this year in September. The Bay Area Air Quality Management District responded to the call for speakers, affiliated events and sessions by proposing an affiliated event at the Air District's new headquarters in San Francisco. The theme of the proposed event is "Diesel Free by 33", a call for the 101 cities throughout the Bay Area and cities beyond to commit to a pledge of going diesel free in their cities by 2033.

We are working closely with the Governor's conference team and planning has begun on this event at the Bay Area Metro Center during the summit week, September 10, 2018 to September 14, 2018.

DISCUSSION

The Air District is collaborating with the Governor's planning office to develop the outline for this event. A pledge has been drafted for signature by cities, counties, and companies and been reviewed and approved by the Governor's office. The Air District is currently seeking commitments to sign on to this agreement and is developing a website where interested parties can review the pledge, get additional information and sign electronically. A list of Bay Area counterparts and businesses has been developed, as well as a list of other potential signatories to the pledge. Staff will review the pledge with the Executive Committee at its July 23, 2018 meeting and will ask the full Board to adopt it at its August meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Budget for this item is contained in the Fiscal Year (FY) 2017/18 and FY 2018/19 budgets and currently within the Executive Officer's signing authority.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Lisa Fasano  
Reviewed by: Wayne Kino

Attachment 13A: Diesel Free by 2033 Memorandum of Understanding

## DIESEL FREE BY 2033

## MEMORANDUM OF UNDERSTANDING

**I. Statement of Purpose**

The purpose of this *Memorandum of Understanding* is to reduce diesel emissions in communities from stationary and mobile sources to zero by December 31, 2033. The need for this action is immediate because of the impacts of diesel exhaust on Global climate and public health described below:

- a) Diesel engines emit significant amounts of black carbon, a short-lived climate pollutant that is contributing significantly to global climate change. The Intergovernmental Panel on Climate Change (IPCC) Fifth Assessment Report estimates that black carbon is the third most important individual contributor to warming after carbon dioxide and methane (IPCC 2013). The California Air Resources Board estimates that on-road diesel and off-road mobile sources (mostly diesel engines) comprise 54% of the State of California's total black carbon emissions which contributes to melting ice caps;
- b) In addition to black carbon emissions, diesel engines emit CO<sub>2</sub> during combustion and that CO<sub>2</sub> is a significant portion of the 14% of total global greenhouse gas emissions identified by the IPCC as caused by transportation;
- c) Climate change, caused by the emission of greenhouse gases, including carbon dioxide and black carbon, represents a profound threat to air quality, public health and if not reduced will have major impacts on worldwide natural weather and agricultural systems, water supplies, and economies, and may result in the reduction of land mass. As atmospheric concentrations of greenhouse gases continue to increase, the negative impacts of climate change are expected to deepen and accelerate;
- d) The California Air Resources Board concludes that *"Diesel exhaust includes over 40 substances that are listed by the United States Environmental Protection Agency as hazardous air pollutants and by the CARB as toxic air contaminants. Fifteen of these substances are listed by the World Health Organization as carcinogenic to humans, or as a probable or possible human carcinogen"* [California Air Resources Board Scientific Review Panel on: California Air Resources Board's report titled "Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant." 1998];
- e) The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) has determined that exposure to diesel exhaust can have immediate health effects, such as: irritation of eyes and nose; inflammation of the lungs, which aggravates chronic respiratory symptoms and increases the frequency or intensity of asthma attacks, especially for sensitive populations such as

the very old and very young; OEHHA also determined that the nitrogen oxides contained in diesel exhaust *“can damage lung tissue, lower the body’s resistance to respiratory infection and worsen chronic lung diseases, such as asthma . . . .”* [OEHHA, “Health Effects of Diesel Exhaust,” 2001] Moreover, nitrogen oxides from diesel exhaust also react with other pollutants in the atmosphere to form ozone, a major component of smog; and

- f) The negative public health effects from climate change will fall most heavily on the communities and populations that are already most heavily impacted by air pollution, other environmental hazards, and economic inequality.

## **II. Reducing Public Health Impacts and Greenhouse Gas Emissions from Diesel Equipment**

- a) The signatories of this MOU (hereinafter referred to as the Parties) pledge support of the goal to reduce all emissions from diesel engines within their communities and companies to zero by December 31, 2033, with the following exceptions:
  - i. Equipment deemed to be vital for public health and emergency services;
  - ii. Equipment for which it has been deemed, through independent analysis (such as those prepared periodically by the ARB), that a zero-emission technology does not exist or is not commercially available.
- b) In the situations listed in Section II, a., the Parties intend to seek solutions that lower emissions to the greatest extent possible through technologies such as hybridization, emissions capture and destruction of older dirtier diesel equipment.

## **III. Means of Implementation**

The Parties may each have their own strategies to implement and achieve the goal of achieving zero diesel emissions in their communities. Parties of this agreement express their intent to:

- a) Collaborate and coordinate on ordinances, policies, procurement practices that reduce diesel emissions to zero within their jurisdictions, communities or companies;
- b) Share and promote effective financing mechanisms domestically and internationally to the extent feasible that allow for the purchase of zero emissions equipment.
- c) Share information and assessments regarding zero emissions technology.
- d) Help build capacity for action and technology adaptation through technology transfer and sharing expertise.

- e) Use policies and incentives that assist the private sector to move to diesel-free fleets and buildings.
- f) Investigate and implement as feasible the following strategies:
  - i. Policies, ordinances and governance that require the purchase of zero emission equipment as part of fleet and equipment procurement;
  - ii. Policies, ordinances and governance that restrict the use of diesel equipment within the boundaries of a jurisdiction, community or company via mechanisms such as jurisdictional powers, laws, ordinances, policies, etc.
  - iii. Periodic assessments that evaluate the availability of zero emission technologies for applications currently utilizing diesel equipment. Assessment should occur prior to the change out of equipment as part of regular turnover and as part of setting procurement goals, targets and standards.

#### **IV. Inventory, Monitoring, Accounting, Transparency**

- a) The Parties agree to develop a system by December 31, 2019 for consistent monitoring, reporting and verification across jurisdictions.
- b) Reporting on progress towards the December 31, 2033, zero diesel emissions goal will begin on December 31, 2019 and will occur on a biannual basis thereafter until the target deadline.

#### **V. Other Provisions**

- a) With the exception of this Section V, it is not the intent of the Parties to create through this agreement any legally binding obligation. Rather, the Parties intend the agreement to facilitate discussion among the Parties and coordination of any efforts the Parties may undertake to eliminate emissions from diesel engines within their communities and companies by December 31, 2033.
- b) Nothing in this agreement is intended to expand the existing authority of any signatory.
- c) Nothing in this agreement requires the Parties to seek or enact laws or regulations over entities for which they have no jurisdiction, such as federal highways, airports and railways, etc. located within their boundaries.
- d) This agreement may not be modified or the term extended except by written instrument executed by an authorized representative of each of the respective parties, as appropriate.
- e) The parties agree that this agreement constitutes the entire understanding between and among them.

- f) Each party represents and warrants that it has the right, power, and authority to execute this agreement. Each party represents and warrants that it has given any and all notices, and obtained any and all consents, powers and authorities, necessary to permit it, and the persons executing this agreement for it, to enter into this agreement.
- g) This agreement shall be governed by and construed in accordance with the laws of the State of California.
- h) This agreement may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- i) If any provision of this agreement is deemed invalid or unenforceable, the balance of the agreement shall remain in full force and effect.
- j) This agreement is not intended for the benefit of any person or entity not a signatory to this agreement and is not enforceable by any third party.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 10, 2018

Re: Public Hearing to Consider Adoption of Proposed Amendments to Air District  
Regulation 3: Fees and Approval of the Filing of a Notice of Exemption from the  
California Environmental Quality Act

---

**RECOMMENDED ACTION**

Staff recommends that the Board of Directors conduct its second and final hearing and consider adoption of a resolution to approve amendments to Air District Regulation 3: Fees that would become effective on July 1, 2018 and approve the filing of a California Environmental Quality Act (CEQA) Notice of Exemption.

**BACKGROUND**

Staff develops amendments to the Air District's fee regulation as a part of the annual budget preparation process. On March 7, 2012, the Board of Directors adopted a Cost Recovery Policy that established a goal of increasing fee revenue sufficient to achieve 85 percent recovery of regulatory program costs. The first of two public hearings necessary to adopt amendments to Regulation 3: Fees was conducted on April 18, 2018.

**DISCUSSION**

Consistent with the Cost Recovery Policy, draft amendments to specific fee schedules were made in consideration of cost recovery analyses conducted at the fee schedule-level, with larger increases being proposed for the schedules that have larger cost recovery gaps. Existing fee rates would be increased by 3.1, 7, 8, 9, or 15 percent. Several fees that are administrative in nature, such as permit application filing fees and permit renewal processing fees would be increased by 3.1 percent, which is the annual increase in the Bay Area Consumer Price Index.

In addition, the following additional amendments are proposed:

- Revise Section 3-302 to specify the fee rates applied. The fee rates applied are those in force when the applicant has provided all the information required per 2-1-402 (excluding 2-1-402.3 fees) to evaluate the project.

- Revise Section 3-342 to add Health Risk Assessment (HRA) review fees to recover the Air District's costs of reviewing HRAs completed by District-approved consultants as required pursuant to Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities.
- Revise Section 3-405 to reduce fees charged to facilities that are more than 30 days late on paying their permit renewal invoice. Historically, these delinquent fees have been incurred at a disproportionately high frequency by small businesses such as gasoline dispensing facilities, dry cleaners, and auto body shops. To reduce this burden on small businesses, the proposed amendment would lower this delinquent fee from 50% to 25%.
- Add Section 3-418 to authorize the Air Pollution Control Officer to reduce the fees for transactions using the Air District's online production system. This would help to serve as an incentive for facilities to conduct these transactions online.
- Fee Schedule changes:
  - Revise Fee Schedule E: Solvent Evaporating Sources, to directly calculate the fee based on the net amount of organic solvent processed.
  - Clarify in Schedule G-1 that Sub-Slab Depressurization Equipment is subject to Schedule F permit fees, not Schedule G-1 permit fees.
  - Delete the formula for  $S_L$  and its variables and definitions from Schedule N.
  - Clarify in Schedule P that Initial Fees do not apply to Title V Renewal applications.

A final Staff Report that is attached with this memorandum provides additional details regarding the proposed fee amendments.

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed fee amendments would increase fee revenue in Fiscal Year Ending 2019 by an estimated \$2.43 million from revenue that would otherwise result without a fee increase.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Barry Young  
Reviewed by: Pamela Leong and Jeff McKay

Attachment 14A: Resolution of the Board of Directors of the Bay Area Air Quality Management District Amending Regulation 3 - Fees

Attachment 14B: Staff Report – Proposed Amendments to BAAQMD Regulation 3: Fees – May 10, 2018

Attachment 14C: Staff Report – Appendix B Proposed Regulatory Language Regulation 3: Fees – June 6, 2018

Attachment 14D: California Environmental Quality Act (CEQA) – Notice of Exemption

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

**RESOLUTION No. 2018-**

**A Resolution of the Board of Directors of the Bay Area Air Quality Management  
District Amending Regulation 3 – Fees**

WHEREAS, a public hearing has been properly noticed in accordance with the provisions of Health & Safety Code sections 40725;

WHEREAS, in 2005 the Bay Area Air Quality Management District (“District”) retained the accounting firm of Stonefield Josephson, Inc. to conduct a study of the District’s fee structure for permitted and non-permitted sources in order to determine whether or not fee revenue from these regulated sources was sufficient to pay for the costs of those regulatory activities and services;

WHEREAS, Stonefield Josephson, after a thorough analysis of the District’s fee structure, revenues and associated costs, found that District fee revenue have not been sufficient to offset the costs of associated regulatory activities and reported this and other findings in *Bay Area Air Quality Management District Cost Recovery Study, Final Report; March 30, 2005* (“2005 Cost Recovery Study”);

WHEREAS, Stonefield Josephson also found that: (1) despite an across-the-board fee increase of 15 percent in fiscal year ending (FYE) 2000 and adjustments during the subsequent 5 years for inflation, a significant cost recovery gap still existed; and (2) for FYE 2004, fee revenue covered only about 60 percent of direct and indirect program activity costs, leaving a gap of approximately \$13 million to be filled with property tax revenue;

WHEREAS, Stonefield Josephson, based on its findings, recommended that, if the identified revenue gap was to be reduced, fees should be increased by more than annual cost of living adjustments over a period of time;

WHEREAS, in each year from 2005 through and including 2017, the Board approved amendments to Regulation 3 – Fees to increase fees to address this revenue gap and to move toward full alignment between permit fee revenues and associated District permit-related activities and services;

WHEREAS, in September 2010, the District contracted with Matrix Consulting Group to complete an updated Cost Recovery and Containment Study (“2011 Cost Recovery and Containment Study”) based on cost and revenue data for FYE 2010;

WHEREAS, the 2011 Cost Recovery and Containment Study indicated that a significant cost recovery gap continued to exist, with fee revenues for FYE 2010 covering only 62 percent of the direct and indirect costs of program costs;

WHEREAS, in the 2011 Cost Recovery and Containment Study, Matrix Consulting Group recommended that the District adopt a Cost Recovery Policy to guide future fee amendments;

WHEREAS, on March 7, 2012, the Board adopted a Cost Recovery Policy (“2012 Cost Recovery Policy”) that provides as a general policy that the District should fully recover the costs of regulatory program activities by assessing fees to regulated entities, that the District should amend Regulation 3 – Fees in order to increase the overall recovery of the District’s direct and indirect costs of program costs to 85 percent by the end of FYE 2016, and further, that the District should continue to amend specific fee schedules in consideration of cost recovery analyses conducted at the fee schedule level, with larger increases adopted for schedules with larger cost recovery gaps;

WHEREAS, in September 2017, the District contracted with Matrix Consulting Group to complete an updated Cost Recovery and Containment Study (“2018 Cost Recovery and Containment Study”) based on cost and revenue data for FYE 2017;

WHEREAS, a primary focus of the 2018 Cost Recovery and Containment Study was to improve the District’s accounting for indirect costs and overhead in its cost recovery efforts;

WHEREAS, the 2018 Cost Recovery Study indicates that a significant cost recovery gap continues to exist with fee revenues for FYE 2017 covering only 82.55 percent of the direct and indirect costs of program costs, and falling short of the cost recovery goal for FYE 2016 established in the 2012 Cost Recovery Policy;

WHEREAS, the Board of Directors has determined for FYE 2019 there is a need to increase fees to further reduce the misalignment between permit fee revenues and associated District permit-related activities and services and to further reduce the misalignment between fee revenues for non-permitted sources and associated District activities and services related to those sources;

WHEREAS, District staff proposed increased fees based in part on the magnitude of the cost recovery gap for certain non-permitted sources and existing fee schedules as identified in the 2018 Cost Recovery and Containment Study and in accordance with the 2012 Cost Recovery Policy;

WHEREAS, District staff discussed the proposed amendments to Regulation 3 – Fees at a public workshop and simultaneous webcast on February 20, 2018;

WHEREAS, the Budget and Finance Committee of the Board of Directors held a regularly scheduled public meeting on March 28, 2018, at which the proposed amendments to Regulation 3 were discussed and at which oral or written presentations could be made on the subject of the proposed amendments;

WHEREAS, on March 16, 2018, District staff published in newspapers the notice of public hearings required by Health and Safety Code sections 40725 and also distributed and published on the District’s website a request for public comments and input on the proposed amendments to Regulation 3;

WHEREAS, on March 7, 2018, the District transmitted the text of the proposed amendments to Regulation 3 to the California Air Resources Board;

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District held a public hearing on April 18, 2018, to consider the proposed amendments to Regulation 3 in accordance with all provisions of law;

WHEREAS, an additional public hearing is required by Health and Safety Code section 41512.5 for fees applicable to sources not included within the District's permit system, specifically, the proposed amendment of the following fee schedules: Schedule L: Asbestos Operations, Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks, Schedule R: Equipment Registration Fees, Schedule S: Naturally Occurring Asbestos Operations, Schedule U: Indirect Source Fees and Schedule V: Open Burning;

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District held a second public hearing on June 6, 2018, to consider the proposed amendments to Regulation 3 related to non-permitted sources in accordance with all provisions of law;

WHEREAS, the Board of Directors obtains its authority to adopt, amend or repeal rules and regulations from sections 40702, 42311, 42311.2, 41512.7, 42364 and 40725 through 40728 of the Health & Safety Code and Title 40, Code of Federal Regulations, Part 70.9;

WHEREAS, the Board of Directors has determined that the proposed amendments to Regulation 3 are written or displayed so that its meaning can be easily understood by the persons directly affected by it;

WHEREAS, the Board of Directors has determined that the proposed amendments to Regulation 3 are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations;

WHEREAS, the Board of Directors has determined that the proposed amendments to Regulation 3 do not impose the same requirements as any existing state or federal regulation and are necessary and proper to execute the power and duties granted to and imposed upon the District;

WHEREAS, the Board of Directors by adopting the proposed amendments to Regulation 3 is implementing, interpreting and making specific the provisions of Health & Safety Code section 42311 (fee schedule for district programs), section 41512.7 (allowable increases to authority to construct and permit to operate fees), and section 42364 (fees schedule for hearing board review of permit appeals);

WHEREAS, District staff has evaluated the proposed amendments to Regulation 3 and has determined that the proposed rulemaking project is statutorily exempt from the requirements of CEQA pursuant to Public Resources Code section 21080, subparagraph (b)(8) (the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares or other charges by public agencies); and CEQA Guidelines section 15273 (statutory exemption for rates, tolls, fares and charges);

WHEREAS, District staff has determined that a socioeconomic analysis of the proposed amendments to Regulation 3 pursuant to Health & Safety Code section 40728.5 is not required because the amendments will not significantly affect air quality or emissions limitations within the meaning of that section;

WHEREAS, District staff has determined that an incremental cost-effectiveness analysis of the proposed amendments to Regulation 3 pursuant to Health & Safety Code section 40920.6 is not required because the amendments do not impose best available retrofit control requirements;

WHEREAS, District staff has prepared and presented to this Board, a detailed staff report relative to the subject matter of the proposed amendment which is incorporated by reference and attached hereto;

WHEREAS, District staff recommends adoption of the proposed amendments to Regulation 3 and its associated fee schedules; and

WHEREAS, this Board concurs with District staff's recommendations and desires to adopt the proposed amendments to Regulation 3 and associated schedules as described above and set forth in Attachment A hereto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Bay Area Air Quality Management District does hereby adopt, pursuant to the authority granted by law, the proposed amendments to Regulation 3 – Fees as set forth in Attachment A hereto and discussed in the staff report with instructions to staff to correct any typographical or formatting errors before final publication of the text of the proposed amended rule as adopted.

BE IT FURTHER RESOLVED that the effective date of the proposed amendments attached hereto shall be July 1, 2018.

BE IT FURTHER RESOLVED, that the Board of Directors of the Bay Area Air Quality Management District does hereby approve the filing of a CEQA Notice of Exemption for the proposed amendments to Regulation 3 – Fees.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 2018 by the following vote of the Board:

AYES:

NOES:

ABSENT:

\_\_\_\_\_

David E. Hudson  
Chairperson of the Board of Directors

ATTEST:

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Rod Sinks  
Secretary of the Board of Directors

## **ATTACHMENT A**

### **[PROPOSED AMENDED RULE]**

#### **Regulation 3: Fees**

**REGULATION 3  
FEES  
INDEX**

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- 3-104 Deleted August 2, 1995
- 3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank  
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- 3-106 Deleted December 2, 1998
- 3-107 Exemption, Sources Exempt from Permit Requirements

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## REGULATION 3 FEES

(Adopted June 18, 1980)

### 3-100 GENERAL

**3-101 Description:** This regulation establishes the regulatory fees charged by the District.

*(Amended 7/6/83; 11/2/83; 2/21/90; 12/16/92; 8/2/95; 12/2/98; 5/21/03; 5/21/08; 5/20/09; 6/19/13)*

**3-102 Deleted July 12, 1989**

**3-103 Exemption, Abatement Devices:** Installation, modification, or replacement of abatement devices on existing sources are subject to fees pursuant to Section 3-302.3. All abatement devices are exempt from annual permit renewal fees. However, emissions from abatement devices, including any secondary emissions, shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, P, and T.

*(Amended 6/4/86; 7/1/98; 6/7/00; 5/21/08)*

**3-104 Deleted August 2, 1995**

**3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Fees shall not be required, pursuant to Section 3-322, for operations associated with the excavation of contaminated soil and the removal of underground storage tanks if one of the following is met:

105.1 The tank removal operation is being conducted within a jurisdiction where the APCO has determined that a public authority has a program equivalent to the District program and persons conducting the operations have met all the requirements of the public authority.

105.2 Persons submitting a written notification for a given site have obtained an Authority to Construct or Permit to Operate in accordance with Regulation 2, Rule 1, Section 301 or 302. Evidence of the Authority to Construct or the Permit to Operate must be provided with any notification required by Regulation 8, Rule 40.

*(Adopted 1/5/94; Amended 5/21/03)*

**3-106 Deleted December 2, 1998**

**3-107 Exemption, Sources Exempt from Permit Requirements:** Any source that is exempt from permit requirements pursuant to Regulation 2, Rule 1, Sections 103 through 128 is exempt from permit fees. However, emissions from exempt sources shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, and P.

*(Adopted June 7, 2000)*

### 3-200 DEFINITIONS

**3-201 Cancelled Application:** Any application which has been withdrawn by the applicant or cancelled by the APCO for failure to pay fees or to provide the information requested to make an application complete.

*(Amended 6/4/86; 4/6/88)*

**3-202 Gasoline Dispensing Facility:** Any stationary facility which dispenses gasoline directly into the fuel tanks of vehicles, such as motor vehicles, aircraft or boats. The facility shall be treated as a single source which includes all necessary equipment for the exclusive use of the facility, such as nozzles, dispensers, pumps, vapor return lines, plumbing and storage tanks.

*(Amended February 20, 1985)*

**3-203 Filing Fee:** A fixed fee for each source in an authority to construct.

*(Amended June 4, 1986)*

**3-204 Initial Fee:** The fee required for each new or modified source based on the type and size of the source. The fee is applicable to new and modified sources seeking to obtain an authority to construct. Operation of a new or modified source is not allowed until the permit to operate fee is paid.

*(Amended June 4, 1986)*

- 3-205 Authority to Construct:** Written authorization from the APCO, pursuant to Section 2-1-301, for a source to be constructed or modified or for a source whose emissions will be reduced by the construction or modification of an abatement device.  
(Amended June 4, 1986)
- 3-206 Modification:** See Section 1-217 of Regulation 1.
- 3-207 Permit to Operate Fee:** The fee required for the annual renewal of a permit to operate or for the first year of operation (or prorated portion thereof) of a new or modified source which received an authority to construct.  
(Amended 6/4/86; 7/15/87; 12/2/98; 6/7/00)
- 3-208 Deleted June 4, 1986**
- 3-209 Small Business:** A business with no more than 10 employees and gross annual income of no more than \$750,000 that is not an affiliate of a non-small business.  
(Amended 6/4/86; 6/6/90; 6/7/00; 6/15/05; 6/16/10)
- 3-210 Solvent Evaporating Source:** Any source utilizing organic solvent, as part of a process in which evaporation of the solvent is a necessary step. Such processes include, but are not limited to, solvent cleaning operations, painting and surface coating, rotogravure coating and printing, flexographic printing, adhesive laminating, etc. Manufacture or mixing of solvents or surface coatings is not included.  
(Amended July 3, 1991)
- 3-211 Source:** See Section 1-227 of Regulation 1.
- 3-212 Deleted August 2, 1995**
- 3-213 Major Stationary Source:** For the purpose of Schedule M, a major stationary source shall be any District permitted plant, building, structure, stationary facility or group of facilities under the same ownership, leasehold, or operator which, in the base calendar year, emitted to the atmosphere organic compounds, oxides of nitrogen (expressed as nitrogen dioxide), oxides of sulfur (expressed as sulfur dioxide), or PM<sub>10</sub> in an amount calculated by the APCO equal to or exceeding 50 tons per year.  
(Adopted 11/2/83; Amended 2/21/90; 6/6/90; 8/2/95; 6/7/00)
- 3-214 Deleted October 20, 1999, effective March 1, 2000**
- 3-215 Deleted October 20, 1999, effective March 1, 2000**
- 3-216 Deleted October 20, 1999, effective March 1, 2000**
- 3-217 Deleted October 20, 1999, effective March 1, 2000**
- 3-218 Deleted October 20, 1999, effective March 1, 2000**
- 3-219 Deleted October 20, 1999, effective March 1, 2000**
- 3-220 Deleted October 20, 1999, effective March 1, 2000**
- 3-221 Deleted October 20, 1999, effective March 1, 2000**
- 3-222 Deleted October 20, 1999, effective March 1, 2000**
- 3-223 Start-up Date:** Date when new or modified equipment under an authority to construct begins operating. The holder of an authority to construct is required to notify the APCO of this date at least 3 days in advance. For new sources, or modified sources whose authorities to construct have expired, operating fees are charged from the startup date.  
(Adopted 6/4/86; Amended 6/6/90)
- 3-224 Permit to Operate:** Written authorization from the APCO pursuant to Section 2-1-302.  
(Adopted 6/4/86; Amended 6/7/00)
- 3-225 Deleted June 3, 2015**
- 3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987:** The Air Toxics "Hot Spots" Information and Assessment Act of 1987 directs the California Air Resources Board and the Air Quality Management Districts to collect information from industry on emissions of potentially toxic air contaminants and to inform the public about such emissions and their impact on public health. It also directs the Air Quality Management District to collect fees sufficient to cover the necessary state and District costs of implementing the program.  
(Adopted 10/21/92; Amended 6/15/05)
- 3-227 Toxic Air Contaminant, or TAC:** An air pollutant that may cause or contribute to an increase in mortality or in serious illness or that may pose a present or potential hazard to human health. For the purposes of this rule, TACs consist of the substances listed in Table 2-5-1 of Regulation 2, Rule 5.  
(Adopted 10/21/92; Amended 6/15/05)

- 3-228 Deleted December 2, 1998
- 3-229 Deleted December 2, 1998
- 3-230 Deleted December 2, 1998
- 3-231 Deleted December 2, 1998
- 3-232 Deleted December 2, 1998
- 3-233 Deleted December 2, 1998
- 3-234 Deleted December 2, 1998
- 3-235 Deleted December 2, 1998
- 3-236 Deleted December 2, 1998
- 3-237 PM<sub>10</sub>: See Section 2-1-229 of Regulation 2, Rule 1.  
(Adopted June 7, 2000)
- 3-238 **Risk Assessment Fee:** Fee for a new or modified source of toxic air contaminants for which a health risk assessment (HRA) is required under Regulation 2-5-401, for an HRA required under Regulation 11, Rule 18, or for an HRA prepared for other purposes (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402).  
(Adopted June 15, 2005; Amended: June 21, 2017)
- 3-239 **Toxic Surcharge:** Fee paid in addition to the permit to operate fee for a source that emits one or more toxic air contaminants at a rate which exceeds a chronic trigger level listed in Table 2-5-1.  
(Adopted June 15, 2005)
- 3-240 **Biogenic Carbon Dioxide:** Carbon dioxide emissions resulting from materials that are derived from living cells, excluding fossil fuels, limestone and other materials that have been transformed by geological processes. Biogenic carbon dioxide originates from carbon (released in the form of emissions) that is present in materials that include, but are not limited to, wood, paper, vegetable oils, animal fat, and food, animal and yard waste.  
(Adopted May 21, 2008)
- 3-241 **Green Business:** A business or government agency that has been certified under the Bay Area Green Business Program coordinated by the Association of Bay Area Governments and implemented by participating counties.  
(Adopted June 16, 2010)
- 3-242 **Incident:** A non-routine release of an air contaminant that may cause adverse health consequences to the public or to emergency personnel responding to the release, or that may cause a public nuisance or off-site environmental damage.  
(Adopted June 19, 2013)
- 3-243 **Incident Response:** The District's response to an incident. The District's incident response may include the following activities: i) inspection of the incident-emitting equipment and facility records associated with operation of the equipment; ii) identification and analysis of air quality impacts, including without limitation, identifying areas impacted by the incident, modeling, air monitoring, and source sampling; iii) engineering analysis of the specifications or operation of the equipment; and iv) administrative tasks associated with processing complaints and reports.  
(Adopted June 19, 2013)
- 3-244 **Permit to Operate Renewal Date:** The first day of a Permit to Operate's Permit Renewal Period.  
(Adopted June 19, 2013)
- 3-245 **Permit Renewal Period:** The length of time the source is authorized to operate pursuant to a Permit to Operate.  
(Adopted June 19, 2013)
- 3-300 **STANDARDS**
- 3-301 **Hearing Board Fees:** Applicants for variances or appeals or those seeking to revoke or modify variances or abatement orders or to rehear a Hearing Board decision shall pay the applicable fees, including excess emission fees, set forth in Schedule A.  
(Amended June 7, 2000)
- 3-302 **Fees for New and Modified Sources:** Applicants for authorities to construct and permits to operate new sources shall pay for each new source: a filing fee of ~~\$474~~489, the initial fee, the

risk assessment fee, the permit to operate fee, and toxic surcharge (given in Schedules B, C, D, E, F, H, I or K). Applicants for authorities to construct and permits to operate modified sources shall pay for each modified source, a filing fee of ~~\$489,474~~, the initial fee, the risk assessment fee, and any incremental increase in permit to operate and toxic surcharge fees. Where more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. If any person requests more than three HRA scenarios required pursuant to Regulation 2, Rule 5 in any single permit application, they shall pay an additional risk assessment fee for each of these scenarios. Except for gasoline dispensing facilities (Schedule D) and semiconductor facilities (Schedule H), the size to be used for a source when applying the schedules shall be the maximum size the source will have after the construction or modification. Where applicable, fees for new or modified sources shall be based on maximum permitted usage levels or maximum potential to emit including any secondary emissions from abatement equipment. The fee rate applied shall be based on the fee rate in force on the date the application is declared by the APCO to be complete according to 2-1-402, excluding 2-1-402.3 fees. The APCO may reduce the fees for new and modified sources by an amount deemed appropriate if the owner or operator of the source attends an Industry Compliance School sponsored by the District.

302.1 Small Business Discount: If an applicant qualifies as a small business and the source falls under schedules B, C, D (excluding gasoline dispensing facilities), E, F, H, I or K, the filing fee, initial fee, and risk assessment fee shall be reduced by 50%. All other applicable fees shall be paid in full.

302.2 Deleted July 3, 1991

302.3 Fees for Abatement Devices: Applicants for an authority to construct and permit to operate abatement devices where there is no other modification to the source shall pay a ~~\$474,489~~ filing fee and initial and risk assessment fees that are equivalent to 50% of the initial and risk assessment fees for the source being abated, not to exceed a total of ~~\$10,588,10,270~~. For abatement devices abating more than one source, the initial fee shall be 50% of the initial fee for the source having the highest initial fee.

302.4 Fees for Reactivated Sources: Applicants for a Permit to Operate reactivated, previously permitted equipment shall pay the full filing, initial, risk assessment, permit, and toxic surcharge fees.

302.5 Deleted June 3, 2015

302.6 Green Business Discount: If an applicant qualifies as a green business, the filing fee, initial fee, and risk assessment fee shall be reduced by 10%. All other applicable fees shall be paid in full.

(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16, 6/21/17, TBD)

### 3-303

**Back Fees:** An applicant required to obtain a permit to operate existing equipment in accordance with District regulations shall pay back fees equal to the permit to operate fees and toxic surcharges given in the appropriate Schedule (B, C, D, E, F, H, I or K) prorated from the effective date of permit requirements. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. The applicant shall also pay back fees equal to toxic inventory fees pursuant to Section 3-320 and Schedule N. The maximum back fee shall not exceed a total of five years' permit, toxic surcharge, and toxic inventory fees. An owner/operator required to register existing equipment in accordance with District regulations shall pay back fees equal to the annual renewal fee given in Schedule R prorated from the effective date of registration requirements, up to a maximum of five years.

(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 10/8/97; 6/15/05; 5/20/09)

### 3-304

**Alteration:** Except as provided below, for gasoline dispensing facilities subject to Schedule D, an applicant to alter an existing permitted source shall pay the filing fee and 50% of the initial fee for the source, provided that the alteration does not result in an increase in emissions of any regulated air pollutant. For gasoline dispensing facilities subject to Schedule D, an applicant for an alteration shall pay a fee of 1.75 times the filing fee.

304.1 Schedule D Fees: Applicants for alteration to a gasoline dispensing facility subject to Schedule D shall pay a fee of 1.75 times the filing fee.

304.2 Schedule G Fees: Applicants for alteration to a permitted source subject to Schedule

G-3, G-4, or G-5 shall pay the filing fee, 100% of the initial fee, and the risk assessment fee, as specified under Schedule G-2. The applicant shall pay the permit renewal and the toxic surcharge fees applicable to the source under Schedules G-3, G-4, or G-5.

(Amended 6/4/86; 11/15/00; 6/2/04; 6/3/15, 6/15/16, TBD)

**3-305 Cancellation or Withdrawal:** There will be no refund of the initial fee and filing fee if an application is cancelled or withdrawn. There will be no refund of the risk assessment fee if the risk assessment has been conducted prior to the application being cancelled or withdrawn. If an application for identical equipment is submitted within six months of the date of cancellation or withdrawal, the initial fee will be credited in full against the fee for the new application.

(Amended 7/6/83; 4/6/88; 10/8/97; 6/15/05, 6/21/17)

**3-306 Change in Conditions:** If an applicant applies to change the conditions on an existing authority to construct or permit to operate, the applicant will pay the following fees. There will be no change in anniversary date.

306.1 Administrative Condition Changes: An applicant applying for an administrative change in permit conditions shall pay a fee equal to the filing fee for a single source, provided the following criteria are met:

1.1 The condition change applies to a single source or a group of sources with shared permit conditions.

1.2 The condition change does not subject the source(s) to any District Regulations or requirements that were not previously applicable.

1.3 The condition change does not result in any increase in emissions of POC, NPOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, or PM<sub>10</sub> at any source or the emission of a toxic air contaminant above the trigger levels identified in Table 2-5-1

1.4 The condition change does not require a public notice.

306.2 Other Condition Changes: Applicant shall pay the filing, initial, and risk assessment fees required for new and modified equipment under Section 3-302. If the condition change will result in higher permit to operate fees, the applicant shall also pay any incremental increases in permit to operate fees and toxic surcharges.

(Amended 7/6/83; 6/4/86; 6/6/90; 10/8/97; 6/7/00; 6/15/05, 6/21/17)

**3-307 Transfers:** The owner/operator of record is the person to whom a permit is issued or, if no permit has yet been issued to a facility, the person who applied for a permit. Permits are valid only for the owner/operator of record. Upon submittal of a \$102 transfer of ownership fee, permits are re-issued to the new owner/operator of record with no change in expiration dates.

(Amended 2/20/85; 6/4/86; 11/5/86; 4/6/88; 10/8/97, 5/1/02; 5/21/03; 6/02/04; 6/19/13; 6/4/14, 6/15/16)

**3-308 Change of Location:** An applicant who wishes to move an existing source, which has a permit to operate, shall pay no fee if the move is on the same facility. If the move is not on the same facility, the source shall be considered a new source and subject to Section 3-302. This section does not apply to portable permits meeting the requirements of Regulation 2-1-220 and 413.

(Amended 7/6/83; 6/4/86; 6/15/05)

**3-309** Deleted June 21, 2017

(Amended 5/19/99; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17)

**3-310 Fee for Constructing Without a Permit:** An applicant for an authority to construct and a permit to operate a source, which has been constructed or modified without an authority to construct, shall pay the following fees:

310.1 Sources subject to permit requirements on the date of initial operation shall pay fees for new construction pursuant to Section 3-302, any back fees pursuant to Section 3-303, and a late fee equal to 100% of the initial fee. A modified gasoline dispensing facility subject to Schedule D that is not required to pay an initial fee shall pay fees for a modified source pursuant to Section 3-302, back fees, and a late fee equal to 100% of the filing fee.

310.2 Sources previously exempt from permit requirements that lose their exemption due to changes in District, state, or federal regulations shall pay a permit to operate fee and toxic surcharge for the coming year and any back fees pursuant to Section 3-303.

310.3 Sources previously exempt from permit requirements that lose their exemption due to a change in the manner or mode of operation, such as an increased throughput, shall pay fees for new construction pursuant to Section 3-302. In addition, sources applying

- for permits after commencing operation in a non-exempt mode shall also pay a late fee equal to 100% of the initial fee and any back fees pursuant to Section 3-303.
- 310.4 Sources modified without a required authority to construct shall pay fees for modification pursuant to Section 3-302 and a late fee equal to 100% of the initial fee.  
(Amended 7/6/83; 4/18/84; 6/4/86; 6/6/90; 7/3/91; 8/2/95; 10/8/97; 6/02/04; 6/15/05; 6/6/12)
- 3-311 Banking:** Any applicant who wishes to bank emissions for future use, or convert an ERC into an IERC, shall pay a filing fee of ~~\$474489~~ per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. Any applicant for the withdrawal of banked emissions shall pay a fee of ~~\$474489~~.  
(Amended 7/6/83; 6/4/86; 7/15/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, ~~TBD~~)
- 3-312 Emission Caps and Alternative Compliance Plans:** Any facility which elects to use an alternative compliance plan contained in:
- 312.1 Regulation 8 ("bubble") to comply with a District emission limitation or to use an annual or monthly emission limit to acquire a permit in accordance with the provisions of Regulation 2, Rule 2, shall pay an additional annual fee equal to fifteen percent of the total plant permit to operate fee.
- 312.2 Regulation 2, Rule 9, or Regulation 9, Rule 10 shall pay an annual fee of ~~\$1,2381,201~~ for each source included in the alternative compliance plan, not to exceed ~~\$12,38012,008~~.  
(Adopted 5/19/82; Amended 6/4/86; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/23/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, ~~TBD~~)
- 3-313 Deleted May 19, 1999**
- 3-314 Deleted August 2, 1995**
- 3-315 Costs of Environmental Documentation:** An applicant for an Authority to Construct shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, the District's costs of performing any environmental evaluation and preparing and filing any documents pursuant to the California Environmental Quality Act (Public Resources Code, Section 21000, et seq), including the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or filing any environmental evaluation or documentation.  
(Adopted 12/18/85; Amended 5/1/02; 6/3/15)
- 3-316 Deleted June 6, 1990**
- 3-317 Asbestos Operation Fees:** After July 1, 1988, persons submitting a written plan, as required by Regulation 11, Rule 2, Section 401, to conduct an asbestos operation shall pay the fee given in Schedule L.  
(Adopted 7/6/88; Renumbered 9/7/88; Amended 8/2/95)
- 3-318 Public Notice Fee, Schools:** Pursuant to Section 42301.6(b) of the Health and Safety Code, an applicant for an authority to construct or permit to operate subject to the public notice requirements of Regulation 2-1-412 shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, a fee to cover the expense of preparing and distributing the public notices to the affected persons specified in Regulation 2-1-412 as follows:
- 318.1 A fee of ~~\$2,2722,204~~ per application, and
- 318.2 The District's cost exceeding ~~\$2,2722,204~~ of preparing and distributing the public notice.
- 318.3 The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of preparing and distributing the public notice.  
(Adopted 11/1/89; Amended 10/8/97; 7/1/98; 5/19/99; 6/7/00; 5/21/03; 6/2/04; 6/16/10, 6/15/16, 6/21/17, ~~TBD~~)
- 3-319 Major Stationary Source Fees:** Any major stationary source emitting 50 tons per year of organic compounds, sulfur oxides, nitrogen oxides, or PM<sub>10</sub> shall pay a fee based on Schedule M. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.  
(Adopted 6/6/90; Amended 8/2/95; 6/7/00)
- 3-320 Toxic Inventory Fees:** Any facility that emits one or more toxic air contaminants in quantities above a minimum threshold level shall pay an annual fee based on Schedule N. This fee will be in addition to permit to operate, toxic surcharge, and other fees otherwise authorized to be

collected from such facilities.

320.1 An applicant who qualifies as a small business under Regulation 3-209 shall pay a Toxic Inventory Fee as set out in Schedule N up to a maximum fee of ~~\$9,679,388~~ per year.

(Adopted 10/21/92; Amended 5/19/99; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 5/4/11, 6/15/16, 6/21/17)

**3-321 Deleted December 2, 1998**

**3-322 Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Persons submitting a written notification for a given site to conduct either excavation of contaminated soil or removal of underground storage tanks as required by Regulation 8, Rule 40, Section 401, 402, 403 or 405 shall pay a fee based on Schedule Q.

(Adopted 1/5/94; Amended 8/2/95; 5/21/03)

**3-323 Pre-Certification Fees:** An applicant seeking to pre-certify a source, in accordance with Regulation 2, Rule 1, Section 415, shall pay the filing fee, initial fee and permit to operate fee given in the appropriate schedule.

(Adopted June 7, 1995)

**3-324 Deleted June 7, 2000**

**3-325 Deleted December 2, 1998**

**3-326 Deleted December 2, 1998**

**3-327 Permit to Operate, Renewal Fees:** After the expiration of the initial permit to operate, the permit to operate shall be renewed on an annual basis or other time period as approved by the APCO. The fee required for the renewal of a permit to operate is the permit to operate fee and toxic surcharge listed in Schedules B, C, D, E, F, H, I, and K, prorated for the period of coverage. When more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. This renewal fee is applicable to all sources required to obtain permits to operate in accordance with District regulations. The permit renewal invoice shall also specify any applicable major stationary source fees based on Schedule M, toxic inventory fees based on Schedule N, major facility review fees based on Schedule P, and greenhouse gas fees based on Schedule T. Where applicable, renewal fees shall be based on actual usage or emission levels that have been reported to or calculated by the District. In addition to these renewal fees for the sources at a facility, the facility shall also pay a processing fee at the time of renewal that covers each Permit Renewal Period as follows:

327.1 ~~\$9693~~ for facilities with one permitted source, including gasoline dispensing facilities,  
327.2 ~~\$191185~~ for facilities with 2 to 5 permitted sources,  
327.3 ~~\$380369~~ for facilities with 6 to 10 permitted sources,  
327.4 ~~\$571554~~ for facilities with 11 to 15 permitted sources,  
327.5 ~~\$757734~~ for facilities with 16 to 20 permitted sources,  
327.6 ~~\$947919~~ for facilities with more than 20 permitted sources.

(Adopted 6/7/00; Amended 6/2/04; 6/16/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**3-328 Fee for OEHA Risk Assessment Reviews:** Any facility that submits a health risk assessment to the District in accordance with Section 44361 of the California Health and Safety Code shall pay any fee requested by the State Office of Environmental Health Hazard Assessment (OEHA) for reimbursement of that agency's costs incurred in reviewing the risk assessment.

(Adopted June 7, 2000)

**3-329 Fees for New Source Review Health Risk Assessment:** Any person required to submit a health risk assessment (HRA) pursuant to Regulation 2-5-401 shall pay an appropriate Risk Assessment Fee pursuant to Regulation 3-302 and Schedules B, C, D, E, F, H, I or K. In addition, any person that requests that the District prepare or review an HRA (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402) shall pay a Risk Assessment Fee. A Risk Assessment Fee shall be assessed for each source that is proposed to emit a toxic air contaminant (TAC) at a rate that exceeds a trigger level in Table 2-5-1: Toxic Air Contaminant Trigger Levels. If a project requires an HRA due to total project emissions, but TAC emissions from each individual source are less than the Table 2-5-1 trigger levels, a Risk Assessment Fee shall be assessed for the source in the project with the highest TAC emissions.

(Adopted June 15, 2005; Amended 6/21/17)

- 3-330 Fee for Renewing an Authority to Construct:** An applicant seeking to renew an authority to construct in accordance with Regulation 2-1-407 shall pay a fee of 50% of the initial fee in effect at the time of the renewal. If the District determines that an authority to construct cannot be renewed, any fees paid under this section shall be credited in full against the fee for a new authority to construct for functionally equivalent equipment submitted within six months of the date the original authority to construct expires.  
(Adopted June 15, 2005)
- 3-331 Registration Fees:** Any person who is required to register equipment under District rules shall submit a registration fee, and any annual fee thereafter, as set out in Schedule R. The APCO may reduce registration fees by an amount deemed appropriate if the owner or operator of the equipment attends an Industry Compliance School sponsored by the District.  
(Adopted June 6, 2007; Amended 6/16/10)
- 3-332 Naturally Occurring Asbestos Fees:** After July 1, 2007, any person required to submit an Asbestos Dust Mitigation Plan (ADMP) pursuant to Title 17 of the California Code of Regulations, Section 93105, Asbestos Air Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations shall pay the fee(s) set out in Schedule S.  
(Adopted June 6, 2007)
- 3-333 Major Facility Review (MFR) and Synthetic Minor Application Fees:** Any facility that applies for, or is required to undergo, an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit, a renewal of an MFR permit, an initial synthetic minor operating permit, or a revision to a synthetic minor operating permit, shall pay the applicable fees set forth in Schedule P.  
(Adopted May 21, 2008)
- 3-334 Greenhouse Gas Fees:** Any permitted facility with greenhouse gas emissions shall pay a fee based on Schedule T. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities, and shall be included as part of the annual permit renewal fees.  
(Adopted May 21, 2008)
- 3-335 Indirect Source Review Fees:** Applicants that must file an Air Quality Impact Assessment pursuant to District rules for a project that is deemed to be an indirect source shall pay a fee based on Schedule U.  
(Adopted May 20, 2009)
- 3-336 Open Burning Operation Fees:** Effective July 1, 2013, any person required to provide notification to the District prior to burning; submit a petition to conduct a Filmmaking or Public Exhibition fire; receive an acreage burning allocation to conduct a Stubble fire; or submit a smoke management plan and receive an acreage burning allocation to conduct a Wildland Vegetation Management fire or Marsh Management fire shall pay the fee given in Schedule V.  
(Adopted June 19, 2013)
- 3-337 Exemption Fee:** An applicant who wishes to receive a certificate of exemption shall pay a filing fee of ~~\$474489~~ per exempt source.  
(Adopted June 19, 2013; Amended 6/4/14; 6/3/15, 6/21/17)
- 3-338 Incident Response Fee:** Any facility required to obtain a District permit, and any District-regulated area-wide or indirect source, that is the site where an incident occurs to which the District responds, shall pay a fee equal to the District's actual costs in conducting the incident response as defined in Section 3-243, including without limitation, the actual time and salaries, plus overhead, of the District staff involved in conducting the incident response and the cost of any materials.(Adopted June 19, 2013)
- 3-339 Petroleum Refining Emissions Tracking Fees:** Any person required to submit an Annual Emissions Inventory, Monthly Crude Slate Report, or air monitoring plan in accordance with Regulation 12, Rule 15 shall pay the applicable fees set forth in Schedule W.  
(Adopted 6/15/16)
- 3-340 Major Stationary Source Community Air Monitoring Fees:** Any major stationary source emitting 35 tons per year of organic compounds, sulfur oxides, nitrogen oxides, carbon monoxide or PM<sub>10</sub> shall pay a community air monitoring fee based on Schedule X. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

- 3-341 Fee for Risk Reduction Plan:** Any person required to submit a Risk Reduction Plan in accordance with Regulation 11, Rule 18 shall pay the applicable fees set forth below:
- 341.1 \$1,500 for facilities with one source subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;
  - 341.2 \$3,000 for facilities with 2 to 5 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.3 \$6,000 for facilities with 6 to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.4 \$12,000 for facilities with 11 to 15 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.5 \$24,000 for facilities with 16 to 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.6 \$32,000 for facilities with more than 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

(Adopted 6/21/17)

- 3-342 Fee for Facility-Wide Health Risk Assessment:** Any person required to ~~undergo~~<sup>submit</sup> a health risk assessment (HRA) ~~to assess compliance with the~~<sup>pursuant to</sup> Regulation 11, Rule 18 ~~risk action levels~~ shall pay a risk assessment fee for each source pursuant to Regulation 3-329 and Schedules B, C, D, E, F, H, I or K. The maximum fee required for any single HRA of a facility conducted pursuant to Regulation 11, Rule 18 shall not exceed a total of \$150,000.

If a facility retains a District-approved consultant to complete the required facility-wide HRA, the facility shall pay a fee to cover the District's costs of performing the review of the facility-wide HRA, including the costs of any outside consulting assistance which the District may employ in connection with any such review, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the facility-wide HRA. The total HRA review cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of \$205 per hour. Facilities shall pay an HRA review fee as indicated below and the District's cost exceeding the applicable HRA review fees indicated below for performing the review of the facility-wide HRA:

- 342.1 \$2,500 for facilities with one to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;
- 342.2 \$6,600 for facilities with 11 to 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
- 342.3 \$14,000 for facilities with more than 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of performing the review of the facility-wide HRA.

(Adopted 6/21/17, Amended TBD)

### **3-400 ADMINISTRATIVE REQUIREMENTS**

- 3-401 Permits:** Definitions, standards, and conditions contained in Regulation 2, Permits, are applicable to this regulation.

- 3-402 Single Anniversary Date:** The APCO may assign a single anniversary date to a facility on which all its renewable permits to operate expire and will require renewal. Fees will be prorated to compensate for different time periods resulting from change in anniversary date.

- 3-403 Change in Operating Parameters:** See Section 2-1-404 of Regulation 2, Rule 1.

- 3-404 Deleted June 7, 2000**

- 3-405 Fees Not Paid:** If an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the following procedure(s) shall apply:

- 405.1 Authority to Construct: The application will be cancelled, but can be reactivated upon payment of fees.
- 405.2 New Permit to Operate: The Permit to Operate shall not be issued, and the facility will

be notified that operation, including startup, is not authorized.

2.1 Fees received during the first 30 days following the due date must include a late fee equal to 10 percent of all fees specified on the invoice.

2.2 Fees received more than 30 days after the due date must include a late fee equal to ~~2550~~ percent of all fees specified on the invoice.

405.3 Renewal of Permit to Operate: The owner or operator of a facility must renew the Permit to Operate in order to continue to be authorized to operate the source. Permit to Operate Fees for the Permit Renewal Period shall be calculated using fee schedules in effect on the Permit to Operate Renewal Date. The permit renewal invoice will include all fees to be paid in order to renew the Permit to Operate, as specified in Section 3-327. If not renewed as of the date of the next Permit Renewal Period, a Permit to Operate lapses and further operation is no longer authorized. The District will notify the facility that the permit has lapsed. Reinstatement of lapsed Permits to Operate will require the payment of all unpaid prior Permit to Operate fees and associated reinstatement fees for each unpaid prior Permit Renewal Period, in addition to all fees specified on the permit renewal invoice.

405.4 Reinstatement of Lapsed Permit to Operate: To reinstate a Permit to Operate, the owner or operator must pay all of the following fees:

4.1 The applicable Permit to Operate Fees for the current year, as specified in Regulation 3-327, and the applicable reinstatement fee, if any, calculated as follows:

4.1.1 Fees received during the first 30 days following the due date must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 10 percent of all fees specified on the invoice.

4.1.2 Fees received more than 30 days after the due date, but less than one year after the due date, must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to ~~2550~~ percent of all fees specified on the invoice.

4.2 The applicable Permit to Operate Fees specified in Regulation 3-327 for each prior Permit Renewal Period for which all Permit to Operate Fees and associated reinstatement fees have not been paid. Each year's Permit to Operate Fee shall be calculated at the fee rates in effect on that year's Permit to Operate Renewal Date. The reinstatement fee for each associated previously-unpaid Permit to Operate Fee shall be calculated in accordance with Regulation 3-405.4.1 and 4.1.2.

Each year or period of the lapsed Permit to Operate is deemed a separate Permit Renewal Period. The oldest outstanding Permit to Operate Fee and reinstatement fees shall be paid first.

405.5 Registration and Other Fees: Persons who have not paid the fee by the invoice due date, shall pay the following late fee in addition to the original invoiced fee. Fees shall be calculated using fee schedules in effect at the time of the fees' original determination.

5.1 Fees received during the first 30 days following the due date must include an additional late fee equal to 10 percent of all fees specified on the invoice.

5.2 Fees received more than 30 days after the due date must include an additional late fee equal to 50 percent of all fees specified on the invoice.

(Amended 7/6/83; 6/4/86; 11/5/86; 2/15/89; 6/6/90; 7/3/91; 8/2/95; 12/2/98; 6/15/05; 6/7/06; 6/6/12; 6/19/13; 6/4/14, TBD)

**3-406 Deleted June 4, 1986**

**3-407 Deleted August 2, 1995**

**3-408 Permit to Operate Valid for 12 Months:** A Permit to Operate is valid for 12 months from the date of issuance or other time period as approved by the APCO.

(Amended 6/4/86; Amended 6/7/00)

**3-409 Deleted June 7, 2000**

**3-410 Deleted August 2, 1995**

**3-411 Advance Deposit of Funds:** The APCO may require that at the time of the filing of an application for an Authority to Construct for a project for which the District is a lead agency under the California Environmental Quality Act (Public Resources Code, Section 21000, et

seq.), the applicant shall make an advance deposit of funds, in an amount to be specified by the APCO, to cover the costs which the District estimates to incur in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation. In the event the APCO requires such an estimated advance payment to be made, the applicant will be provided with a full accounting of the costs actually incurred by the District in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation.

*(Adopted 12/18/85; Amended 8/2/95)*

**3-412 Deleted December 2, 1998**

**3-413 Toxic "Hot Spots" Information and Assessment Act Revenues:** No later than 120 days after the adoption of this regulation, the APCO shall transmit to the California Air Resources Board, for deposit into the Air Toxics "Hot Spots" Information and Assessment Fund, the revenues determined by the ARB to be the District's share of statewide Air Toxics "Hot Spot" Information and Assessment Act expenses.

*(Adopted October 21, 1992)*

**3-414 Deleted December 2, 1998**

**3-415 Failure to Pay - Further Actions:** When an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the APCO may take the following actions against the applicant or owner/operator:

415.1 Issuance of a Notice to Comply.

415.2 Issuance of a Notice of Violation.

415.3 Revocation of an existing Permit to Operate. The APCO shall initiate proceedings to revoke permits to operate for any person who is delinquent for more than one month. The revocation process shall continue until payment in full is made or until permits are revoked.

415.4 The withholding of any other District services as deemed appropriate until payment in full is made.

*(Adopted 8/2/95; Amended 12/2/98; 6/15/05)*

**3-416 Adjustment of Fees:** The APCO or designees may, upon finding administrative error by District staff in the calculation, imposition, noticing, invoicing, and/or collection of any fee set forth in this rule, rescind, reduce, increase, or modify the fee. A request for such relief from an administrative error, accompanied by a statement of why such relief should be granted, must be received within two years from the date of payment.

*(Adopted October 8, 1997)*

**3-417 Temporary Amnesty for Unpermitted and Unregistered Sources:** The APCO has the authority to declare an amnesty period, during which the District may waive all or part of the back fees and/or late fees for sources that are currently operating without valid Permits to Operate and/or equipment registrations.

*(Adopted June 16, 2010)*

**3-418 Temporary Incentive for Online Production System Transactions:** The APCO has the authority to declare an incentive period for transactions made using the online production system, during which the District may waive all or any part of the fees for these transactions.

*(Adopted TBD)*

**SCHEDULE A  
HEARING BOARD FEES<sup>1</sup>**

Established by the Board of Directors December 7, 1977 Resolution No. 1046  
(Code section references are to the California Health & Safety Code, unless otherwise indicated)

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                   | Large<br>Companies                                                                   | Small<br>Business                                                            | Third<br>Party |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------|----------------|
| 1. | For each application for variance exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance .....<br>Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application in accordance with §42350, the additional sum of .....      | <del>\$5,292</del><br><del>4,602</del><br><br><del>\$2,650</del><br><del>2,304</del> | <del>\$791</del><br><del>688</del><br><br><del>\$267</del><br><del>232</del> |                |
| 2. | For each application for variance not exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance .....<br>Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application, in accordance with §42350, the additional sum of ..... | <del>\$3,177</del><br><del>2,763</del><br><br><del>\$1,586</del><br><del>1,379</del> | <del>\$791</del><br><del>688</del><br><br><del>\$267</del><br><del>232</del> |                |
| 3. | For each application to modify a variance in accordance with §42356....<br>Plus, for each hearing in addition to the first hearing on said application to modify a variance, in accordance with §42345, necessary to dispose of the application, the additional sum of .....                                                                                                                                                      | <del>\$2,108</del><br><del>1,833</del><br><br><del>\$1,379</del><br><del>1,586</del> | <del>\$267</del><br><del>232</del><br><br><del>\$267</del><br><del>232</del> |                |
| 4. | For each application to extend a variance, in accordance with §42357...<br>Plus, for each hearing in addition to the first hearing on an application to extend a variance, in accordance with §42357, necessary to dispose of the application, the additional sum of .....                                                                                                                                                        | <del>\$1,833</del><br><del>2,108</del><br><br><del>\$1,379</del><br><del>1,586</del> | <del>\$267</del><br><del>232</del><br><br><del>\$267</del><br><del>232</del> |                |
| 5. | For each application to revoke a variance .....                                                                                                                                                                                                                                                                                                                                                                                   | <del>\$3,177</del><br><del>2,763</del>                                               | <del>\$267</del><br><del>232</del>                                           |                |
| 6. | For each application for approval of a Schedule of Increments of Progress in accordance with §41703 .....                                                                                                                                                                                                                                                                                                                         | <del>\$1,833</del><br><del>2,108</del>                                               | <del>\$267</del><br><del>232</del>                                           |                |
| 7. | For each application for variance in accordance with §41703, which exceeds 90 days .....<br>Plus, for each hearing in addition to the first hearing on said application for variance in accordance with §41703, the additional sum of .....                                                                                                                                                                                       | <del>\$4,602</del><br><del>5,292</del><br><br><del>\$2,650</del><br><del>2,304</del> | <del>\$791</del><br><del>688</del><br><br><del>\$267</del><br><del>232</del> |                |
| 8. | For each application for variance in accordance with §41703, not to exceed 90 days .....<br>Plus, for each hearing in addition to the hearing on said application for a variance in accordance with §41703, the additional sum of .....                                                                                                                                                                                           | <del>\$3,177</del><br><del>2,763</del><br><br><del>\$1,379</del><br><del>1,586</del> | <del>\$791</del><br><del>688</del><br><br><del>\$267</del><br><del>232</del> |                |

|     |                                                                                                     | Large<br>Companies                                                                                     | Small<br>Business                                     | Third<br>Party                                                                                         |
|-----|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| 9.  | For each Appeal (Permit, Banking, Title V) .....                                                    | <del>\$4,6025,2</del><br><u>92</u><br>per hearing<br>day                                               | <del>\$2,6502,</del><br><u>304</u> per<br>hearing day | <del>\$2,6502,3</del><br><u>04</u><br>for entire<br>appeal period                                      |
| 10. | For each application for intervention in accordance with Hearing Board Rules §§2.3, 3.6 & 4.6 ..... | <del>\$2,6502</del><br><u>,304</u>                                                                     | <del>\$5324</del><br><u>63</u>                        |                                                                                                        |
| 11. | For each application to Modify or Terminate an abatement order .....                                | <del>\$4,6025,2</del><br><u>92</u><br>per hearing<br>day                                               | <del>\$2,6502,</del><br><u>304</u> per<br>hearing day |                                                                                                        |
| 12. | For each application for an interim variance in accordance with §42351 .....                        | <del>\$2,6502</del><br><u>,304</u>                                                                     | <del>\$5324</del><br><u>63</u>                        |                                                                                                        |
| 13. | For each application for an emergency variance in accordance with §42359.5 .....                    | <del>\$1,3211</del><br><u>,149</u>                                                                     | <del>\$2672</del><br><u>32</u>                        |                                                                                                        |
| 14. | For each application to rehear a Hearing Board decision in accordance with §40861 .....             | 100%<br>of previous<br>fee<br>charged                                                                  | 100%<br>of previous<br>fee charged                    |                                                                                                        |
| 15. | Excess emission fees .....                                                                          | See<br>Attachment I                                                                                    | See<br>Attachment I                                   |                                                                                                        |
| 16. | Miscellaneous filing fee for any hearing not covered above                                          | <del>\$2,6502</del><br><u>,304</u>                                                                     | <del>\$7916</del><br><u>88</u>                        | <del>\$79168</del><br><u>8</u>                                                                         |
| 17. | For each published Notice of Public Hearing .....                                                   | Cost of<br>Publication                                                                                 | \$0                                                   | \$0                                                                                                    |
| 18. | Court Reporter Fee (to be paid only if Court Reporter required for hearing) .....                   | Actual<br>Appearance<br>and<br>Transcript<br>costs per<br>hearing solely<br>dedicated to<br>one Docket | \$0                                                   | Actual<br>Appearance<br>and<br>Transcript<br>costs per<br>hearing solely<br>dedicated to<br>one Docket |

NOTE 1 Any applicant who believes they have a hardship for payment of fees may request a fee waiver from the Hearing Board pursuant to Hearing Board Rules.  
 (Amended 10/8/97; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE A  
ATTACHMENT I  
EXCESS EMISSION FEE**

**A. General**

- (1) Each applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the other filing fees required in Schedule A, an emission fee based on the total weight of emissions discharged, per source or product, other than those described in division (B) below, during the variance period in excess of that allowed by these rules in accordance with the schedule set forth in Table I.
- (2) Where the total weight of emission discharged cannot be easily calculated, the petitioner shall work in concert with District staff to establish the amount of excess emissions to be paid.
- (3) In the event that more than one rule limiting the discharge of the same contaminant is violated, the excess emission fee shall consist of the fee for violation which will result in the payment of the greatest sum. For the purposes of this subdivision, opacity rules and particulate mass emissions shall not be considered rules limiting the discharge of the same contaminant.

**B. Excess Visible Emission Fee**

Each applicant or petitioner for a variance from Regulation 6 or Health and Safety Code Section 41701 shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the filing fees required in Schedule A and the excess emission fees required in (A) above (if any), an emission fee based on the difference between the percent opacity allowed by Regulation 6 and the percent opacity of the emissions allowed from the source or sources operating under the variance, in accordance with the schedule set forth in Table II.

In the event that an applicant or petitioner is exempt from the provisions of Regulation 6, the applicant or petitioner shall pay a fee calculated as described herein above, but such fee shall be calculated based upon the difference between the opacity allowed under the variance and the opacity allowed under the provisions of Health and Safety Code Section 41701, in accordance with the schedule set forth in Table II.

**C. Applicability**

The provisions of subdivision (A) shall apply to all variances that generate excess emissions.

**D. Fee Determination**

- (1) The excess emission fees shall be calculated by the petitioner based upon the requested number of days of operation under variance multiplied by the expected excess emissions as set forth in subdivisions (A) and (B) above. The calculations and proposed fees shall be set forth in the petition.
- (2) The Hearing Board may adjust the excess emission fee required by subdivisions (A) and (B) of this rule based on evidence regarding emissions presented at the time of the hearing.

#### **E. Small Businesses**

- (1) A small business shall be assessed twenty percent (20%) of the fees required by subdivisions (A) and (B), whichever is applicable. "Small business" is defined in the Fee Regulation.
- (2) Request for exception as a small business shall be made by the petitioner under penalty of perjury on a declaration form provided by the Executive Officer which shall be submitted to the Clerk or Deputy Clerk of the Hearing Board at the time of filing a petition for variance.

#### **F. Group, Class and Product Variance Fees**

Each petitioner included in a petition for a group, class or product variance shall pay the filing fee specified in Schedule A, and the excess emission fees specified in subdivisions (A) and (B), whichever is applicable.

#### **G. Adjustment of Fees**

If after the term of a variance for which emission fees have been paid, petitioner can establish, to the satisfaction of the Executive Officer/APCO, that emissions were actually less than those upon which the fee was based, a pro rata refund shall be made.

#### **H. Fee Payment/Variance Invalidation**

- (1) Excess emission fees required by subdivisions (A) and (B), based on an estimate provided during the variance Hearing, are due and payable within fifteen (15) days of the granting of the variance. The petitioner shall be notified in writing of any adjustment to the amount of excess emission fees due, following District staff's verification of the estimated emissions. Fee payments to be made as a result of an adjustment are due and payable within fifteen (15) days of notification of the amount due.
- (2) Failure to pay the excess emission fees required by subdivisions (A) and (B) within fifteen (15) days of notification that a fee is due shall automatically invalidate the variance. Such notification may be given by personal service or by deposit, postpaid, in the United States mail and shall be due fifteen (15) days from the date of personal service or mailing. For the purpose of this rule, the fee payment shall be considered to be received by the District if it is postmarked by the United States Postal Service on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be postmarked on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been postmarked on the expiration date.

**TABLE I  
SCHEDULE OF EXCESS EMISSIONS FEES**

|                  |                                        |
|------------------|----------------------------------------|
| Air Contaminants | All at <del>\$5.074.41</del> per pound |
|------------------|----------------------------------------|

Organic gases, except methane and those containing sulfur  
Carbon Monoxide  
Oxides of nitrogen (expressed as nitrogen dioxide)  
Gaseous sulfur compounds (expressed as sulfur dioxide)  
Particulate matter

|                        |                                          |
|------------------------|------------------------------------------|
| Toxic Air Contaminants | All at <del>\$25.2221.93</del> per pound |
|------------------------|------------------------------------------|

Asbestos  
Benzene  
Cadmium  
Carbon tetrachloride  
Chlorinated dioxins and dibenzofurans (15 species)  
Diesel exhaust particulate matter  
Ethylene dibromide  
Ethylene dichloride  
Ethylene oxide  
Formaldehyde  
Hexavalent chromium  
Methylene chloride  
Nickel  
Perchloroethylene  
1,3-Butadiene  
Inorganic arsenic  
Beryllium  
Polynuclear aromatic hydrocarbons (PAH)  
Vinyl chloride  
Lead  
1,4-Dioxane  
Trichloroethylene

**TABLE II  
SCHEDULE OF EXCESS VISIBLE EMISSION FEE**

For each source with opacity emissions in excess of twenty percent (20%), but less than forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

|                                                                                               |
|-----------------------------------------------------------------------------------------------|
| Fee = (Opacity* equivalent - 20) x number of days allowed in variance x <del>\$5.184.50</del> |
|-----------------------------------------------------------------------------------------------|

For each source with opacity emissions in excess of forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

|                                                                                               |
|-----------------------------------------------------------------------------------------------|
| Fee = (Opacity* equivalent - 40) x number of days allowed by variance x <del>\$5.184.50</del> |
|-----------------------------------------------------------------------------------------------|

- \* Where "Opacity" equals maximum opacity of emissions in percent (not decimal equivalent) allowed by the variance. Where the emissions are darker than the degree of darkness equivalent to the allowed Ringelmann number, the percentage equivalent of the excess degree of darkness shall be used as "opacity."

*(Adopted 6/7/00; Amended 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

**SCHEDULE B**  
**COMBUSTION OF FUEL**  
(Adopted June 18, 1980)

For each source that burns fuel, which is not a flare and not exempted by Regulation 2, Rule 1, the fee shall be computed based on the maximum gross combustion capacity (expressed as higher heating value, HHV) of the source.

1. INITIAL FEE: ~~\$65.07~~~~63.11~~ per MM BTU/HOUR
  - a. The minimum fee per source is: ~~\$347~~~~337~~
  - b. The maximum fee per source is: ~~\$121,383~~~~117,733~~
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$474~~~~489~~ plus ~~\$65.07~~~~63.11~~ per MM BTU/hr
  - b. Minimum RAF for first TAC source: ~~\$836~~~~811~~
  - c. RAF for each additional TAC source: ~~\$65.07~~~~63.11~~ per MM BTU/hr
  - d. Minimum RAF per additional TAC source: ~~\$347~~~~337~~\*
  - e. Maximum RAF per source is: ~~\$121,383~~~~117,733~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$32.52~~~~31.54~~ per MM BTU/HOUR
  - a. The minimum fee per source is: ~~\$246~~~~239~~
  - b. The maximum fee per source is: ~~\$60,691~~~~58,866~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
6. Applicants for an authority to construct and permit to operate a project, which burns municipal waste or refuse-derived fuel, shall pay in addition to all required fees, an additional fee to cover the costs incurred by the State Department of Health Services, and/or a qualified contractor designated by the State Department of Health Services, in reviewing a risk assessment as required under H&S Code Section 42315. The fee shall be transmitted by the District to the Department of Health Services and/or the qualified contractor upon completion of the review and submission of comments in writing to the District.
7. A surcharge equal to 100% of all required initial and permit to operate fees shall be charged for sources permitted to burn one or more of the following fuels: coke, coal, wood, tires, black liquor, and municipal solid waste.

NOTE: MM BTU is million BTU of higher heat value  
One MM BTU/HR = 1.06 gigajoules/HR

(Amended 6/5/85; 6/4/86; 3/4/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE C**  
**STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS**  
(Adopted June 18, 1980)

For each stationary container of organic liquids which is not exempted from permits by Regulation 2 and which is not part of a gasoline dispensing facility, the fee shall be computed based on the container volume, as follows:

1. INITIAL FEE: 0.185 cents per gallon
  - a. The minimum fee per source is: \$204
  - b. The maximum fee per source is: \$27,858
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$474,489 plus 0.185 cents per gallon
  - b. Minimum RAF for first TAC source: \$678
  - c. RAF for each additional TAC source: 0.185 cents per gallon \*
  - d. Minimum RAF per additional TAC source: \$204 \*
  - e. Maximum RAF per source is: \$27,858

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: 0.093 cents per gallon
  - a. The minimum fee per source is: \$147
  - b. The maximum fee per source is: \$13,928
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

**SCHEDULE D**  
**GASOLINE TRANSFER AT GASOLINE DISPENSING FACILITIES,**  
**BULK PLANTS AND TERMINALS**  
(Adopted June 18, 1980)

A. All gasoline dispensing facilities shall pay the following fees:

1. INITIAL FEE: ~~\$330.93306-42~~ per single product nozzle (spn)  
~~\$330.93306-42~~ per product for each multi-product nozzle (mpn)
2. PERMIT TO OPERATE FEE: ~~\$126.75117-36~~ per single product nozzle (spn)  
~~\$126.75117-36~~ per product for each multi-product nozzle (mpn)
3. Initial fees and permit to operate fees for hardware modifications at a currently permitted gasoline dispensing facility shall be consolidated into a single fee calculated according to the following formula:

$$\text{\$457.68423-78} \times \{[(mpn_{\text{proposed}})(\text{products per nozzle}) + spn_{\text{proposed}}] - [(mpn_{\text{existing}})(\text{products per nozzle}) + spn_{\text{existing}}]\}$$

*mpn* = multi-product nozzles  
*spn* = single product nozzles

The above formula includes a toxic surcharge.

If the above formula yields zero or negative results, no initial fees or permit to operate fees shall be charged.

For the purposes of calculating the above fees, a fuel blended from two or more different grades shall be considered a separate product.

Other modifications to facilities' equipment, including but not limited to tank addition/replacement/conversion, vapor recovery piping replacement, moving or extending pump islands, will not be subject to initial fees or permit to operate fees.

4. RISK ASSESSMENT FEE (RAF) of ~~\$474489~~ per application, if required pursuant to Regulation 3-329 or 3-342 [including increases in permitted throughput for which a health risk assessment is required.]
  5. Nozzles used exclusively for the delivery of diesel fuel or other fuels exempt from permits shall pay no fee. Multi-product nozzles used to deliver both exempt and non-exempt fuels shall pay fees for the non-exempt products only.
- B. All bulk plants, terminals or other facilities using loading racks to transfer gasoline or gasohol into trucks, railcars or ships shall pay the following fees:
1. INITIAL FEE: ~~\$4,346.844,024-85~~ per single product loading arm  
~~\$4,346.844,024-85~~ per product for multi-product arms
  2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
    - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$4,9224,557~~
    - b. RAF for each additional TAC source: ~~\$4,3474,025~~ \*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  3. PERMIT TO OPERATE FEE: ~~\$1,2111,121~~ per single product loading arm  
~~\$1,2111,121~~ per product for multi-product arms
  4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
- C. Fees in (A) above are in lieu of tank fees. Fees in (B) above are in addition to tank fees.
- D. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02;  
5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16,  
6/21/17, TBD)

**SCHEDULE E**  
**SOLVENT EVAPORATING SOURCES**  
(Adopted June 18, 1980)

For each solvent evaporating source, as defined in Section 3-210 except for dry cleaners, the fee shall be computed based on the net amount of organic solvent processed through the sources on an annual basis (or anticipated to be processed, for new sources) including solvent used for the cleaning of the sources.

1. INITIAL FEE:
  - a. The minimum fee per source is: \$~~800~~734
  - b. ~~If usage is not more than 1,000 gallons/year:~~ ~~\$734~~
  - c. ~~If usage is more than 1,000 gallons/year:~~ \$1,6071,474 per 1,000 gallons
  - d. The maximum fee per source is: \$~~63,863~~58,590
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant(TAC) source in application: \$~~474~~489 plus initial fee
  - b. Minimum RAF for first TAC source: \$1,3171,208
  - c. RAF for each additional TAC source: equal to initial fee \*
  - d. Minimum RAF per additional TAC source: \$~~800~~734 \*
  - e. Maximum RAF per source is: \$~~63,863~~58,590
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE:
  - a. The minimum fee per source is: \$577529
  - b. ~~If usage is not more than 1,000 gallons/year:~~ ~~\$529~~
  - c. ~~If usage is more than 1,000 gallons/year:~~ ~~\$800~~734 per 1,000 gallons
  - d. The maximum fee per source is: \$~~31,929~~29,293
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 5/19/82; 10/17/84; 6/5/85; 6/4/86; 10/8/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17, TBD)

**SCHEDULE F**  
**MISCELLANEOUS SOURCES**  
(Adopted June 18, 1980)

For each source not governed by Schedules B, C, D, E, H or I, (except for those sources in the special classification lists, G-1 - G-5) the fees are:

1. INITIAL FEE: ~~\$636,594~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first (toxic air contaminant) TAC source in application: ~~\$1,194,116~~
  - b. RAF for each additional TAC source: ~~\$636,594\*~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$462,432~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1. List of special classifications requiring graduated fees is shown in Schedules G-1, G-2, G-3, G-4, and G-5.

G-1 FEES FOR SCHEDULE G-1. For each source in a G-1 classification, fees are:

1. INITIAL FEE: ~~\$4,341,983~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$4,926,519~~
  - b. RAF for each additional TAC source: ~~\$4,341,983\*~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$2,167,198~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-2 FEES FOR SCHEDULE G-2. For each source in a G-2 classification, fees are:

1. INITIAL FEE: ~~\$6,046,257~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$6,663,794~~
  - b. RAF for each additional TAC source: ~~\$6,046,257\*~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$3,021,627~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-3 FEES FOR SCHEDULE G-3. For each source in a G-3 classification, fees are:

1. INITIAL FEE: ~~\$34,291,048~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant(TAC) source in application: ~~\$34,850,570~~
  - b. RAF for each additional TAC source: ~~\$34,291,048 \*~~

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: ~~\$17,142~~~~16,021~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-4 FEES FOR SCHEDULE G-4. For each source in a G-4 classification, fees are:

1. INITIAL FEE: ~~\$79,942~~~~69,515~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant(TAC) source in application: ~~\$80,559~~~~70,051~~
  - b. RAF for each additional TAC source: ~~\$79,942~~~~69,515~~\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$39,969~~~~34,756~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-5 FEES FOR SCHEDULE G-5. For each source in a G-5 classification, fees are:

1. INITIAL FEE: \$51,731
2. RISK ASSESSMENT FEE (RAF) is only applicable for new and modified sources of toxic air contaminants (TACs) for which a health risk assessment is required under Regulation 2-5-401.
  - a. RAF for first TAC source in application: \$52,193
  - b. RAF for each additional TAC source: \$51,731\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$25,865
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

(Amended 5/19/82; 6/5/85; 6/4/86; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE G-1**  
(Adopted June 18, 1980)

| <b>Equipment or Process Description</b>                                                                               | <b>Materials Processed or Produced</b>                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Asphalt Roofing Manufacturing – Asphalt Dipping                                                                       | Asphalt Roofing or Related Materials                                                                                                                                                                           |
| Calcining Kilns, excluding those processing cement, lime, or coke (see G-4 for cement, lime, or coke Calcining Kilns) | Any Materials except cement, lime, or coke                                                                                                                                                                     |
| Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 1000 Gallons/Hour or more                     | Any Inorganic Materials                                                                                                                                                                                        |
| Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 5 Tons/Hour or more                           | Any Inorganic Materials                                                                                                                                                                                        |
| Chemical Manufacturing, Inorganic – Reactors with a Capacity of 1000 Gallons or more                                  | Any Inorganic Materials                                                                                                                                                                                        |
| Chemical Manufacturing, Organic – Latex Dipping                                                                       | Any latex materials                                                                                                                                                                                            |
| Chemical Manufacturing, Organic – Processing Units with a Capacity of 1000 Gallons/Hour or more                       | Any Organic Materials                                                                                                                                                                                          |
| Chemical Manufacturing, Organic – Processing Units with a Capacity of 5 Tons/Hour or more                             | Any Organic Materials                                                                                                                                                                                          |
| Chemical Manufacturing, Organic – Reactors with a Capacity of 1000 Gallons or more                                    | Any Organic Materials                                                                                                                                                                                          |
| Compost Operations – Windrows, Static Piles, Aerated Static Piles, In-Vessel, or similar methods                      | Any waste materials such as yard waste, food waste, agricultural waste, mixed green waste, bio-solids, animal manures, etc.                                                                                    |
| Crushers                                                                                                              | Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials |
| Electroplating Equipment                                                                                              | Hexavalent Decorative Chrome with permitted capacity greater than 500,000 amp-hours per year or Hard Chrome                                                                                                    |
| Foil Manufacturing – Any Converting or Rolling Lines                                                                  | Any Metal or Alloy Foils                                                                                                                                                                                       |
| Galvanizing Equipment                                                                                                 | Any                                                                                                                                                                                                            |

| <b>Equipment or Process Description</b>                                                                                                                                                      | <b>Materials Processed or Produced</b>                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Glass Manufacturing – Batching Processes including storage and weigh hoppers or bins, conveyors, and elevators                                                                               | Any Dry Materials                                                                                                                                                                                              |
| Glass Manufacturing – Mixers                                                                                                                                                                 | Any Dry Materials                                                                                                                                                                                              |
| Glass Manufacturing – Molten Glass Holding Tanks                                                                                                                                             | Any molten glass                                                                                                                                                                                               |
| Grinders                                                                                                                                                                                     | Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials |
| Incinerators – Crematory                                                                                                                                                                     | Human and/or animal remains                                                                                                                                                                                    |
| Incinerators – Flares                                                                                                                                                                        | Any waste gases                                                                                                                                                                                                |
| Incinerators – Other (see G-2 for hazardous or municipal solid waste incinerators, see G-3 for medical or infectious waste incinerators)                                                     | Any Materials except hazardous wastes, municipal solid waste, medical or infectious waste                                                                                                                      |
| Incinerators – Pathological Waste (see G-3 for medical or infectious waste incinerators)                                                                                                     | Pathological waste only                                                                                                                                                                                        |
| Loading and/or Unloading Operations – Bulk Plants and Bulk Terminals, excluding those loading gasoline or gasohol (see Schedule D for Bulk Plants and Terminals loading gasoline or gasohol) | Any Organic Materials except gasoline or gasohol                                                                                                                                                               |
| Petroleum Refining – Alkylation Units                                                                                                                                                        | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Asphalt Oxidizers                                                                                                                                                       | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Benzene Saturation Units/Plants                                                                                                                                         | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Catalytic Reforming Units                                                                                                                                               | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Chemical Treating Units including alkane, naphthenic acid, and naphtha merox treating, or similar processes                                                             | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Converting Units including Dimersol Plants, Hydrocarbon Splitters, or similar processes                                                                                 | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Distillation Units, excluding crude oil units with capacity > 1000 barrels/hour (see G-3 for > 1000 barrels/hour crude distillation units)                              | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Hydrogen Manufacturing                                                                                                                                                  | Hydrogen or Any Hydrocarbons                                                                                                                                                                                   |
| Petroleum Refining – Hydrotreating or                                                                                                                                                        | Any Hydrocarbons                                                                                                                                                                                               |

| Equipment or Process Description                                                                                                                                                                                                           | Materials Processed or Produced                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| Hydrofining                                                                                                                                                                                                                                |                                                                       |
| Petroleum Refining – Isomerization                                                                                                                                                                                                         | Any Hydrocarbons                                                      |
| Petroleum Refining – MTBE Process Units/Plants                                                                                                                                                                                             | Any Hydrocarbons                                                      |
| Petroleum Refining – Sludge Converter                                                                                                                                                                                                      | Any Petroleum Waste Materials                                         |
| Petroleum Refining – Solvent Extraction                                                                                                                                                                                                    | Any Hydrocarbons                                                      |
| Petroleum Refining – Sour Water Stripping                                                                                                                                                                                                  | Any Petroleum Process or Waste Water                                  |
| Petroleum Refining – Storage (enclosed)                                                                                                                                                                                                    | Petroleum Coke or Coke Products                                       |
| Petroleum Refining – Waste Gas Flares (not subject to Regulation 12, Rule 11)                                                                                                                                                              | Any Petroleum Refining Gases                                          |
| Petroleum Refining – Miscellaneous Other Process Units                                                                                                                                                                                     | Any Hydrocarbons                                                      |
| Remediation Operations, Groundwater – Strippers                                                                                                                                                                                            | Contaminated Groundwater                                              |
| Remediation Operations, Soil – Any Equipment <u>(excluding sub-slab depressurization equipment)</u>                                                                                                                                        | Contaminated Soil                                                     |
| Spray Dryers                                                                                                                                                                                                                               | Any Materials                                                         |
| Sterilization Equipment                                                                                                                                                                                                                    | Ethylene Oxide                                                        |
| Wastewater Treatment, Industrial – Oil-Water Separators, excluding oil-water separators at petroleum refineries (see G-2 for Petroleum Refining - Oil-Water Separators)                                                                    | Wastewater from any industrial facilities except petroleum refineries |
| Wastewater Treatment, Industrial – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment and excluding strippers at petroleum refineries (see G-2 for Petroleum Refining – Strippers) | Wastewater from any industrial facilities except petroleum refineries |
| Wastewater Treatment, Industrial - Storage Ponds, excluding storage ponds at petroleum refineries (see G-2 for Petroleum Refining – Storage Ponds)                                                                                         | Wastewater from any industrial facilities except petroleum refineries |
| Wastewater Treatment, Municipal – Preliminary Treatment                                                                                                                                                                                    | Municipal Wastewater                                                  |
| Wastewater Treatment, Municipal – Primary Treatment                                                                                                                                                                                        | Municipal Wastewater                                                  |
| Wastewater Treatment, Municipal – Digesters                                                                                                                                                                                                | Municipal Wastewater                                                  |
| Wastewater Treatment, Municipal – Sludge Handling Processes, excluding sludge incinerators (see G-2 for sludge incinerators)                                                                                                               | Sewage Sludge                                                         |

(Amended 6/4/86; 6/6/90; 5/19/99; 6/7/00; 6/2/04; 6/15/05, TBD)



**SCHEDULE G-2**  
(Adopted June 6, 1990)

| <b>Equipment or Process Description</b>                                                                                                                                | <b>Materials Processed or Produced</b>                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| Asphalt Roofing Manufacturing – Asphalt Blowing                                                                                                                        | Asphalt Roofing or Related Materials                                                        |
| Asphaltic Concrete Manufacturing – Aggregate Dryers                                                                                                                    | Any Dry Materials                                                                           |
| Asphaltic Concrete Manufacturing – Batch Mixers                                                                                                                        | Any Asphaltic Concrete Products                                                             |
| Asphaltic Concrete Manufacturing – Drum Mixers                                                                                                                         | Any Asphaltic Concrete Products                                                             |
| Asphaltic Concrete Manufacturing – Other Mixers and/or Dryers                                                                                                          | Any Dry Materials or Asphaltic Concrete Products                                            |
| Concrete or Cement Batching Operations – Mixers                                                                                                                        | Any cement, concrete, or stone products or similar materials                                |
| Furnaces – Electric                                                                                                                                                    | Any Mineral or Mineral Product                                                              |
| Furnaces – Electric Induction                                                                                                                                          | Any Mineral or Mineral Product                                                              |
| Furnaces – Glass Manufacturing                                                                                                                                         | Soda Lime only                                                                              |
| Furnaces – Reverberatory                                                                                                                                               | Any Ores, Minerals, Metals, Alloys, or Related Materials                                    |
| Incinerators – Hazardous Waste including any unit required to have a RCRA permit                                                                                       | Any Liquid or Solid Hazardous Wastes                                                        |
| Incinerators – Solid Waste, excluding units burning human/animal remains or pathological waste exclusively (see G-1 for Crematory and Pathological Waste Incinerators) | Any Solid Waste including Sewage Sludge (except human/animal remains or pathological waste) |
| Metal Rolling Lines, excluding foil rolling lines (see G-1 for Foil Rolling Lines)                                                                                     | Any Metals or Alloys                                                                        |
| Petroleum Refining – Stockpiles (open)                                                                                                                                 | Petroleum Coke or coke products only                                                        |
| Petroleum Refining, Wastewater Treatment – Oil-Water Separators                                                                                                        | Wastewater from petroleum refineries only                                                   |
| Petroleum Refining, Wastewater Treatment – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment                  | Wastewater from petroleum refineries only                                                   |
| Petroleum Refining, Wastewater Treatment – Storage Ponds                                                                                                               | Wastewater from petroleum refineries only                                                   |
| Pickling Lines or Tanks                                                                                                                                                | Any Metals or Alloys                                                                        |
| Sulfate Pulping Operations – All Units                                                                                                                                 | Any                                                                                         |
| Sulfite Pulping Operations – All Units                                                                                                                                 | Any                                                                                         |

(Amended June 7, 2000)

**SCHEDULE G-3**  
(Adopted June 18, 1980)

| <b>Equipment or Process Description</b>                                                                                                                             | <b>Materials Processed or Produced</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| Furnaces – Electric Arc                                                                                                                                             | Any Metals or Alloys                   |
| Furnaces – Electric Induction                                                                                                                                       | Any Metals or Alloys                   |
| Incinerators – Medical Waste, excluding units burning pathological waste exclusively (see G-1 for Pathological Waste Incinerators)                                  | Any Medical or Infectious Wastes       |
| Loading and/or Unloading Operations – Marine Berths                                                                                                                 | Any Organic Materials                  |
| Petroleum Refining – Cracking Units including hydrocrackers and excluding thermal or fluid catalytic crackers (see G-4 for Thermal Crackers and Catalytic Crackers) | Any Hydrocarbons                       |
| Petroleum Refining – Distillation Units (crude oils) including any unit with a capacity greater than 1000 barrels/hour (see G-1 for other distillation units)       | Any Petroleum Crude Oils               |
| Phosphoric Acid Manufacturing – All Units (by any process)                                                                                                          | Phosphoric Acid                        |

*(Amended 5/19/82; Amended and renumbered 6/6/90; Amended 6/7/00; 6/15/05; 5/2/07)*

**SCHEDULE G-4**  
(Adopted June 6, 1990)

| <b>Equipment or Process Description</b>                                                                                                                   | <b>Materials Processed or Produced</b>               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Acid Regeneration Units                                                                                                                                   | Sulfuric or Hydrochloric Acid only                   |
| Annealing Lines (continuous only)                                                                                                                         | Metals and Alloys                                    |
| Calcining Kilns (see G-1 for Calcining Kilns processing other materials)                                                                                  | Cement, Lime, or Coke only                           |
| Fluidized Bed Combustors                                                                                                                                  | Solid Fuels only                                     |
| Nitric Acid Manufacturing – Any Ammonia Oxidation Processes                                                                                               | Ammonia or Ammonia Compounds                         |
| Petroleum Refining - Coking Units including fluid cokers, delayed cokers, flexicokers, and coke kilns                                                     | Petroleum Coke and Coke Products                     |
| Petroleum Refining - Cracking Units including fluid catalytic crackers and thermal crackers and excluding hydrocrackers (see G-3 for Hydrocracking Units) | Any Hydrocarbons                                     |
| Petroleum Refining - Sulfur Removal including any Claus process or any other process requiring caustic reactants                                          | Any Petroleum Refining Gas                           |
| Sulfuric Acid Manufacturing – Any Chamber or Contact Process                                                                                              | Any Solid, Liquid or Gaseous Fuels Containing Sulfur |

*(Amended June 7, 2000)*

## SCHEDULE G-5

| Equipment or Process Description                                 | Materials Processed or Produced                                                      |
|------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| Petroleum Refinery Flares<br>(subject to Regulation 12, Rule 11) | Any Petroleum Vent Gas (as<br>defined in section 12-11-210 and<br>section 12-12-213) |

*(Adopted May 2, 2007)*

**SCHEDULE H**  
**SEMICONDUCTOR AND RELATED OPERATIONS**  
(Adopted May 19, 1982)

All of the equipment within a semiconductor fabrication area will be grouped together and considered one source. The fee shall be as indicated:

1. INITIAL FEE:

- a. The minimum fee per source is: \$697639
- b. The maximum fee per source is: \$55,79651,189

The initial fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);  
Solvent Spray Stations (as defined in Regulation 8-30-221);  
Solvent Vapor Stations (as defined in Regulation 8-30-222); and  
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

\$472433 per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;  
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other  
miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

\$1,4011,285 per 1,000 gallon

2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.

- a. RAF for first toxic air contaminant (TAC) source in application: \$474489 plus initial fee
- b. Minimum RAF for first TAC source: \$1,2131,113
- c. RAF for each additional TAC source: equal to initial fee \*
- d. Minimum RAF per additional TAC source: \$697639 \*
- e. Maximum RAF per source is: \$55,79651,189

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:

- a. The minimum fee per source is: \$505463
- b. The maximum fee per source is: \$27,89425,591

The permit to operate fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);

Solvent Spray Stations (as defined in Regulation 8-30-221);  
Solvent Vapor Stations (as defined in Regulation 8-30-222); and  
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

~~\$237~~<sup>217</sup> per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;  
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other  
miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

~~\$697~~<sup>639</sup> per 1,000 gallon

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. The fee for each source will be rounded to the whole dollar. Fees for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 1/9/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/20/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

**SCHEDULE I**  
**DRY CLEANERS**  
(Adopted July 6, 1983)

For dry cleaners, the fee shall be computed based on each cleaning machine, except that machines with more than one drum shall be charged based on each drum, regardless of the type or quantity of solvent, as follows:

1. INITIAL FEE FOR A DRY CLEANING MACHINE (per drum):
  - a. If the washing or drying capacity is no more than 100 pounds: \$~~700~~609
  - b. If the washing or drying capacity exceeds 100 pounds: \$~~700~~609 plus  
For that portion of the capacity exceeding 100 pounds: \$~~20.95~~18.22 per pound
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$~~474~~489 plus initial fee
  - b. Minimum RAF for first TAC source: \$~~1,245~~1,083
  - c. RAF for each additional TAC source: equal to initial fee\*
  - d. Minimum RAF per additional TAC source: \$~~700~~609\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE FOR A DRY CLEANING MACHINE (per drum):
  - a. If the washing or drying capacity is no more than 100 pounds: \$~~511~~444
  - b. If the washing or drying capacity exceeds 100 pounds: \$~~511~~444 plus  
For that portion of the capacity exceeding 100 pounds: \$~~10.52~~9.15 per pound
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 10/17/84; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

**SCHEDULE K**  
**SOLID WASTE DISPOSAL SITES**  
(Adopted July 15, 1987)

1. INITIAL FEE:
  - a. Landfill (Decomposition Process) ~~\$5,0504,391~~
  - b. Active Landfill (Waste and Cover Material Dumping Process) ~~\$2,5242,195~~
  - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) ~~\$2,5242,195~~
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$474489~~ plus initial fee
  - b. RAF for each additional TAC source: equal to initial fee\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE:
  - a. Landfill (Decomposition Process) ~~\$2,5242,195~~
  - b. Active Landfill (Waste and Cover Material Dumping Process) ~~\$1,2621,097~~
  - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) ~~\$1,2621,097~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. Evaluation of Reports and Questionnaires:
  - a. Evaluation of Solid Waste Air Assessment Test Report as required by Health & Safety Code Section 41805.5(g) ~~\$2,7832,420~~
  - b. Evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) ~~\$1,3951,213~~
  - c. Evaluation of Solid Waste Air Assessment Test Report in conjunction with evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) ~~\$1,3951,213~~
  - d. Evaluation of Initial or Amended Design Capacity Reports as required by Regulation 8, Rule 34, Section 405 ~~\$1,026892~~
  - e. Evaluation of Initial or Periodic NMOC Emission Rate Reports as required by Regulation 8, Rule 34, Sections 406 or 407 ~~\$2,9352,552~~
  - f. Evaluation of Closure Report as required by Regulation 8, Rule 34, Section 409 ~~\$1,026892~~
  - g. Evaluation of Annual Report as required by Regulation 8, Rule 34, Section 411 ~~\$2,5682,233~~
6. Fees for each source will be rounded off to the nearest dollar. The fee for sources will be rounded up or down to the nearest dollar.
7. For the purposes of this fee schedule, landfill shall be considered active, if it has accepted solid waste for disposal at any time during the previous 12 months or has plans to accept solid waste for disposal during the next 12 months.

*(Amended 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/6/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

**SCHEDULE L**  
**ASBESTOS OPERATIONS**  
(Adopted July 6, 1988)

1. Asbestos Operations conducted at single family dwellings are subject to the following fees:
  - a. OPERATION FEE:     \$185   for amounts 100 to 500 square feet or linear feet.  
                              \$679   for amounts 501 square feet or linear feet to 1000 square feet or linear feet.  
                              \$988   for amounts 1001 square feet or liner feet to 2000 square feet or linear feet.  
                              \$1,358 for amounts greater than 2000 square feet or linear feet.
  - b. Cancellation:         \$90     of above amounts non-refundable for notification processing.
2. Asbestos Operations, other than those conducted at single family dwellings, are subject to the following fees:
  - a. OPERATION FEE:     \$524   for amounts 100 to 159 square feet or 100 to 259 linear feet or 35 cubic feet  
                              \$754   for amounts 160 square feet or 260 linear feet to 500 square feet or linear feet or greater than 35 cubic feet.  
                              \$1,098 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.  
                              \$1,620 for amounts 1001 square feet or liner feet to 2500 square feet or linear feet.  
                              \$2,309 for amounts 2501 square feet or linear feet to 5000 square feet or linear feet.  
                              \$3,169 for amounts 5001 square feet or linear feet to 10000 square feet or linear feet.  
                              \$4,031 for amounts greater than 10000 square feet or linear feet.
  - b. Cancellation:         \$248   of above amounts non-refundable for notification processing.
3. Demolitions (including zero asbestos demolitions) conducted at a single-family dwelling are subject to the following fee:
  - a. OPERATION FEE:     \$90
  - b. Cancellation:         \$90     (100% of fee) non-refundable, for notification processing.
4. Demolitions (including zero asbestos demolitions) other than those conducted at a single family dwelling are subject to the following fee:
  - a. OPERATION FEE:     \$372
  - b. Cancellation:         \$248   of above amount non-refundable for notification processing.
5. Asbestos operations with less than 10 days prior notice (excluding emergencies) are subject to the following additional fee:
  - a. OPERATION FEE:     \$619
6. Asbestos demolition operations for the purpose of fire training are exempt from fees.
7. Floor mastic removal using mechanical buffers and solvent is subject to the following fee:
  - a. OPERATION FEE:     \$372
  - b. Cancellation:         \$248 of above amount non-refundable for notification processing.

*(Amended 9/5/90; 1/5/94; 8/20/97; 10/7/98; 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16)*

**SCHEDULE M**  
**MAJOR STATIONARY SOURCE FEES**  
(Adopted June 6, 1990)

For each major stationary source emitting 50 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, and/or PM<sub>10</sub>, the fee shall be based on the following:

- |  |    |                   |                                                |
|--|----|-------------------|------------------------------------------------|
|  | 1. | Organic Compounds | \$ <del>119.84</del> <del>116.24</del> per ton |
|  | 2. | Sulfur Oxides     | \$ <del>119.84</del> <del>116.24</del> per ton |
|  | 3. | Nitrogen Oxides   | \$ <del>119.84</del> <del>116.24</del> per ton |
|  | 4. | PM <sub>10</sub>  | \$ <del>119.84</del> <del>116.24</del> per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, or PM<sub>10</sub>, if occurring in an amount less than 50 tons per year, shall not be counted.

*(Amended 7/3/91; 6/15/94; 7/1/98; 5/9/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03; 6/2/04; 6/15/05;  
6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

**SCHEDULE N**  
**TOXIC INVENTORY FEES**  
(Adopted October 21, 1992)

For each stationary source emitting substances covered by California Health and Safety Code Section 44300 *et seq.*, the Air Toxics "Hot Spots" Information and Assessment Act of 1987, which have trigger levels listed in Table 2-5-1, a fee based on the weighted emissions of the facility shall be assessed based on the following formulas:

1. A fee of \$5 for each gasoline product dispensing nozzle in the facility, if the facility is a Gasoline Dispensing Facility; or
2. A fee of \$88 if the facility has emissions in the current Toxic Emissions Inventory which are greater than or equal to 50 weighted pounds per year and less than 1000 weighted pounds per year; or
3. A fee of \$88 +  $0.33 S_L \times (w_j - 1000)$  if the facility has emissions in the current Toxic Emissions Inventory which are greater than or equal to 1000 weighted pounds per year;

where the following relationships hold:

$w_j$  = facility weighted emissions for facility j; where the weighted emission for the facility shall be calculated as a sum of the individual emissions of the facility multiplied by either the inhalation cancer potency factor (CPF, in kilogram-day/milligram) for the substance times 28.6 if the emission is a carcinogen, or by the reciprocal of the inhalation chronic reference exposure level (REL<sub>c</sub>) for the substance (in cubic meters/microgram) if the emission is not a carcinogen [use CPF and REL as listed in Table 2-5-1]:

$$w_j = \text{Facility Weighted Emission} = \sum_{i=1}^n E_i * Q_i \text{ where}$$

$n$  = number of toxic substances emitted by facility

$E_i$  = amount of substance i emitted by facility in lbs/year

$Q_i$  =  $28.6 * \text{CPF}$ , if i is a carcinogen; or

$Q_i$  =  $[\text{REL}]^{-1}$ , if i is not a carcinogen

$F_T$  = Total amount of fees to be collected by the District to cover District and State of California AB 2588 costs as most recently adopted by the Board of Directors of the California Environmental Protection Agency, Air Resources Board, and set out in the most recently published "Amendments to the Air Toxics "Hot Spots" Fee Regulation," published by that agency.

$N_L$  = Number of facilities with emissions in current District Toxic Emissions Inventory greater than 1000 weighted pounds per year.

$N_S$  = Number of facilities with emissions in current District Toxic Emissions Inventory greater than 50 weighted pounds per year and less than 1000 weighted pounds per year.

$N_{NOZ}$  = Number of gasoline product dispensing nozzles in currently permitted Gasoline Dispensing Facilities.

$S_L$  = Surcharge per pound of weighted emissions for each pound in excess of 1000 weighted pounds per year, where  $S_L$  is given by the following formula:

$$S_L = \frac{F_T - (88 \times N_S) - (88 \times N_L) - (5 \times N_{NOZ})}{\sum_{j=1}^{N_L} (w_j - 1000)}$$

(Amended 12/15/93; 6/15/05; 5/2/07; 6/16/10; 5/4/11; 6/4/14; 6/3/15, 6/15/16, TBD)

**SCHEDULE P**  
**MAJOR FACILITY REVIEW FEES**  
(Adopted November 3, 1993)

1. MFR / SYNTHETIC MINOR ANNUAL FEES

Each facility, which is required to undergo major facility review in accordance with the requirements of Regulation 2, Rule 6, shall pay annual fees (1a and 1b below) for each source holding a District Permit to Operate. These fees shall be in addition to and shall be paid in conjunction with the annual renewal fees paid by the facility. However, these MFR permit fees shall not be included in the basis to calculate Alternative Emission Control Plan (bubble) or toxic air contaminant surcharges. If a major facility applies for and obtains a synthetic minor operating permit, the requirement to pay the fees in 1a and 1b shall terminate as of the date the APCO issues the synthetic minor operating permit.

- a. MFR SOURCE FEE .....~~\$805752~~ per source
- b. MFR EMISSIONS FEE ..... ~~\$31.6729-60~~ per ton of regulated air pollutants emitted

Each MFR facility and each synthetic minor facility shall pay an annual monitoring fee (1c below) for each pollutant measured by a District-approved continuous emission monitor or a District-approved parametric emission monitoring system.

- c. MFR/SYNTHETIC MINOR MONITORING FEES~~\$8,0447,518~~ per monitor per pollutant

2. SYNTHETIC MINOR APPLICATION FEES

Each facility that applies for a synthetic minor operating permit or a revision to a synthetic minor operating permit shall pay application fees according to 2a and either 2b (for each source holding a District Permit to Operate) or 2c (for each source affected by the revision). If a major facility applies for a synthetic minor operating permit prior to the date on which it would become subject to the annual major facility review fee described above, the facility shall pay, in addition to the application fee, the equivalent of one year of annual fees for each source holding a District Permit to Operate.

- a. SYNTHETIC MINOR FILING FEE .....~~\$1,1201,047~~ per application
- b. SYNTHETIC MINOR INITIAL PERMIT FEE.....~~\$805734~~ per source
- c. SYNTHETIC MINOR REVISION FEE .....~~\$805734~~ per source modified

3. MFR APPLICATION FEES

Each facility that applies for or is required to undergo: an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit or a renewal of an MFR permit shall pay, with the application and in addition to any other fees required by this regulation, the MFR filing fee and any applicable fees listed in 3b-h below. The fees in 3b ~~apply to each source in the initial permit and The fees in 3g apply to each source in the initial or~~ renewal permit, ~~while the fees in 3d-f apply to each source affected by the revision or reopening.~~

- a. MFR FILING FEE .....~~\$1,1201,047~~ per application
- b. MFR INITIAL PERMIT FEE .....~~\$1,1201,047~~ per source
- c. MFR ADMINISTRATIVE AMENDMENT FEE..... ~~\$317296~~ per application
- d. MFR MINOR REVISION FEE .....~~\$1,5911,487~~ per source modified
- e. MFR SIGNIFICANT REVISION FEE.....~~\$2,9662,772~~ per source modified
- f. MFR REOPENING FEE.....~~\$972908~~ per source modified
- g. MFR RENEWAL FEE .....~~\$472441~~ per source

Each facility that requests a permit shield or a revision to a permit shield under the provisions of Regulation 2, Rule 6 shall pay the following fee for each source (or group of sources, if the requirements for these sources are grouped together in a single table in the MFR permit) that is covered by the requested shield. This fee shall be paid in addition to any other applicable fees.

- h. MFR PERMIT SHIELD FEE..... ~~\$1,6751,565~~ per shielded source or group of sources

4. MFR PUBLIC NOTICE FEES

Each facility that is required to undergo a public notice related to any permit action pursuant to Regulation 2-6 shall pay the following fee upon receipt of a District invoice.

MFR PUBLIC NOTICE FEE.....Cost of Publication

5. MFR PUBLIC HEARING FEES

If a public hearing is required for any MFR permit action, the facility shall pay the following fees upon receipt of a District invoice.

a. MFR PUBLIC HEARING FEE .... Cost of Public Hearing not to exceed \$~~13,689~~12,793

b. NOTICE OF PUBLIC HEARING FEE.....Cost of distributing Notice of Public Hearing

6. POTENTIAL TO EMIT DEMONSTRATION FEE

Each facility that makes a potential to emit demonstration under Regulation 2-6-312 in order to avoid the requirement for an MFR permit shall pay the following fee:

a. PTE DEMONSTRATION FEE.....\$~~192~~179 per source, not to exceed \$~~18,818~~17,587

(Amended 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE Q**  
**EXCAVATION OF CONTAMINATED SOIL AND**  
**REMOVAL OF UNDERGROUND STORAGE TANKS**  
(Adopted January 5, 1994)

1. Persons excavating contaminated soil or removing underground storage tanks subject to the provisions of Regulation 8, Rule 40, Section 401, 402, 403 or 405 are subject to the following fee:
  - a. OPERATION FEE: \$168  
*(Amended 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/4/14; 6/3/15, 6/15/16)*

## SCHEDULE R EQUIPMENT REGISTRATION FEES

1. Persons operating commercial cooking equipment who are required to register equipment as required by District rules are subject to the following fees:
  - a. Conveyorized Charbroiler REGISTRATION FEE: ~~\$744647~~ per facility
  - b. Conveyorized Charbroiler ANNUAL RENEWAL FEE: ~~\$209182~~ per facility
  - c. Under-fired Charbroiler REGISTRATION FEE: ~~\$744647~~ per facility
  - d. Under-fired Charbroiler ANNUAL RENEWAL FEE: ~~\$209182~~ per facility
  
2. Persons operating non-halogenated dry cleaning equipment who are required to register equipment as required by District rules are subject to the following fees:
  - a. Dry Cleaning Machine REGISTRATION FEE: ~~\$371323~~
  - b. Dry Cleaning Machine ANNUAL RENEWAL FEE: ~~\$259225~~
  
3. Persons operating diesel engines who are required to register equipment as required by District or State rules are subject to the following fees:
  - a. Diesel Engine REGISTRATION FEE: ~~\$250217~~
  - b. Diesel Engine ANNUAL RENEWAL FEE: ~~\$166144~~
  - c. Diesel Engine ALTERNATIVE COMPLIANCE PLAN FEE (for each plan submitted under District Regulation 11-17-402): ~~\$250217~~
  
4. Persons operating boilers, steam generators and process heaters who are required to register equipment by District Regulation 9-7-404 are subject to the following fees:
  - a. REGISTRATION FEE ~~\$137119~~ per device
  - b. ANNUAL RENEWAL FEE: ~~\$115100~~ per device
  
5. Persons owning or operating graphic arts operations who are required to register equipment by District Regulation 8-20-408 are subject to the following fees:
  - a. REGISTRATION FEE: ~~\$446388~~
  - b. ANNUAL RENEWAL FEE: ~~\$278242~~
  
6. Persons owning or operating mobile refinishing operations who are required to register by District Regulation 8-45-4 are subject to the following fees:
  - a. REGISTRATION FEE ~~\$209182~~
  - b. ANNUAL RENEWAL FEE ~~\$123107~~

*(Adopted 7/6/07; Amended 12/5/07; 5/21/08; 7/30/08; 11/19/08; 12/3/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

**SCHEDULE S  
NATURALLY OCCURRING ASBESTOS OPERATIONS**

1. ASBESTOS DUST MITIGATION PLAN PROCESSING FEE:

Any person submitting an Asbestos Dust Mitigation Plan (ADMP) for review of a Naturally Occurring Asbestos (NOA) project shall pay the following fee (including NOA Discovery Notifications which would trigger an ADMP review): ~~\$552,535~~

2. AIR MONITORING PROCESSING FEE:

NOA projects requiring an Air Monitoring component as part of the ADMP approval are subject to the following fee in addition to the ADMP fee: ~~\$4,9004,753~~

3. INSPECTION FEE:

The owner of any property for which an ADMP is required shall pay fees to cover the costs incurred by the District after July 1, 2012 in conducting inspections to determine compliance with the ADMP on an ongoing basis. Inspection fees shall be invoiced by the District on a quarterly basis, and at the conclusion of dust generating activities covered under the ADMP, based on the actual time spent in conducting such inspections, and the following time and materials rate: ~~\$144140~~ per hour

*(Adopted 6/6/07; Amended 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

## SCHEDULE T GREENHOUSE GAS FEES

For each permitted facility emitting greenhouse gases, the fee shall be based on the following:

1. Carbon Dioxide Equivalent (CDE) Emissions \$~~0.1109-1030~~ per metric ton

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. The annual emissions of each greenhouse gas (GHG) listed below shall be determined by the APCO for each permitted (i.e., non-exempt) source. For each emitted GHG, the CDE emissions shall be determined by multiplying the annual GHG emissions by the applicable Global Warming Potential (GWP) value. The GHG fee for each facility shall be based on the sum of the CDE emissions for all GHGs emitted by the facility, except that no fee shall be assessed for emissions of biogenic carbon dioxide.

### Global Warming Potential Relative to Carbon Dioxide\*

| GHG                  | CAS Registry Number | GWP**  |
|----------------------|---------------------|--------|
| Carbon Dioxide       | 124-38-9            | 1      |
| Methane              | 74-82-8             | 34     |
| Nitrous Oxide        | 10024-97-2          | 298    |
| Nitrogen Trifluoride | 7783-54-2           | 17,885 |
| Sulfur Hexafluoride  | 2551-62-4           | 26,087 |
| HCFC-22              | 75-45-6             | 2,106  |
| HCFC-123             | 306-83-2            | 96     |
| HCFC-124             | 2837-89-0           | 635    |
| HCFC-141b            | 1717-00-6           | 938    |
| HCFC-142b            | 75-68-3             | 2,345  |
| HCFC-225ca           | 422-56-0            | 155    |
| HCFC-225cb           | 507-55-1            | 633    |
| HFC-23               | 75-46-7             | 13,856 |
| HFC-32               | 75-10-5             | 817    |
| HFC-125              | 354-33-6            | 3,691  |
| HFC-134a             | 811-97-2            | 1,549  |
| HFC-143a             | 420-46-2            | 5,508  |
| HFC-152a             | 75-37-6             | 167    |
| HFC-227ea            | 431-89-0            | 3,860  |
| HFC-236fa            | 690-39-1            | 8,998  |
| HFC-245fa            | 460-73-1            | 1,032  |
| HFC-365mfc           | 406-58-6            | 966    |
| HFC-43-10-mee        | 138495-42-8         | 1,952  |
| PFC-14               | 75-73-0             | 7,349  |
| PFC-116              | 76-16-4             | 12,340 |
| PFC-218              | 76-19-7             | 9,878  |
| PFC-318              | 115-25-3            | 10,592 |

\* Source: Myhre, G., et al., 2013: Anthropogenic and Natural Radiative Forcing (and Supplementary Material). In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., et al. (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available from [www.ipcc.ch](http://www.ipcc.ch).

\*\* GWPs compare the integrated radiative forcing over a specified period (i.e.100 years) from a unit mass pulse emission to compare the potential climate change associated with emissions of different GHGs. GWPs listed include climate-carbon feedbacks.

(Adopted 5/21/08; Amended 5/20/09; 6/16/10; 6/4/14; 6/3/15; 6/15/16, 6/21/17, TBD)

**SCHEDULE U**  
**INDIRECT SOURCE REVIEW FEES**

The applicant for any project deemed an indirect source pursuant to District rules shall be subject to the following fees:

1. APPLICATION FILING FEE

When an applicant files an Air Quality Impact Assessment as required by District rules, the applicant shall pay a non-refundable Application Filing Fee as follows:

- |                                          |       |
|------------------------------------------|-------|
| a. Residential project:                  | \$615 |
| b. Non-residential or mixed use project: | \$918 |

2. APPLICATION EVALUATION FEE

Every applicant who files an Air Quality Impact Assessment as required by District rules shall pay an evaluation fee for the review of an air quality analysis and the determination of Offsite Emission Reduction Fees necessary for off-site emission reductions. The Application Evaluation fee will be calculated using the actual staff hours expended and the prevailing weighted labor rate. The Application Filing fee, which assumes eight hours of staff time for residential projects and twelve hours of staff time for non-residential and mixed use projects, shall be credited towards the actual Application Evaluation Fee.

3. OFFSITE EMISSION REDUCTION FEE

(To be determined)

*(Adopted 5/20/09; Amended 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17)*

## SCHEDULE V OPEN BURNING

1. Any prior notification required by Regulation 5, Section 406 is subject to the following fee:

a. OPERATION FEE: ~~\$133129~~

- b. The operation fee paid as part of providing notification to the District prior to burning will be determined for each property, as defined in Regulation 5, Section 217, and will be valid for one year from the fee payment date when a given fire is allowed, as specified in Regulation 5, Section 401 for the following fires:

| Regulation 5 Section – Fire                        | Burn Period             |
|----------------------------------------------------|-------------------------|
| 401.1 - Disease and Pest                           | January 1 – December 31 |
| 401.2 - Crop Replacement <sup>1</sup>              | October 1 – April 30    |
| 401.3 - Orchard Pruning and Attrition <sup>2</sup> | November 1 – April 30   |
| 401.4 - Double Cropping Stubble                    | June 1 – August 31      |
| 401.6 - Hazardous Material <sup>1</sup>            | January 1 – December 31 |
| 401.7 - Fire Training                              | January 1 – December 31 |
| 401.8 - Flood Debris                               | October 1 – May 31      |
| 401.9 - Irrigation Ditches                         | January 1 – December 31 |
| 401.10 - Flood Control                             | January 1 – December 31 |
| 401.11 - Range Management <sup>1</sup>             | July 1 – April 30       |
| 401.12 - Forest Management <sup>1</sup>            | November 1 – April 30   |
| 401.14 - Contraband                                | January 1 – December 31 |

<sup>1</sup> Any Forest Management fire, Range Management fire, Hazardous Material fire not related to Public Resources Code 4291, or any Crop Replacement fire for the purpose of establishing an agricultural crop on previously uncultivated land, that is expected to exceed 10 acres in size or burn piled vegetation cleared or generated from more than 10 acres is defined in Regulation 5, Section 213 as a type of prescribed burning and, as such, is subject to the prescribed burning operation fee in Section 3 below.

<sup>2</sup> Upon the determination of the APCO that heavy winter rainfall has prevented this type of burning, the burn period may be extended to no later than June 30.

- c. Any person who provided notification required under Regulation 5, Section 406, who seeks to burn an amount of material greater than the amount listed in that initial notification, shall provide a subsequent notification to the District under Regulation 5, Section 406 and shall pay an additional open burning operation fee prior to burning.

2. Any Marsh Management fire conducted pursuant to Regulation 5, Section 401.13 is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:

a. OPERATION FEE: ~~\$476462~~ for 50 acres or less  
~~\$648629~~ for more than 50 acres but less than or equal to 150 acres  
~~\$817792~~ for more than 150 acres

- b. The operation fee paid for a Marsh Management fire will be valid for a Fall or Spring burning period, as specified in Regulation 5, Subsection 401.13. Any burning subsequent to either of these time periods shall be subject to an additional open burning operation fee.

3. Any Wildland Vegetation Management fire (prescribed burning) conducted pursuant to Regulation 5, Section 401.15 is subject to the following fee, which will be determined for each prescribed burning project by the proposed acreage to be burned:
  - a. OPERATION FEE: ~~\$579562~~ for 50 acres or less  
~~\$785761~~ for more than 50 acres but less than or equal to 150 acres  
~~\$1,022991~~ for more than 150 acres
  - b. The operation fee paid for a prescribed burn project will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
4. Any Filmmaking fire conducted pursuant to Regulation 5, Section 401.16 and any Public Exhibition fire conducted pursuant to Regulation 5, Section 401.17 is subject to the following fee:
  - a. OPERATION FEE: ~~\$687666~~
  - b. The operation fee paid for a Filmmaking or Public Exhibition fire will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
5. Any Stubble fire conducted pursuant to Regulation 5, Section 401.5 that requires a person to receive an acreage burning allocation prior to ignition is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:
  - a. OPERATION FEE: ~~\$340330~~ for 25 acres or less  
~~\$476462~~ for more than 25 acres but less than or equal to 75 acres  
~~\$579562~~ for more than 75 acres but less than or equal to 150 acres  
~~\$681661~~ for more than 150 acres
  - b. The operation fee paid for a Stubble fire will be valid for one burn period, which is the time period beginning September 1 and ending December 31, each calendar year. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
6. All fees paid pursuant to Schedule V are non-refundable.
7. All fees required pursuant to Schedule V must be paid before conducting a fire.

(Adopted June 19, 2013; Amended 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE W**  
**PETROLEUM REFINING EMISSIONS TRACKING FEES**

1. ANNUAL EMISSIONS INVENTORIES:

Any Petroleum Refinery owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- |                                      |          |
|--------------------------------------|----------|
| a. Initial submittal:                | \$54,000 |
| b. Each subsequent annual submittal: | \$27,000 |

Any Support Facility owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- |                                      |         |
|--------------------------------------|---------|
| a. Initial submittal:                | \$3,300 |
| b. Each subsequent annual submittal: | \$1,650 |

2. AIR MONITORING PLANS:

Any person required to submit an air monitoring plan in accordance with Regulation 12, Rule 15, Section 403 shall pay a one-time fee of \$7,500.

*(Adopted 6/15/16)*

**SCHEDULE X  
MAJOR STATIONARY SOURCE COMMUNITY AIR MONITORING FEES**

For each major stationary source, emitting 35 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide and/or PM<sub>10</sub> within the vicinity of a District proposed community air monitoring location, the fee shall be based on the following:

|    |                   |                 |
|----|-------------------|-----------------|
| 1. | Organic Compounds | \$60.61 per ton |
| 2. | Sulfur Oxides     | \$60.61 per ton |
| 3. | Nitrogen Oxides   | \$60.61 per ton |
| 4. | Carbon Monoxide   | \$60.61 per ton |
| 5. | PM <sub>10</sub>  | \$60.61 per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide, or PM<sub>10</sub>, if occurring in an amount less than 35 tons per year, shall not be counted.

*(Adopted: 6/15/16; Amended: 6/21/17)*



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## **STAFF REPORT**

### **PROPOSED AMENDMENTS TO BAAQMD REGULATION 3: FEES**

**May 23, 2018**

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## **1. EXECUTIVE SUMMARY**

Air District staff has prepared proposed amendments to Air District Regulation 3: Fees for Fiscal Year Ending (FYE) 2019 (i.e., July 1, 2018 to June 30, 2019) that would increase revenue to enable the Bay Area Air Quality Management District (Air District) to continue to effectively implement and enforce regulatory programs for stationary sources of air pollution. The proposed fee amendments for FYE 2019 are consistent with the Air District's Cost Recovery Policy, which was adopted on March 7, 2012 by the Air District's Board of Directors (see Appendix A). This policy stated that the Air District should amend its fee regulation, in conjunction with the adoption of budgets for FYE 2013 through FYE 2016, in a manner sufficient to increase overall recovery of regulatory program activity costs to 85 percent. The policy also indicates that amendments to specific fee schedules should continue to be made in consideration of cost recovery analyses conducted at the fee schedule level, with larger increases being adopted for the schedules that have the larger cost recovery gaps.

A recently completed 2018 Cost Recovery Study (a copy of which is available on request) shows that for the most-recently completed fiscal year (FYE 2017), fee revenue recovered 82.55 percent of program activity costs.

Over the past several years, the Air District has implemented several cost containment and efficiency-based strategies. Some of these strategies include: timekeeping improvements, greater field capabilities, annual updates to cost recovery, improved public education, submittal of online permit applications, and availability of permit status online through the New Production System. Implementing these strategies have resulted in efficiencies as well as the ability to provide a higher service level. To improve program efficiency, the Air District is actively transitioning to the New Production System, an on-line permitting system for the regulated community for high-volume source categories including gas stations, dry cleaners, and auto-body shops, and is expanding this system for additional source categories. These tools will increase efficiency and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and have access to permit documents.

The Air District continues to be fiscally prudent by maintaining its reserves. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budgets.

While the increased pickup of pension costs by employees reduced the Air District's annual obligation, premiums in employee health benefit, pension costs and OPEB obligations continue to grow. Over the last few years, the Air District has made significant efforts in funding its obligations for OPEB by making additional contributions to fund its unfunded liability. Based on June 30, 2016 actuarial valuation study for OPEB, the Air District's plan is approximately 68% funded; leaving an unfunded liability of 32% or \$19 million. As a part of the FYE 2016 Budget, the Board adopted a minimum OPEB funding target policy of 90%. The FYE 2019 Budget includes the

continuation of this funding with a \$4.0 million contribution.

The Air District's pension obligation is also growing; especially with recent changes in actuarial assumptions by CalPERS. As a result, CalPERS anticipates increased employer rates over the next 5 years. Based on the June 30, 2016 CalPERS actuarial valuation study, the Air District is currently funded at approximately 73%; leaving an unfunded liability of 27% or approximately \$76 million. Given these potential impacts, the FYE 2019 Budget contributes \$1.0 million in discretionary contributions towards this account, which will be used for the sole purpose of reducing the unfunded liability to minimize the impact of future rate increases for the Air District.

The projected cost recovery percentage for FYE 2018 is expected to be approximately 85%. This is based on the FYE 2018 permit fees collected or invoiced to date, and the salary and other expenditures budgeted, included filled vacancies and newly added positions to support mandated stationary source programs, ensure that core functions will be maintained at levels necessary to adequately service the regulated community, and address key policy initiatives such as the Refinery Emissions Reduction Strategy and the Climate Action Work Program.

The results of the 2018 Cost Recovery Study (including FYE 2015-2017 data) were used to establish proposed fee amendments for each existing fee schedule based on the degree to which existing fee revenue recovers the regulatory program activity costs associated with the schedule. Based on this approach, the fee rates in certain fee schedules would be raised by the annual increase in the Bay Area Consumer Price Index (3.1%), while other fee schedules would be increased by 7, 8, 9, or 15 percent. Several fees that are administrative in nature (e.g. permit application filing fees and permit renewal processing fees) would be increased by 3.1 percent.

The proposed fee amendments would increase annual permit renewal fees for most small businesses that require Air District permits by less than \$100, with the exception of gas stations, which would have larger fee increases (e.g., a typical gas station would have an increase of \$212 in annual permit renewal fees). For larger facilities, increases in annual permit renewal fees would range between 3.5 and 5.5 percent due to differences in the facility's size, type of emission sources, pollutant emission rates and applicable fee schedules. In accordance with State law, the Air District's amendments to Regulation 3 cannot cause an increase in overall permit fees for any facility by more than 15 percent in any calendar year. The proposed fee amendments would increase overall Air District fee revenue in FYE 2019 by approximately \$2.43 million relative to fee revenue that would be expected without the amendments.

Air District staff recommended that the Board of Directors receive testimony on April 18, 2018 regarding the proposed amendments to Regulation 3: Fees. Air District staff also recommends that the Board of Directors consider adoption of the proposed amendments to Regulation 3: Fees with an effective date of July 1, 2018, and approve the filing of a CEQA Notice of Exemption following the 2<sup>nd</sup> public hearing scheduled to consider this matter on June 6, 2018.

## 2. BACKGROUND

State law authorizes the Air District to assess fees to generate revenue to recover the reasonable costs of regulatory program activities for stationary sources of air pollution. The largest portion of Air District fees is collected under provisions that allow the Air District to impose permit fees sufficient to recover the costs of program activities related to permitted sources. The Air District is also authorized to assess fees for: (1) area-wide or indirect sources of emissions which are regulated, but for which permits are not issued by the Air District, (2) sources subject to the requirements of the State Air Toxics Hot Spots Program (Assembly Bill 2588), and (3) activities related to the Air District's Hearing Board involving variances or appeals from Air District decisions on the issuance of permits. The Air District has established, and regularly updates, a fee regulation (Air District Regulation 3: Fees) under these authorities.

The Air District has analyzed whether fees result in the collection of a sufficient and appropriate amount of revenue in comparison to the costs of related program activities. In 1999, a comprehensive review of the Air District's fee structure and revenue was completed by the firm KPMG Peat Marwick LLP (*Bay Area Air Quality Management District Cost Recovery Study, Final Report: Phase One – Evaluation of Fee Revenues and Activity Costs*, KPMG Peat Marwick LLP, February 16, 1999). This 1999 Cost Recovery Study indicated that fee revenue did not nearly offset the full costs of program activities associated with sources subject to fees as authorized by State law. Property tax revenue (and in some years, reserve funds) had been used to close this cost recovery gap.

The Air District Board of Directors adopted an across-the-board fee increase of 15 percent, the maximum allowed by State law for permit fees, for FYE 2000 as a step toward more complete cost recovery. The Air District also implemented a detailed employee time accounting system to improve the ability to track costs by program activities moving forward. In each of the next five years, the Air District adjusted fees only to account for inflation (with the exception of FYE 2005, in which the Air District also approved further increases in Title V permit fees and a new permit renewal processing fee).

In 2004, the Air District funded an updated Cost Recovery Study. The accounting firm Stonefield Josephson, Inc. completed this study in March 2005 (*Bay Area Air Quality Management District Cost Recovery Study, Final Report*, Stonefield Josephson, Inc., March 30, 2005). This 2005 Cost Recovery Study indicated that a significant cost recovery gap continued to exist. The study also provided cost recovery results at the level of each individual fee schedule based on detailed time accounting data. Finally, the contractor provided a model that could be used by Air District staff to update the analysis of cost recovery on an annual basis using a consistent methodology.

For the five years following the completion of the 2005 Cost Recovery Study (i.e., FYE 2006 through 2010), the Air District adopted fee amendments that increased overall projected fee revenue by an average of 8.9 percent per year. To address fee equity

issues, the various fees were not all increased in a uniform manner. Rather, individual fee schedules were amended based on the magnitude of the cost recovery gap for that schedule, with the schedules with the more significant cost recovery gaps receiving more significant fee increases. In FYE 2009, the Air District's fee amendments also included a new greenhouse gas (GHG) fee schedule. The GHG fee schedule recovers costs from stationary source activities related to the Air District's Climate Protection Program. In FYE 2011, the Air District adopted an across-the-board 5 percent fee increase, except for the Title V fee schedule (Schedule P) which was increased by 10 percent (the Air District's 2010 Cost Recovery Study indicated that Fee Schedule P recovered only 46 percent of program activity costs).

In September 2010, the Air District contracted with the firm Matrix Consulting Group to complete an updated analysis of cost recovery that could be used in developing fee amendments for FYE 2012 and beyond. This study also included a review of the Air District's current cost containment strategies, and provided recommendations to improve the management of the Air District's costs and the quality of services provided to stakeholders. The study was completed in March 2011 (*Cost Recovery and Containment Study, Bay Area Air Quality Management District, Final Report*, Matrix Consulting Group, March 9, 2011). The 2011 Cost Recovery and Containment Study concluded that, for FYE 2010, overall fee revenue recovered 64 percent of related program activity costs. The study also provided cost recovery results at the level of each individual fee schedule based on detailed time accounting data, and provided a methodology for Air District staff to update the analysis of cost recovery on an annual basis using a consistent methodology.

The results of the 2011 Cost Recovery and Containment Study were used to establish fee amendments for FYE 2012 that were designed to increase overall fee revenue by 10 percent (relative to fee revenue that would result without the fee amendments). To address fee equity issues, the various fees were not all increased in a uniform manner. Rather, existing fee schedules were amended based on the magnitude of the cost recovery gap for that schedule, with the schedules with the more significant cost recovery gaps receiving more significant fee increases. Based on this approach, the fee rates in several fee schedules were not increased, while the fee rates in other fee schedules were increased by 10, 12, or 14 percent.

One of the recommendations made by Matrix Consulting Group in their 2011 Cost Recovery and Containment Study indicated that the Air District should consider the adoption of a Cost Recovery Policy to guide future fee amendments. Air District staff initiated a process to develop such a Policy in May 2011, and a Stakeholder Advisory Group was convened to provide input in this regard. A Cost Recovery Policy was adopted by the Air District's Board of Directors on March 7, 2012 (see Appendix A). This policy specified that the Air District should amend its fee regulation in conjunction with the adoption of budgets for FYE 2013 through FYE 2016, in a manner sufficient to increase overall recovery of regulatory program activity costs to 85 percent. The policy also indicated that amendments to specific fee schedules should continue to be made in consideration of cost recovery analyses conducted at the fee schedule-level, with larger

increases being adopted for the schedules that have the larger cost recovery gaps.

The Matrix Consulting Group was retained by the BAAQMD in September 2017 to provide a cost recovery and containment study for the fiscal year ended June 30, 2017 to update the study done in 2011. This assessment used multiple analytical tools to understand the current process for allocation of indirect costs, current cost recovery levels, and recommendations for cost recovery and savings. The primary purpose of this study was to evaluate the indirect overhead associated with the BAAQMD and the cost recovery associated with the fees charged by the BAAQMD. The project team evaluated the Air District's current programs to classify them as direct or indirect costs, as well as the time tracking data associated with each of the different fee schedules. The report also provides specific recommendations related to direct and indirect cost recovery for the BAAQMD, as well as, potential cost efficiencies.

Staff has updated the cost recovery analysis for the most recently completed fiscal year (FYE 2017) using the methodology established by Matrix Consulting Group. The 2018 Cost Recovery Study indicates that the overall cost recovery rate for FYE 2017 was 82.55%.

### **3. PROPOSED FEE AMENDMENTS FOR FYE 2019**

#### **3.1 OVERVIEW OF PROPOSED AMENDMENTS**

A 2018 cost recovery study was used to establish proposed fee amendments for existing fee schedules based on the degree to which existing fee revenue recovers the activity costs associated with the schedule. Based on this approach, the fee rates in certain fee schedules would be increased by 7, 8, 9, or 15 percent. Other fee schedules would be raised by 3.1%, the annual increase from 2016 to 2017 in the Bay Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) as reported by the United States Bureau of Labor Statistics. The specific basis for these proposed fee amendments is summarized in Table 1 as follows:

**Table 1. Proposed Fee Changes Based on Cost Recovery by Fee Schedule**

| <b>Revenue from Fee Schedule</b> | <b>Change in Fees</b> | <b>Fee Schedules</b>     |
|----------------------------------|-----------------------|--------------------------|
| <b>95 – 110% of costs</b>        | <b>3.1% increase*</b> | <b>B, M, S, V</b>        |
| <b>85 – 94% of costs</b>         | <b>7% increase</b>    | <b>F, G3, P, T</b>       |
| <b>75-84% of costs</b>           | <b>8% increase</b>    | <b>D</b>                 |
| <b>50-74% of costs</b>           | <b>9% increase</b>    | <b>E, G1, H</b>          |
| <b>Less than 50% of costs</b>    | <b>15% increase*</b>  | <b>A, G2, G4, I, K R</b> |

\*2018 Matrix Consulting Group Cost Recovery & Containment Study recommendations.

In addition to the proposed amendments to fee schedules, Air District staff is proposing to increase several administrative fees that appear in the Standards section of Regulation 3 by 3.1 percent. This includes permit application filing fees and permit renewal processing fees. Existing permit fees are well below the point of full cost recovery, and these fee increases are proposed to help the Air District reduce its cost recovery gap.

## **3.2 PROPOSED RULE AMENDMENTS**

The complete text of the proposed changes to Air District Regulation 3: Fees, has been prepared in strikethrough (deletion of existing text) and underline (new text) format, and is included in Appendix B. Proposed fee increases have been rounded to the nearest whole dollar.

- **Section 3-302: Fees for New and Modified Sources**

The proposed amendment to Section 3-302 is a 3.1 percent increase in the filing fee for permit applications for new/modified sources and abatement devices, from \$474 to \$489.

Revise Section 3-302 to specify the fee rates applied. The fee rates applied are those in force when the applicant has provided all the information required per 2-1-402 (excluding 2-1-402.3 fees) to evaluate the project

- **Section 3-302.3: Fees for Abatement Devices**

The proposed amendment to Section 3-302.3 is a 3.1 percent increase in the filing fee, from \$474 to \$489, and the not to exceed value will be increased from \$10,000 to \$10,270.

- **Section 3-311: Banking**

The proposed amendment to Section 3-311 is a 3.1 percent increase in the filing fee for banking applications, from \$474 to \$489.

- **Section 3-318: Public Notice Fee, Schools**

The proposed amendment to Section 3-318.1 and 3-318.2 is a 3.1 percent increase in the fee, from \$2,146 to \$2,204 per application.

- **Section 3-320: Toxic Inventory Fees**

The proposed amendment to Section 3-320 is a 3.1 percent increase from \$9,141 to \$9,388.

- Section 3-327: Permit to Operate, Renewal Fees

The processing fees for renewal of Permits to Operate specified in subsections 3-327.1 through 3-327.6 would be increased by 3.1 percent.

- Section 3-337: Exemption Fee

The proposed amendment to Section 3-337 is a 3.1 percent increase in the filing fee for a certificate of exemption, from \$474 to \$489.

- Section 3-342, Fee for Facility-Wide Health Risk Assessment

Section 3-342 is revised to add Health Risk Assessment (HRA) review fees to recover the Air District's costs of reviewing HRAs completed by District-approved consultants as required pursuant to Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities.

Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities (Rule 11-18) represents a continuation of the Air District's longstanding efforts to reduce health risk in the Bay Area resulting from the emission of toxic air contaminants from stationary sources. Under Rule 11-18, the Air District uses annual toxic emissions inventories from each affected facility to conduct a site-specific Health Risk Assessment (HRA) to assess the potential for adverse health effects to the public from exposure to emissions of toxic air contaminants from the facility.

Using the results of the HRAs, the Air District would determine whether a facility's health risk impact exceeds any risk action level established in the Rule. Facilities that pose a health risk in excess of any risk action level would be required either to demonstrate that all significant sources of toxic emissions at the facility are controlled by Best Available Retrofit Control Technology for Toxic Pollutants (TBARCT), or to reduce the health risk below the risk action level through the implementation of a Risk Reduction Plan. Any facility required to implement a Risk Reduction Plan would first submit the Plan to the Air District for staff review and public comment.

[illegible]

Based on the proposed Regulation 3 Amendments, the Air District estimates FYE 2019 fee revenue sufficient to recover the Air District's costs for the review of Facility-Wide Health Risk Assessments that are planned to be submitted and conducted during FYE 2019.

- Section 3-405: Fees Not Paid

Revise Section 3-405 to reduce fees charged to facilities that are more than 30 days late on paying their permit renewal invoice. Historically, these delinquent fees have been incurred at a disproportionately high frequency by small businesses such as gasoline dispensing facilities, dry cleaners, and auto body shops due to frequent ownership changes and new owners being unaware of missed permit renewal payments. To reduce this burden on small businesses, the proposed amendment would lower this delinquent fee from 50% to 25%. Based on the Air District's actual late and delinquent fee payments, staff estimates a fee revenue decrease of \$76,000, which is approximately 0.27% of renewal fees.

- Section 3-418: Temporary Incentive for Online Production System Transactions

Add Section 3-418 to authorize the Air Pollution Control Officer to reduce the fees for transactions using the Air District's online production system. This would help to serve as an incentive for facilities to conduct these transactions online.

## **Fee Schedules:**

### **Schedule A: Hearing Board Fees**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule A would be increased by 15 percent. The schedules of fees for excess emissions (Schedule A: Table I) and visible emissions (Schedule A: Table II) would also be increased by 15 percent.

### **Schedule B: Combustion of Fuel**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule B would be increased by 3.1 percent.

### **Schedule C: Stationary Containers for the Storage of Organic Liquids**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule C would not be increased.

### **Schedule D: Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule D would be increased by 8 percent, except for the base fee for a health risk assessment for a source covered by Schedule D, which would be increased by 3.1 percent from \$474 to \$489.

### **Schedule E: Solvent Evaporating Sources**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule E would be increased by 9 percent, except for the base fee for a health risk assessment for a source covered by Schedule E, which would be increased by 3.1 percent from \$474 to \$489.

The proposed amendments would revise Fee Schedule E to directly calculate the fee based on the gross throughput of organic solvent processed.

### **Schedule F: Miscellaneous Sources**

Based on the cost recovery methodology listed in Table 1, the fees in Schedule F would be increased by 7 percent. The base fee for a health risk screening analysis for a source covered by Schedule F would be increased by 3.1 percent, from \$474 to \$489. The base fee for a health risk screening analysis in Schedule F is included in the RSF for the first TAC source in the application.

Clarify in Schedule G-1 that Sub-Slab Depressurization Equipment (SSDE) is subject to

the Schedule F permit fees, not the Schedule G-1 permit fees. From July 1, 2016 to June 30, 2017, the Air District received 37 soil vapor extraction permit applications. Historically, about 18% of soil vapor extraction (SVE) permit applications have been sub-slab depressurization equipment.

For a typical sub-slab depressurization equipment source:

Under Schedule G-1, the permit application fees would be:

Filing Fee: \$489

Initial Fee: \$4,341

Risk Assessment Fee: \$4,926

Permit to Operate Fee: \$2,167

Total Fees under Schedule G-1 = \$11,923

Under Schedule F, the permit application fees would be:

Filing Fee: \$489

Initial Fee: \$636

Risk Assessment Fee: \$1,194

Permit to Operate Fee: \$462

Total Fees under Schedule F = \$2,781

Therefore, this proposed revision would result in an estimated annual fee revenue decrease of:  $(37 \text{ SVE permits}) \times (0.18 \text{ SSDE/SVE}) \times (\$11,923 - \$2,781) = \$60,886$ , which is minimal relative to total permit application fees.

#### Schedule G-1: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-1 would be increased by 9 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-1, which would be increased by 3.1 percent from \$474 to \$489. The base fee for a health risk screening analysis in Schedule G-1 is included in the RSF for the first TAC source in the application.

#### Schedule G-2: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-2 would be increased by 15 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-2 which would be increased by 3.1 percent from \$474 to \$489. The base fee for a health risk screening analysis in Schedule G-2 is included in the RSF for the first TAC source in the application.

#### Schedule G-3: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-3 would be increased by 7 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-3, which would be increased by 3.1

percent from \$474 to \$489. The base fee for a health risk screening analysis in Schedule G-3 is included in the RSF for the first TAC source in the application.

#### Schedule G-4: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-4 would be increased by 9 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule G-4, which would be increased by 3.1 percent from \$474 to \$489. The base fee for a health risk screening analysis in Schedule G-4 is included in the RSF for the first TAC source in the application.

#### Schedule G-5: Miscellaneous Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule G-5 would not be increased.

#### Schedule H: Semiconductor and Related Sources

Based on the cost recovery methodology listed in Table 1, the fees in Schedule H would be increased by 9 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule H, which would be increased by 3.1 percent from \$474 to \$489.

#### Schedule I: Dry Cleaners

Based on the cost recovery methodology listed in Table 1, the fees in Schedule I would be increased by 15 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule I, which would be increased by 3.1 percent from \$474 to \$489.

#### Schedule K: Solid Waste Disposal Sites

Based on the cost recovery methodology listed in Table 1, the fees in Schedule K would be increased by 9 percent, except for the base fee for a health risk screening analysis for a source covered by Schedule K, which would be increased by 3.1 percent from \$474 to \$489.

#### Schedule L: Asbestos Operations

Based on the cost recovery methodology listed in Table 1, the fees in Schedule L would not be increased.

#### Schedule M: Major Stationary Source Fees

Schedule M is an emissions-based fee schedule that applies to various permitted facilities emitting 50 tons per year or more of organic compounds, sulfur oxides,

nitrogen oxides, and/or PM<sub>10</sub>. Air District staff is proposing a 3.1 percent increase in the Schedule M fee rate based on the annual increase in the Bay Area Consumer Price Index.

#### Schedule N: Toxic Inventory Fees

Based on the cost recovery methodology listed in Table 1, the base fee in Sections 2 and 3 would not be increased. The value of the variable  $F_T$ , the total amount of fees to be collected, used to calculate fees for Schedule N is proposed to remain unchanged for FYE 2019.

However, the SL factor in Fee Schedule N: Toxic Inventory Fees, would be updated to recover current costs and higher California Air Resources Board AB2588 annual fees for FYE 2018.

Delete the formula for  $S_L$  and its variables and definitions from Schedule N.

#### Schedule P: Major Facility Review Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule P would be increased by 8 percent.

Clarify in Schedule P that Initial Fees do not apply to Title V Renewal applications

#### Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks

The fees in Schedule Q would not be increased since the Air District does not currently assess this fee.

#### Schedule R: Equipment Registration Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule R would be increased by 15 percent.

#### Schedule S: Naturally Occurring Asbestos Operations

Based on the cost recovery methodology listed in Table 1, the fees in Schedule S would be increased by 3.1 percent.

#### Schedule T: Greenhouse Gas Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule T would be increased by 7 percent.

#### Schedule U: Indirect Source Review Fees

The fees in Schedule U would not be increased since the Air District does not currently regulate indirect sources.

#### Schedule V: Open Burning

Schedule V would be increased by 3.1 percent, not the 15 percent based on the cost recovery methodology listed in Table 1, until a more effective method can be determined as a basis for fees. This will limit the burden on public agencies' prescribed burns for wildlife prevention.

#### Schedule W: Petroleum Refining Emissions Tracking Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule W would not be increased.

#### Schedule X: Major Stationary Source Community Air Monitoring Fees

Based on the cost recovery methodology listed in Table 1, the fees in Schedule X would not be increased.

### **4. FEE REVENUE AND COSTS OF PROGRAM ACTIVITIES**

On an overall basis, the 2018 Cost Recovery Study (a copy of which is available on request) concluded that, for FYE 2017, fee revenue recovered 82.55 percent of regulatory program activity costs, with revenue of \$42.4 million and costs of \$51.3 million. This resulted in a shortfall, or cost recovery gap, of \$9 million which was filled by county tax revenue. The proposed fee amendments for FYE 2019 are projected to increase overall Air District fee revenue by approximately \$2.43 million relative to fee revenue levels that would be expected without the amendments. Revenue in FYE 2019 is expected to remain below the Air District's regulatory program costs for both permitted and non-permitted sources.

For years, the Air District has implemented aggressive cost containment measures that included reducing capital expenditures and maintaining a hiring freeze that resulted in historically high staff vacancy rates.

In the FYE 2019 budget, the Air District proposes to fill 397 FTE, an increase of 38 FTE over the initial approved FYE 2018 budget. During the second quarter of FYE 2018, the board approved an additional 22 FTE to address new and expanded programs because of State Assembly Bill 617. Assembly Bill (AB) 617, passed by the Legislature and signed by the Governor in 2017, establishes new, comprehensive air quality planning requirements for the California Air Resources Board (CARB) and local air districts. The bill requires CARB and the Air District to engage with communities to analyze and reduce localized cumulative exposure to air pollution to improve health in the most disproportionately impacted communities. CARB and the Air District will: 1) identify

impacted communities in the Bay Area; 2) develop and implement monitoring programs to better understand local air pollution sources and exposures, and; 3) develop and implement community action plans to reduce local emissions and exposures. Air District AB 617 implementation activities will cut across all divisions, and will represent a major focus for the agency in FYE 2019 and beyond.

Over the past several years, the Air District has implemented several cost containment and efficiency-based strategies. Some of these strategies include: timekeeping improvements, greater field capabilities, annual updates to cost recovery, improved public education, submittal of online permit applications, and availability of permit status online through the New Production System. Implementing these strategies have resulted in efficiencies as well as the ability to provide a higher service level (reduce time spent doing paperwork or answering permit-related questions to conducting inspections or evaluating permit applications).

To improve program efficiency, the Air District is actively transitioning to the New Production System, an on-line permitting system for the regulated community for high-volume source categories including gas stations, dry cleaners, and auto-body shops, and is expanding this system for additional source categories. These tools will increase efficiency and accuracy by allowing customers to submit applications, report data for the emissions inventory, pay invoices and have access to permit documents.

Future projections anticipate adequate revenue to meet projected expenditures with the assumption of continued attention to cost and permit fee analysis. The Air District continues to be fiscally prudent by maintaining its reserves. Reserves address future capital equipment and facility needs, uncertainties in State funding and external factors affecting the economy that could impact the Air District's ability to balance its budgets.

While the increased pickup of pension costs by employees reduced the Air District's annual obligation, premiums in employee health benefit, pension costs and OPEB obligations continue to grow. Over the last few years, the Air District has made significant efforts in funding its obligations for OPEB by making additional contributions to fund its unfunded liability. Based on June 30, 2016 actuarial valuation study for OPEB, the Air District's plan is approximately 68% funded; leaving an unfunded liability of 32% or \$19 million. As a part of the FYE 2016 Budget, the Board adopted a minimum OPEB funding target policy of 90%. The FYE 2019 Budget includes the continuation of this funding with a \$4.0 million contribution.

The Air District's pension obligation is also growing; especially with recent changes in actuarial assumptions by CalPERS. As a result, CalPERS anticipates increased employer rates over the next 5 years. Based on the June 30, 2016 CalPERS actuarial valuation study, the Air District is currently funded at approximately 73%; leaving an unfunded liability of 27% or approximately \$76 million. Given these potential impacts, the FYE 2019 Budget contributes \$1.0 million in discretionary contributions towards this account, which will be used for the sole purpose of reducing the unfunded liability to minimize the impact of future rate increases for the Air District.

## **5. STATUTORY AUTHORITY FOR PROPOSED FEE INCREASES**

The Air District is a regional regulatory agency, and its fees are used to recover the costs of issuing permits, performing inspections, and other associated regulatory activities. The Air District's fees fall into the category specified in Section 1(e) of Article XIII C of the California Constitution which specifies that charges of this type assessed to regulated entities to recover regulatory program activity costs are not taxes. The amount of fee revenue collected by the Air District has been clearly shown to be much less than the costs of the Air District's regulatory program activities both for permitted and non-permitted sources.

The Air District's fee regulation, with its various fee schedules, is used to allocate regulatory program costs to fee payers in a manner which bears a fair or reasonable relationship to the payer's burden on, or benefits received from, regulatory activities. Permit fees are based on the type and size of the source being regulated, with minimum and maximum fees being set in recognition of the practical limits to regulatory costs that exist based on source size. Add-on fees are used to allocate costs of specific regulatory requirements that apply to some sources but not others (e.g., health risk screening fees, public notification fees, alternative compliance plan fees). Emissions-based fees are used to allocate costs of regulatory activities not reasonably identifiable with specific fee payers.

Since 2006, the Air District has used annual analyses of cost recovery performed at the fee-schedule level, which is based on data collected from a labor-tracking system, to adjust fees. These adjustments are needed as the Air District's regulatory program activities change over time based on changes in statutes, rules and regulations, enforcement priorities, and other factors.

State law authorizes air districts to adopt fee schedules to cover the costs of various air pollution programs. California Health and Safety Code (H&S Code) section 42311(a) provides authority for an air district to collect permit fees to cover the costs of air district programs related to permitted stationary sources. H&S Code section 42311(f) further authorizes the Air District to assess additional permit fees to cover the costs of programs related to toxic air contaminants. H&S Code section 41512.7(b) limits the allowable percentage increase in fees for authorities to construct and permits to operate to 15 percent per year.

H&S Code section 44380(a) authorizes air districts to adopt a fee schedule that recovers the costs to the air district and State agencies of the Air Toxics Hot Spots Program (AB 2588). The section provides the authority for the Air District to collect toxic inventory fees under Schedule N.

H&S Code section 42311(h) authorizes air districts to adopt a schedule of fees to cover the reasonable costs of the Hearing Board incurred as a result of appeals from air district decisions on the issuance of permits. Section 42364(a) provides similar

authority to collect fees for the filing of applications for variances or to revoke or modify variances. These sections provide the authority for the Air District to collect Hearing Board fees under Schedule A.

H&S Code section 42311(g) authorizes air districts to adopt a schedule of fees to be assessed on area-wide or indirect sources of emissions, which are regulated but for which permits are not issued by the air district, to recover the costs of air district programs related to these sources. This section provides the authority for the Air District to collect asbestos fees (including fees for Naturally Occurring Asbestos operations), soil excavation reporting fees, registration fees for various types of regulated equipment, for Indirect Source Review, and fees for open burning.

The proposed fee amendments are in accordance with all applicable authorities. The Air District fees subject to this rulemaking are in amounts no more than necessary to cover the reasonable costs of the Air District's regulatory activities, and the manner in which the Air District fees allocate those costs to a payer bear a fair and reasonable relationship to the payer's burdens on the Air District regulatory activities and benefits received from those activities. Permit fee revenue (after adoption of the proposed amendments) would still be well below the Air District's regulatory program activity costs associated with permitted sources. Similarly, fee revenue for non-permitted area wide sources would be below the Air District's costs of regulatory programs related to these sources. Hearing Board fee revenue would be below the Air District's costs associated with Hearing Board activities related to variances and permit appeals. Fee increases for authorities to construct and permits to operate would be less than 15 percent per year.

## **6. ASSOCIATED IMPACTS AND OTHER RULE DEVELOPMENT REQUIREMENTS**

### **6.1 EMISSIONS IMPACTS**

There will be no direct change in air emissions as a result of the proposed amendments.

### **6.2 ECONOMIC IMPACTS**

The Air District must, in some cases, consider the socioeconomic impacts and incremental costs of proposed rules or amendments. Section 40728.5(a) of the California H&S Code requires that socioeconomic impacts be analyzed whenever an air district proposes the adoption, amendment, or repeal of a rule or regulation that will significantly affect air quality or emissions limitations. The proposed fee amendments will not significantly affect air quality or emissions limitations, and so a socioeconomic impact analysis is not required.

Section 40920.6 of the H&S Code specifies that an air district is required to perform an incremental cost analysis for a proposed rule, if the purpose of the rule is to meet the requirement for best available retrofit control technology or for a feasible measure. The proposed fee amendments are not best available retrofit control technology requirements, nor are they a feasible measure required under the California Clean Air Act; therefore, an incremental cost analysis is not required.

The financial impact of the proposed fee amendments on small businesses is expected to be minor. Many small businesses operate only one or two permitted sources, and generally pay only the minimum permit renewal fees. For the facilities shown in Table 4, increases in annual permit and registration renewal fees would be under \$100, except for a typical gasoline service station.

**Table 4. Changes in Annual Permit/Registration Renewal Fees for Typical Small Businesses**

| <b>Facility Type</b>        | <b>Current Fees<br/>(prior to increase)</b> | <b>Proposed Fee<br/>Increase</b> | <b>Total Fees<br/>(post increase)</b> |
|-----------------------------|---------------------------------------------|----------------------------------|---------------------------------------|
| Gas Station                 | \$2,608                                     | \$212                            | \$2,820                               |
| Dry Cleaner<br>(permitted)  | \$448                                       | \$70                             | \$518                                 |
| Dry Cleaner<br>(registered) | \$225                                       | \$34                             | \$259                                 |
| Auto Body Shop              | \$485                                       | \$47                             | \$532                                 |
| Back-up Generator           | \$263                                       | \$11                             | \$274                                 |

For reference, Air District permit fees are generally well below that of the South Coast AQMD, the other major metropolitan air district in the state with a cost of living similar to that of the Bay Area. South Coast AQMD staff have indicated that their fee revenue recovers a much higher percentage of associated program activity costs (i.e., over 90 percent) relative to the Bay Area AQMD.

For larger facilities, such as refineries and power plants, increases in annual permit renewal fees would cover a considerable range due to differences in the facility's size, mix of emission sources, pollutant emission rates and applicable fee schedules. As shown in Table 5, the FYE 2019 annual permit fee increase for the five Bay Area refineries would range from approximately 4.7 to 5.5 percent. The annual permit fee increase for power generating facilities shown in Table 6 would range from approximately 5.0 to 5.2 percent. Projected FYE 2019 fee increases are based on FYE 2018 material throughput data. Table 5 and 6 also include current Permit to Operate fees paid and historical annual fee increases.

**Table 5. Refinery Permit to Operate Fee Comparison**

|             | Annual % Permit Fee Increase/Decrease (Fiscal Year Ending) |      |      |      |                | 2018 Permit Fee |
|-------------|------------------------------------------------------------|------|------|------|----------------|-----------------|
|             | 2015                                                       | 2016 | 2017 | 2018 | 2019 Projected |                 |
| Chevron     | 12.1                                                       | 9.3  | 14.7 | 1.2  | 4.9            | \$3.7 MM        |
| Shell       | 12.4                                                       | 5.8  | 15.0 | 10.0 | 4.9            | \$3.4 MM        |
| Phillips 66 | 9.3                                                        | 3.4  | 14.6 | 2.2  | 5.5            | \$1.6 MM        |
| Valero      | 8.4                                                        | 11.9 | 15.0 | 2.4  | 5.3            | \$1.9 MM        |
| Tesoro      | 13.0                                                       | 21.7 | 13.3 | -1.8 | 4.7            | \$2.1 MM        |

**Table 6. Power Plant Permit to Operate Fee Comparison**

|                | Annual % Permit Fee Increase/Decrease (Fiscal Year Ending) |      |      |      |                | 2018 Permit Fee |
|----------------|------------------------------------------------------------|------|------|------|----------------|-----------------|
|                | 2015                                                       | 2016 | 2017 | 2018 | 2019 Projected |                 |
| Delta Energy   | 16.9                                                       | 12.6 | 4.8  | -7.0 | 5.1            | \$ 427,402      |
| Los Medanos    | 15.0                                                       | 15.0 | 4.8  | 7.3  | 5.2            | \$ 350,726      |
| Gateway        | 15.0                                                       | 19.8 | 4.5  | -7.6 | 5.0            | \$ 295,930      |
| Crockett Cogen | 15.0                                                       | 11.5 | 7.9  | 2.5  | 5.0            | \$ 230,111      |

### **6.3 ENVIRONMENTAL IMPACTS**

The California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., and the CEQA Guidelines, 14 CCR 15000 et seq., require a government agency that undertakes or approves a discretionary project to prepare documentation addressing the potential impacts of that project on all environmental media. Certain types of agency actions are, however, exempt from CEQA requirements. The proposed fee amendments are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines, which state: "CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies...." (See also Public Resources Code Section 21080(b) (8)).

Section 40727.2 of the H&S Code imposes requirements on the adoption, amendment, or repeal of air district regulations. It requires an air district to identify existing federal and air district air pollution control requirements for the equipment or source type affected by the proposed change in air district rules. The air district must then note any differences between these existing requirements and the requirements imposed by the proposed change. This fee proposal does not impose a new standard, make an existing standard more stringent, or impose new or more stringent administrative requirements. Therefore, section 40727.2 of the H&S Code does not apply.

### **6.4 STATUTORY FINDINGS**

Pursuant to H&S Code section 40727, regulatory amendments must meet findings of necessity, authority, clarity, consistency, non-duplication, and reference. The proposed amendments to Regulation 3:

- Are necessary to fund the Air District's efforts to attain and maintain federal and state air quality standards, and to reduce public exposure to toxic air contaminants;
- Are authorized by H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Are clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Are consistent with other Air District rules, and not in conflict with any state or federal law;
- Are not duplicative of other statutes, rules or regulations; and
- Reference H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

## **7. RULE DEVELOPMENT PROCESS**

On February 1, 2018, the Air District issued a notice for a public workshop to discuss with interested parties an initial proposal to amend Regulation 3, Fees. Distribution of this notice included all Air District-permitted and registered facilities, asbestos contractors, and a number of other potentially interested stakeholders. The notice was also posted on the Air District website. A public workshop and simultaneous webcast was held on

February 20, 2018 to discuss the initial Regulation 3 fee proposal.

On March 28, 2018 Air District staff provided a briefing on the proposed fee amendments to the Air District Board of Directors' Budget and Finance Committee.

Under H&S Code section 41512.5, the adoption or revision of fees for non-permitted sources requires two public hearings that are held at least 30 days apart from one another. This provision applies to Schedule L: Asbestos Operations, Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks, Schedule R: Equipment Registration Fees, Schedule S: Naturally Occurring Asbestos Operations, Schedule U: Indirect Source Fees, and Schedule V: Open Burning. A Public Hearing Notice for the proposed Regulation 3 was published on March 16, 2018. An initial public hearing to consider testimony on the proposed amendments was held on April 18, 2018. A second public hearing, to consider adoption of the proposed fee amendments, has been scheduled for June 6, 2018, or as soon thereafter as the matter may be heard. If adopted, the amendments would be made effective on July 1, 2018.

## **8. PUBLIC COMMENTS**

### **8.1 Public Workshop Comments – Regulation 3, Fees**

The District held a public workshop on February 20, 2018 to discuss draft amendments to Regulation 3: Fees. There were two attendees plus the webcast audience. Written comments were received on the Regulation 3, Fees proposal as follows: (1) the Western States Petroleum Association (WSPA) and (2) the California Council for Environmental and Economic Balance (CCEEB).

#### WSPA Comments dated March 21, 2018

##### **Comment 1: WSPA asks that the Air District track refinery costs and revenue.**

Response 1: Refinery operations cover multiple device types and fee schedules. The Air District tracks revenue by sites, devices and fee schedules, whereas labor and other costs are tracked using 48 distinct billing codes for different device types. Additionally, the Air District is committed to reviewing how it could improve its current tracking by staff training, enhancing or refining its tracking system and by looking at how better to account for time billed to “general” billing codes.

##### **Comment 2: WSPA requests that the Air District should code and track costs for specific programs.**

Response 2: The Air District currently codes and tracks costs for specific programs and source types. For example, the Air District tracks costs for processing renewals in Program 502 where data on which to base the renewal is collected from the facility and used to calculate the cost of the permit. Costs to inspect facilities are tracked in Program 403, where there are

requirements for scheduled inspections. Costs associated with applications are tracked in Program 501. Other activities like source testing have their own specific programs and codes.

**Comment 3: WSPA comments that the Air District has more staff than 32 of the 34 local air districts and the Bay Area has better air quality.**

Response 3: The Air District regulates over 20,000 stationary sources in the nine-county region which requires a large engineering, rule development, planning, climate protection, and compliance and enforcement staff. The Air District maintains and operates air monitoring stations throughout the air basin and maintains its own laboratory. The Air District awards over \$60 million in grants for mobile source emission reductions and actively participates in community outreach and public engagement activities. The Air District is committed to improved air quality and has started a new Technology Implementation Office. The staffing level required for all these activities is appropriate.

**Comment 4: WSPA requests that staff should minimize unnecessary work efforts related to prepare guidance on rule/policy requirement and regulatory mandates.**

Response 4: The Air District disagrees that these efforts are unnecessary. Guidance on rule and policy requirements are how the Air District provides certainty for the regulated community, public and its staff on how various mandates will be implemented. This comment conflicts with many previous WSPA comments regarding the need for certainty and transparency regarding how rules, regulations and policies will be implemented at the Air District. The Air District believes that the development of clear and appropriate guidance is a significant and necessary step that it intends to continue as it rolls out future regulatory and policy mandates.

**Comment 5: WSPA agrees with the Report that the Permit General – 08 billing code should be parsed out with more specificity and would like to know how this evaluation was done.**

Response 5: The current method of cost allocation for the Permit General - 08 billing code is for labor to be apportioned across all schedules, based on the proportion of direct labor in the schedules. This basis is currently under review based on the recommendations of the Air District's most recent cost-containment study. The Air District continually makes efforts to diminish the use of billing code 08 in favor of schedule-specific codes and is committed to reviewing how changes could improve cost tracking in this area.

**Comment 6: WSPA asks for a clearer delineation between direct costs and indirect costs and questions the assignment of labor for settlements under the Litigation program as an indirect cost.**

Response 6: Indirect costs are clearly delineated by the Matrix study under Item 2 – Cost Allocation Plan, Cost Allocation Description starting on page 5. Labor costs associated with settlements that are not related to permitted sources are included in the Litigation program and are allocated as indirect because the entire Air District receives the benefit from these efforts.

**Comment 7: WSPA asks whether the total cost and total revenue at the bottom of the tables on pages 2 and 25 reflect total Air District or not.**

Response 7: Only the stationary source regulatory program costs are addressed in the report. The only indirectly related permit fee costs are the indirect costs, which are apportioned across all fee schedules as seen on page 25, as well as all other District revenue and non-revenue activity types.

**Comment 8: WSPA notes that the report does not contain a definition of “reasonable” cost of service.**

Response 8: The District’s fee regulation, with its various fee schedules, is used to allocate regulatory program costs to fee payers in a manner which bears a fair or reasonable relationship to the payer’s burden on, or benefits received from, regulatory activities. Permit fees are based on the type and size of the source being regulated, with minimum and maximum fees being set in recognition of the practical limits to regulatory costs that exist based on source size. Add-on fees are used to allocate costs of specific regulatory requirements that apply to some sources but not others (e.g., health risk screening fees, public notification fees, alternative compliance plan fees). Emissions-based fees are used to allocate costs of regulatory activities not reasonably identifiable with specific fee payers. Since 2006, the District has used annual analyses of cost recovery performed at the fee-schedule level, which is based on data collected from a labor-tracking system, to adjust fees. These adjustments are needed as the District’s regulatory program activities change over time based on changes in statutes, rules and regulations, enforcement priorities, and other factors.”

**Comment 9: WSPA requests clarification on the Air District’s costs associated with Fee Schedule D.**

Response 9: The Air District costs reflect the work necessary for permitting and inspection activities of the approximately 2,500 individual gas dispensing sources in the Bay Area. Schedule D also includes bulk plant and terminals that require annual permitting and source testing by the Air District.

**Comment 10: WSPA requests to know why Schedule M fees are not included in Table on pages 2 and 25.**

Response 10: Fees collected under Schedule M are distributed among and are included in Schedules B, C, D, F (G1-5), I and K. The Matrix report shows only the totals of the fee schedule revenue, not the components. The Schedule M component is shown in in the 2018 Cost Recovery Study Figures 2 and 3 which are posted on the Air District’s website ([http://www.baaqmd.gov/~media/dotgov/files/rules/regulation-3/documents/20180327\\_costrec\\_0300-pdf.pdf?la=en](http://www.baaqmd.gov/~media/dotgov/files/rules/regulation-3/documents/20180327_costrec_0300-pdf.pdf?la=en)).

**Comment 11: WSPA wants to know why the Air District incurs \$4 million in costs for Schedule L – Asbestos Operations when other parties are paying for the asbestos remediation/removal.**

Response 11: Each asbestos job requires a notification, administrative processing and the presence of an inspector to ensure compliance with regulations - each of which has associated costs.

**Comment 12: WSPA wants to know why the Air District incurs \$502,547 in costs when zero community air monitors have been installed.**

Response 12: The Schedule X costs are associated with the evaluation of existing monitors and planning, siting evaluation, and program design for new monitors. For example, Air District staff held four public workshops (Richmond, Martinez, Rodeo and Benicia) to work with communities near the refineries to implement the Regulation 12-15 monitoring. Additionally, work on the design, siting, engineering and negotiation for monitoring sites is ongoing.

**Comment 13: WSPA requests the costs associated with unnecessary permit applications to determine permitted/exempt status.**

Response 13: It is the Air District's function to determine whether the applicant's project requires a permit or is exempt. A request for a permit application is made when an applicant has a non-routine project where the engineer needs more information about the project to determine if a letter of exemption is sufficient or a permit is required. The application process is the regulatory mechanism used to obtain sufficient information to determine whether a project requires a permit and allows for cost recovery of staff's time to review these applications. The applications also allow for greater transparency in the permitting process with the public.

**Comment 14: Due to the new Regulation 2-5 trigger levels passed in December 2016, WSPA commented that work on additional HRA's will result in little benefit.**

Response 14: The Air District disagrees. Toxic Best Available Control Technology will be required more often with OEHHA's new modeling guidelines. The Air District believes that public health will be better protected via the reductions that are achieved from additional HRA's which require facilities to reduce toxic emissions.

**Comment 15: WSPA requests clarification on how Penalty Fines are handled in cost recovery.**

Response 15: Civil penalties are not fee revenue. They are not included in the cost recovery calculations.

**Comment 16: WSPA requests that the Report clearly identify the time period that the Report is addressing.**

Response 16: The cost recovery report was based on cost data for fiscal year ended June 30, 2017.

CCEEB Comments dated March 20, 2018

**Comment 1: CCEEB requests that the Air District align the proposed amendments to Regulation 3 with the associated FYE 2019 proposed Budget. They are concerned that the deadline to submit comments on proposed Regulation 3 comes before the Air District's proposed Budget will be made available for review.**

Response 1: The proposed amendments to Regulation 3 and the proposed FYE 2019 Budget are interlinked and worked on simultaneously. Air District staff follow a consistent practice of determining fee increases in the context of cost recovery and budgeting on an annual basis. The Air District staff anticipate costs and propose the budget and necessary fees increases accordingly. The Fee Workshop comments were due on March 21<sup>st</sup>. Comments on the April 18, 2018 Board Hearing materials could be submitted until May 9<sup>th</sup>.

**Comment 2: CCEEB asks that the Air District place greater focus on cost containment and consider performance-based budgeting practices. CCEEB expressed concern that the facilities able to use the Production System are furthest from full cost recovery and that the system may never be applicable to many of the Air District's complex facility permits, which provide the majority of the Air District's fee-based revenue.**

Response 2: As more of the facilities in the Production System utilize the on-line features, cost recovery and containment will improve. We will be incentivizing these facilities to complete all transactions with the Air District online as part of the upcoming budget cycle. CCEEB's concern that the Air District's Production System will not be applicable to complex facilities is unfounded. The Air District is currently working on a complex facility portal to transition the larger facilities online over the next 2 to 3 years.

**Comment 3: CCEEB requests that there be greater transparency on which fee schedules are elected for fee schedule increases and recommends strict adherence to the existing fee increase methodology.**

Response 3: The proposed fees are based on the "2018 Cost Recovery Study", which averages the cost recovery over a three-year baseline. This has been our standard procedure since 2002. It is not based on the one-year cost recovery calculated in the Matrix Cost Recovery and Containment Study. Schedule V was reduced from the recommendations on the advice of staff who handle open burn notifications to reduce the burden on public agencies such as fire departments and public land use areas.

**Comment 4: CCEEB comments that Schedule Y is premature and should be postponed until the AB 617 program is more developed.**

Response 4: The Air District will not be proceeding with proposed Schedule Y this fiscal year.

**Comment 5: CCEEB appreciates that the Budget and Finance Committee will hear both the proposed amendments to Regulation 3 and the proposed Budget at its March 28th committee meeting.**

Response 5: The proposed amendments to Regulation 3 and the proposed FYE 2019 Budget were presented and discussed at the March 28<sup>th</sup> Budget and Finance Committee Meeting. The first Hearing date for Regulation 3 will be on April 18, 2019 at the Board of Director's Meeting. The final Hearing for Regulation 3 and the adoption of the FYE 2019 Budget are scheduled for June 6, 2019.

**Comment 6: CCEEB states that their request for an extension of the written comment due date was denied by staff.**

Response 6: CCEEB was encouraged to submit before the due date but was informed that a later submission would also be considered. CCEEB was also informed that formally there are two Board Hearings planned on the proposed amendments to Regulation 3, where they could submit oral or written comments (April 18, 2018 to receive testimony only and June 6, 2018 to consider adoption).

**Comment 7: CCEEB supports the work of the Air District on cost recovery and containment and thanks the staff for the opportunity to comment.**

Response 7: The Air District appreciates the comments and input submitted by CCEEB.

**Comment 8: CCEEB seeks to more fully understand, given the passage of AB 398, how Schedule T will be used for certain climate programs.**

Response 8: Schedule T fees, alongside the Air District's non-fee-related revenue, are used to support all Air District climate change activities, which are continuing to grow and can be found in the Air District's 2019 proposed budget.

**Comment 9: CCEEB wishes to work with the Air District on securing sustainable and equitable long-term funding sources for the Community Air Protection Program implementation costs.**

Response 9: The Air District is investigating funding sources for this important work and appreciates CCEEB's support.

**Comment 10: CCEEB requests to see the total cost and revenue associated with Schedules M, Q, and U.**

Response 10: Fees collected under Schedule M are included in Schedules B, C, D, F (G1-5), I and K. The Matrix report shows only the totals of schedule revenue, not the components. Schedule M components may be seen in the 2018 Cost Recovery Study which will be posted on the Air District's website. Schedule Q (Excavation of Contaminated Soil) revenue has not been collected for over 10 years since other agencies are now responsible for permitting and

inspection. Schedule U (Indirect Source Review) revenue has not been collected since it was proposed in 2009.

**Comment 11: CCEEB would like to understand how the proposed temporary incentive for transactions using the production system would be implemented.**

Response 11: At this time, the Air District staff is considering a variety of ideas on how the proposed temporary incentive would be implemented. One of these ideas would be to reduce the Permit Renewal Processing fee for facilities that renew online using the Production System.

**Comment 12: CCEEB believes that under-utilization of the Production System could be addressed through better public communications and outreach to the regulated community. The benefits to end users of the system should be incentive enough to move to the electronic based system.**

Response 12: In upcoming fiscal year, the Air District will incentivize the facilities to complete the permit renewal process in the Production System by utilizing proposed Section 3-418. The Air District has delayed the full implementation of the Production System for small sources until it has upgraded its financial system. The financial system project has recently been completed and the Air District is now concentrating on upgrades to its online payment systems including E checks and credit payments. Once these enhancements are complete, the Air District will be working to transition 100% of small facilities to the online NPS environment over the next two years.

## **8.2 Public Hearing Comments – Regulation 3, Fees**

CCEEB comments dated April 24, 2018

**Comment 1: Continue to work with stakeholders on providing clarity.**

Response 1: The Air District will continue to work with stakeholders to provide clarity on its permit fees and program expenditures during the annual budget and fee amendment process.

**Comment 2: Continue cost containment discussions.**

Response 2: The Air District will continue cost containment discussions with stakeholders to identify additional possible opportunities and strategies.

## **9. CONCLUSIONS**

Air District staff finds that the proposed fee amendments meet the findings of necessity, authority, clarity, consistency, non-duplication and reference specified in H&S Code section 40727. The proposed amendments:

- Are necessary to fund the Air District's efforts to attain and maintain federal and

- state air quality standards, and to reduce public exposure to toxic air contaminants;
- Are authorized by H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Are clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Are consistent with other Air District rules, and not in conflict with any state or federal law;
- Are not duplicative of other statutes, rules or regulations; and
- Reference H&S Code sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

The proposed fee amendments will be used by the Air District to recover the costs of issuing permits, performing inspections, and other associated regulatory activities. The Air District fees subject to this rulemaking are in amounts no more than necessary to cover the reasonable costs of the Air District's regulatory activities, and the manner in which the Air District fees allocate those costs to a payer bear a fair and reasonable relationship to the payer's burdens on the Air District regulatory activities and benefits received from those activities. After adoption of the proposed amendments, permit fee revenue would still be below the Air District's regulatory program activity costs associated with permitted sources. Similarly, fee revenue for non-permitted sources would be below the Air District's costs of regulatory programs related to these sources. Fee increases for authorities to construct and permits to operate would not exceed 15 percent per year as required under H&S Code section 41512.7. The proposed amendments to Regulation 3 are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines.



BAY AREA  
AIR QUALITY  
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**DRAFT STAFF REPORT**

**PROPOSED AMENDMENTS TO  
BAAQMD REGULATION 3: FEES**

**APPENDIX A**

**COST RECOVERY POLICY**  
**(Adopted March 7, 2012)**

**COST RECOVERY POLICY FOR BAY AREA AIR QUALITY MANAGEMENT  
DISTRICT REGULATORY PROGRAMS**

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**PURPOSE**

WHEREAS, the District has the primary authority for the control of air pollution from all sources of air emissions located in the San Francisco Bay Area, other than emissions from motor vehicles, in accordance with the provisions of Health & Safety Code sections 39002 and 40000.

WHEREAS, the District is responsible for implementing and enforcing various District, State, and federal air quality regulatory requirements that apply to non-vehicular sources.

WHEREAS, the District's regulatory programs involve issuing permits, performing inspections, and other associated activities.

WHEREAS, the District is authorized to assess fees to regulated entities for the purpose of recovering the reasonable costs of regulatory program activities, and these authorities include those provided for in California Health and Safety Code sections 42311, 42364, and 44380.

WHEREAS, the District's fees fall within the categories provided in Section 1(e) of Article XIII C of the California Constitution, which indicates that charges assessed to regulated entities to recover regulatory program activity costs, and charges assessed to cover the cost of conferring a privilege or providing a service, are not taxes.

WHEREAS, the District has adopted, and periodically amends, a fee regulation for the purpose of recovering regulatory program activity costs, and this regulation with its various fee schedules, is used to allocate costs to fee payers in a manner which bears a fair or reasonable relationship to the payer's burden on, or benefits received from, regulatory activities.

WHEREAS, the District analyzes whether assessed fees result in the collection of sufficient revenue to recover the costs of related program activities; these analyses have included contractor-conducted fee studies completed in 1999, 2005, and 2011, and annual District staff-conducted cost recovery updates completed in 2006 through 2010. Each fee study and cost recovery update completed revealed that District fee revenue falls significantly short of recovering the costs of related program activities.

WHEREAS, the District's most recently completed fee study (*Cost Recovery and Containment Study, Bay Area Air Quality Management District*, Final Report, Matrix Consulting Group, March 9, 2011) concluded that in Fiscal Year Ending (FYE) 2010, the District recovered approximately 62 percent of its fee-related activity costs, resulting in an under-recovery of costs (i.e., a cost recovery gap), and a subsidy to fee payers, of approximately \$16.8 million, and that this cost recovery gap resulted despite the

implementation of a number of strategies to contain costs.

WHEREAS, cost recovery analyses have indicated that the District's Fee Schedule P: Major Facility Review Fees, which establishes fees for program activities associated with the Title V permit program, has under-recovered costs by an average of \$3.4 million per year over the period FYE 2004 through FYE 2010.

WHEREAS, the District's Board of Directors has recognized since 1999 that the District's cost recovery gap has been an issue that needs to be addressed, and since that time has adopted annual fee amendments in order to increase fee revenue.

WHEREAS, in addition to fee revenue, the District receives revenue from Bay Area counties that is derived from property taxes, and a large portion of this tax revenue has historically been used on an annual basis to fill the cost recovery gap.

WHEREAS, the tax revenue that the District receives varies on a year-to-year basis, and cannot necessarily be relied on to fill the cost recovery gap and also cover other District expenses necessitating, in certain years, the use of reserve funds.

WHEREAS, tax revenue that the District receives, to the extent that it is not needed to fill the cost recovery gap, can be used to fund initiatives or programs that may further the District's mission but that lack a dedicated funding source.

WHEREAS, it may be appropriate as a matter of policy to establish specific fee discounts for small businesses, green businesses, or other regulated entities or members of the public, where tax revenue is used to cover a portion of regulatory program activity costs, and the District's existing fee regulation contains several fee discounts of this type.

## **POLICY**

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Bay Area Air Quality Management District that:

**(1) Cost Containment** –In order to ensure that the costs of its regulatory programs remain reasonable, the District should continue to implement feasible cost containment measures, including the use of appropriate best management practices, without compromising the District's effective implementation and enforcement of applicable regulatory requirements. The District's annual budget documents should include a summary of cost containment measures that are being implemented.

**(2) Analysis of Cost Recovery** – The District should continue to analyze the extent to which fees recover regulatory program activity costs, both on an overall basis, and at the level of individual fee schedules. These cost recovery analyses should be periodically completed by a qualified District contractor, and should be updated on an annual basis by District staff using a consistent methodology.

**(3) Cost Recovery Goals** – It is the general policy of the District, except as otherwise noted below, that the costs of regulatory program activities be fully recovered by assessing fees to regulated entities. In order to move towards this goal, the District should amend its fee regulation over the next four years, in conjunction with the adoption of budgets for Fiscal Year Ending (FYE) 2013 through FYE 2016, in a manner sufficient to increase overall recovery of regulatory program activity costs to 85 percent. Amendments to specific fee schedules should also be made in consideration of cost recovery analyses conducted at the fee schedule-level, with larger increases being adopted for the schedules that have the larger cost recovery gaps. This includes Fee Schedule P: Major Facility Review Fees, which has been determined to under-recover costs by a significant amount. Newly adopted regulatory measures should include fees that are designed to recover increased regulatory program activity costs associated with the measure, unless the Board of Directors determines that a portion of those costs should be covered by tax revenue. Tax revenue should also continue to be used to subsidize existing fee discounts that the District provides (e.g., for small businesses, green businesses, and third-party permit appeals), and to cover the cost of the District's wood smoke enforcement program.

BE IT FURTHER RESOLVED that this resolution is non-binding in the case of unforeseen financial circumstances, and may also be reconsidered or updated by the District's Board of Directors.



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## **STAFF REPORT**

### **PROPOSED AMENDMENTS TO BAAQMD REGULATION 3: FEES**

#### **APPENDIX B PROPOSED REGULATORY LANGUAGE REGULATION 3: FEES**

# REGULATION 3

## FEES

### INDEX

#### 3-100 GENERAL

- 3-101 Description
- 3-102 Deleted July 12, 1989
- 3-103 Exemption, Abatement Devices
- 3-104 Deleted August 2, 1995
- 3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees
- 3-106 Deleted December 2, 1998
- 3-107 Exemption, Sources Exempt from Permit Requirements

#### 3-200 DEFINITIONS

- 3-201 Cancelled Application
- 3-202 Gasoline Dispensing Facility
- 3-203 Filing Fee
- 3-204 Initial Fee
- 3-205 Authority to Construct
- 3-206 Modification
- 3-207 Permit to Operate Fee
- 3-208 Deleted June 4, 1986
- 3-209 Small Business
- 3-210 Solvent Evaporating Source
- 3-211 Source
- 3-212 Deleted August 2, 1995
- 3-213 Major Stationary Source
- 3-214 Deleted effective March 1, 2000
- 3-215 Deleted effective March 1, 2000
- 3-216 Deleted effective March 1, 2000
- 3-217 Deleted effective March 1, 2000
- 3-218 Deleted effective March 1, 2000
- 3-219 Deleted effective March 1, 2000
- 3-220 Deleted effective March 1, 2000
- 3-321 Deleted effective March 1, 2000
- 3-222 Deleted effective March 1, 2000
- 3-223 Start-up Date
- 3-224 Permit to Operate
- 3-225 Deleted June 3, 2015
- 3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987
- 3-227 Toxic Air Contaminant, or TAC
- 3-228 Deleted December 2, 1998
- 3-229 Deleted December 2, 1998
- 3-230 Deleted December 2, 1998
- 3-231 Deleted December 2, 1998
- 3-232 Deleted December 2, 1998
- 3-233 Deleted December 2, 1998
- 3-234 Deleted December 2, 1998
- 3-235 Deleted December 2, 1998
- 3-236 Deleted December 2, 1998
- 3-237 PM<sub>10</sub>
- 3-238 Risk Assessment Fee

|       |                                |
|-------|--------------------------------|
| 3-239 | Toxic Surcharge                |
| 3-240 | Biogenic Carbon Dioxide        |
| 3-241 | Green Business                 |
| 3-242 | Incident                       |
| 3-243 | Incident Response              |
| 3-244 | Permit to Operate Renewal Date |
| 3-245 | Permit Renewal Period          |

### **3-300 STANDARDS**

|       |                                                                                        |
|-------|----------------------------------------------------------------------------------------|
| 3-301 | Hearing Board Fees                                                                     |
| 3-302 | Fees for New and Modified Sources                                                      |
| 3-303 | Back Fees                                                                              |
| 3-304 | Alteration                                                                             |
| 3-305 | Cancellation or Withdrawal                                                             |
| 3-306 | Change in Conditions                                                                   |
| 3-307 | Transfers                                                                              |
| 3-308 | Change of Location                                                                     |
| 3-309 | Deleted June 21, 2017                                                                  |
| 3-310 | Fee for Constructing Without a Permit                                                  |
| 3-311 | Banking                                                                                |
| 3-312 | Emission Caps and Alternative Compliance Plans                                         |
| 3-313 | Deleted May 19, 1999                                                                   |
| 3-314 | Deleted August 2, 1995                                                                 |
| 3-315 | Costs of Environmental Documentation                                                   |
| 3-316 | Deleted June 6, 1990                                                                   |
| 3-317 | Asbestos Operation Fee                                                                 |
| 3-318 | Public Notice Fee, Schools                                                             |
| 3-319 | Major Stationary Source Fees                                                           |
| 3-320 | Toxic Inventory Fees                                                                   |
| 3-321 | Deleted December 2, 1998                                                               |
| 3-322 | Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees |
| 3-323 | Pre-Certification Fees                                                                 |
| 3-324 | Deleted June 7, 2000                                                                   |
| 3-325 | Deleted December 2, 1998                                                               |
| 3-326 | Deleted December 2, 1998                                                               |
| 3-327 | Permit to Operate, Renewal Fees                                                        |
| 3-328 | Fee for OEHHA Risk Assessment Reviews                                                  |
| 3-329 | Fees for New Source Review Health Risk Assessment                                      |
| 3-330 | Fee for Renewing an Authority to Construct                                             |
| 3-331 | Registration Fees                                                                      |
| 3-332 | Naturally Occurring Asbestos Fees                                                      |
| 3-333 | Major Facility Review (MFR) and Synthetic Minor Application Fees                       |
| 3-334 | Greenhouse Gas Fees                                                                    |
| 3-335 | Indirect Source Review Fees                                                            |
| 3-336 | Open Burning Operation Fees                                                            |
| 3-337 | Exemption Fees                                                                         |
| 3-338 | Incident Response Fees                                                                 |
| 3-339 | Petroleum Refining Emissions Tracking Fees                                             |
| 3-340 | Major Stationary Source Community Air Monitoring Fees                                  |
| 3-341 | Fee for Risk Reduction Plan                                                            |
| 3-342 | Fee for Facility-Wide Health Risk Assessment                                           |

### **3-400 ADMINISTRATIVE REQUIREMENTS**

|       |                                                                      |
|-------|----------------------------------------------------------------------|
| 3-401 | Permits                                                              |
| 3-402 | Single Anniversary Date                                              |
| 3-403 | Change in Operating Parameters                                       |
| 3-404 | Deleted June 7, 2000                                                 |
| 3-405 | Fees Not Paid                                                        |
| 3-406 | Deleted June 4, 1986                                                 |
| 3-407 | Deleted August 2, 1995                                               |
| 3-408 | Permit to Operate Valid for 12 Months                                |
| 3-409 | Deleted June 7, 2000                                                 |
| 3-410 | Deleted August 2, 1995                                               |
| 3-411 | Advance Deposit of Funds                                             |
| 3-412 | Deleted December 2, 1998                                             |
| 3-413 | Toxic "Hot Spots" Information and Assessment Act Revenues            |
| 3-414 | Deleted December 2, 1998                                             |
| 3-415 | Failure to Pay - Further Actions                                     |
| 3-416 | Adjustment of Fees                                                   |
| 3-417 | Temporary Amnesty for Unpermitted and Unregistered Sources           |
| 3-418 | <u>Temporary Incentive for Online Production System Transactions</u> |

**3-500 MONITORING AND RECORDS (None Included)**

**3-600 MANUAL OF PROCEDURES (None Included)**

**FEE SCHEDULES**

|            |                                                                                |
|------------|--------------------------------------------------------------------------------|
| SCHEDULE A | HEARING BOARD FEES                                                             |
| SCHEDULE B | COMBUSTION OF FUEL                                                             |
| SCHEDULE C | STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS                       |
| SCHEDULE D | GASOLINE TRANSFER AT GASOLINE DISPENSING FACILITIES, BULK PLANTS AND TERMINALS |
| SCHEDULE E | SOLVENT EVAPORATING SOURCES                                                    |
| SCHEDULE F | MISCELLANEOUS SOURCES                                                          |
| SCHEDULE H | SEMICONDUCTOR AND RELATED OPERATIONS                                           |
| SCHEDULE I | DRY CLEANERS                                                                   |
| SCHEDULE J | DELETED February 19, 1992                                                      |
| SCHEDULE K | SOLID WASTE DISPOSAL SITES                                                     |
| SCHEDULE L | ASBESTOS OPERATIONS                                                            |
| SCHEDULE M | MAJOR STATIONARY SOURCE FEES                                                   |
| SCHEDULE N | TOXIC INVENTORY FEES                                                           |
| SCHEDULE O | DELETED May 19, 1999                                                           |
| SCHEDULE P | MAJOR FACILITY REVIEW FEES                                                     |
| SCHEDULE Q | EXCAVATION OF CONTAMINATED SOIL AND REMOVAL OF UNDERGROUND STORAGE TANKS       |
| SCHEDULE R | EQUIPMENT REGISTRATION FEES                                                    |
| SCHEDULE S | NATURALLY OCCURRING ASBESTOS OPERATIONS                                        |
| SCHEDULE T | GREENHOUSE GAS FEES                                                            |
| SCHEDULE U | INDIRECT SOURCE REVIEW FEES                                                    |
| SCHEDULE V | OPEN BURNING                                                                   |
| SCHEDULE W | PETROLEUM REFINING EMISSIONS TRACKING FEES                                     |
| SCHEDULE X | MAJOR STATIONARY SOURCE COMMUNITY AIR MONITORING FEES                          |

## REGULATION 3 FEES

(Adopted June 18, 1980)

### 3-100 GENERAL

**3-101 Description:** This regulation establishes the regulatory fees charged by the District.  
(Amended 7/6/83; 11/2/83; 2/21/90; 12/16/92; 8/2/95; 12/2/98; 5/21/03; 5/21/08; 5/20/09; 6/19/13)

**3-102 Deleted July 12, 1989**

**3-103 Exemption, Abatement Devices:** Installation, modification, or replacement of abatement devices on existing sources are subject to fees pursuant to Section 3-302.3. All abatement devices are exempt from annual permit renewal fees. However, emissions from abatement devices, including any secondary emissions, shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, P, and T.

(Amended 6/4/86; 7/1/98; 6/7/00; 5/21/08)

**3-104 Deleted August 2, 1995**

**3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Fees shall not be required, pursuant to Section 3-322, for operations associated with the excavation of contaminated soil and the removal of underground storage tanks if one of the following is met:

105.1 The tank removal operation is being conducted within a jurisdiction where the APCO has determined that a public authority has a program equivalent to the District program and persons conducting the operations have met all the requirements of the public authority.

105.2 Persons submitting a written notification for a given site have obtained an Authority to Construct or Permit to Operate in accordance with Regulation 2, Rule 1, Section 301 or 302. Evidence of the Authority to Construct or the Permit to Operate must be provided with any notification required by Regulation 8, Rule 40.

(Adopted 1/5/94; Amended 5/21/03)

**3-106 Deleted December 2, 1998**

**3-107 Exemption, Sources Exempt from Permit Requirements:** Any source that is exempt from permit requirements pursuant to Regulation 2, Rule 1, Sections 103 through 128 is exempt from permit fees. However, emissions from exempt sources shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, and P.

(Adopted June 7, 2000)

### 3-200 DEFINITIONS

**3-201 Cancelled Application:** Any application which has been withdrawn by the applicant or cancelled by the APCO for failure to pay fees or to provide the information requested to make an application complete.

(Amended 6/4/86; 4/6/88)

**3-202 Gasoline Dispensing Facility:** Any stationary facility which dispenses gasoline directly into the fuel tanks of vehicles, such as motor vehicles, aircraft or boats. The facility shall be treated as a single source which includes all necessary equipment for the exclusive use of the facility, such as nozzles, dispensers, pumps, vapor return lines, plumbing and storage tanks.

(Amended February 20, 1985)

**3-203 Filing Fee:** A fixed fee for each source in an authority to construct.

(Amended June 4, 1986)

**3-204 Initial Fee:** The fee required for each new or modified source based on the type and size of the source. The fee is applicable to new and modified sources seeking to obtain an authority to construct. Operation of a new or modified source is not allowed until the permit to operate fee is paid.

(Amended June 4, 1986)

- 3-205 Authority to Construct:** Written authorization from the APCO, pursuant to Section 2-1-301, for a source to be constructed or modified or for a source whose emissions will be reduced by the construction or modification of an abatement device.  
(Amended June 4, 1986)
- 3-206 Modification:** See Section 1-217 of Regulation 1.
- 3-207 Permit to Operate Fee:** The fee required for the annual renewal of a permit to operate or for the first year of operation (or prorated portion thereof) of a new or modified source which received an authority to construct.  
(Amended 6/4/86; 7/15/87; 12/2/98; 6/7/00)
- 3-208 Deleted June 4, 1986**
- 3-209 Small Business:** A business with no more than 10 employees and gross annual income of no more than \$750,000 that is not an affiliate of a non-small business.  
(Amended 6/4/86; 6/6/90; 6/7/00; 6/15/05; 6/16/10)
- 3-210 Solvent Evaporating Source:** Any source utilizing organic solvent, as part of a process in which evaporation of the solvent is a necessary step. Such processes include, but are not limited to, solvent cleaning operations, painting and surface coating, rotogravure coating and printing, flexographic printing, adhesive laminating, etc. Manufacture or mixing of solvents or surface coatings is not included.  
(Amended July 3, 1991)
- 3-211 Source:** See Section 1-227 of Regulation 1.
- 3-212 Deleted August 2, 1995**
- 3-213 Major Stationary Source:** For the purpose of Schedule M, a major stationary source shall be any District permitted plant, building, structure, stationary facility or group of facilities under the same ownership, leasehold, or operator which, in the base calendar year, emitted to the atmosphere organic compounds, oxides of nitrogen (expressed as nitrogen dioxide), oxides of sulfur (expressed as sulfur dioxide), or PM<sub>10</sub> in an amount calculated by the APCO equal to or exceeding 50 tons per year.  
(Adopted 11/2/83; Amended 2/21/90; 6/6/90; 8/2/95; 6/7/00)
- 3-214 Deleted October 20, 1999, effective March 1, 2000**
- 3-215 Deleted October 20, 1999, effective March 1, 2000**
- 3-216 Deleted October 20, 1999, effective March 1, 2000**
- 3-217 Deleted October 20, 1999, effective March 1, 2000**
- 3-218 Deleted October 20, 1999, effective March 1, 2000**
- 3-219 Deleted October 20, 1999, effective March 1, 2000**
- 3-220 Deleted October 20, 1999, effective March 1, 2000**
- 3-221 Deleted October 20, 1999, effective March 1, 2000**
- 3-222 Deleted October 20, 1999, effective March 1, 2000**
- 3-223 Start-up Date:** Date when new or modified equipment under an authority to construct begins operating. The holder of an authority to construct is required to notify the APCO of this date at least 3 days in advance. For new sources, or modified sources whose authorities to construct have expired, operating fees are charged from the startup date.  
(Adopted 6/4/86; Amended 6/6/90)
- 3-224 Permit to Operate:** Written authorization from the APCO pursuant to Section 2-1-302.  
(Adopted 6/4/86; Amended 6/7/00)
- 3-225 Deleted June 3, 2015**
- 3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987:** The Air Toxics "Hot Spots" Information and Assessment Act of 1987 directs the California Air Resources Board and the Air Quality Management Districts to collect information from industry on emissions of potentially toxic air contaminants and to inform the public about such emissions and their impact on public health. It also directs the Air Quality Management District to collect fees sufficient to cover the necessary state and District costs of implementing the program.  
(Adopted 10/21/92; Amended 6/15/05)
- 3-227 Toxic Air Contaminant, or TAC:** An air pollutant that may cause or contribute to an increase in mortality or in serious illness or that may pose a present or potential hazard to human health. For the purposes of this rule, TACs consist of the substances listed in Table 2-5-1 of Regulation 2, Rule 5.  
(Adopted 10/21/92; Amended 6/15/05)

- 3-228 Deleted December 2, 1998
- 3-229 Deleted December 2, 1998
- 3-230 Deleted December 2, 1998
- 3-231 Deleted December 2, 1998
- 3-232 Deleted December 2, 1998
- 3-233 Deleted December 2, 1998
- 3-234 Deleted December 2, 1998
- 3-235 Deleted December 2, 1998
- 3-236 Deleted December 2, 1998
- 3-237 **PM<sub>10</sub>:** See Section 2-1-229 of Regulation 2, Rule 1.  
(Adopted June 7, 2000)
- 3-238 **Risk Assessment Fee:** Fee for a new or modified source of toxic air contaminants for which a health risk assessment (HRA) is required under Regulation 2-5-401, for an HRA required under Regulation 11, Rule 18, or for an HRA prepared for other purposes (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402).  
(Adopted June 15, 2005; Amended: June 21, 2017)
- 3-239 **Toxic Surcharge:** Fee paid in addition to the permit to operate fee for a source that emits one or more toxic air contaminants at a rate which exceeds a chronic trigger level listed in Table 2-5-1.  
(Adopted June 15, 2005)
- 3-240 **Biogenic Carbon Dioxide:** Carbon dioxide emissions resulting from materials that are derived from living cells, excluding fossil fuels, limestone and other materials that have been transformed by geological processes. Biogenic carbon dioxide originates from carbon (released in the form of emissions) that is present in materials that include, but are not limited to, wood, paper, vegetable oils, animal fat, and food, animal and yard waste.  
(Adopted May 21, 2008)
- 3-241 **Green Business:** A business or government agency that has been certified under the Bay Area Green Business Program coordinated by the Association of Bay Area Governments and implemented by participating counties.  
(Adopted June 16, 2010)
- 3-242 **Incident:** A non-routine release of an air contaminant that may cause adverse health consequences to the public or to emergency personnel responding to the release, or that may cause a public nuisance or off-site environmental damage.  
(Adopted June 19, 2013)
- 3-243 **Incident Response:** The District's response to an incident. The District's incident response may include the following activities: i) inspection of the incident-emitting equipment and facility records associated with operation of the equipment; ii) identification and analysis of air quality impacts, including without limitation, identifying areas impacted by the incident, modeling, air monitoring, and source sampling; iii) engineering analysis of the specifications or operation of the equipment; and iv) administrative tasks associated with processing complaints and reports.  
(Adopted June 19, 2013)
- 3-244 **Permit to Operate Renewal Date:** The first day of a Permit to Operate's Permit Renewal Period.  
(Adopted June 19, 2013)
- 3-245 **Permit Renewal Period:** The length of time the source is authorized to operate pursuant to a Permit to Operate.  
(Adopted June 19, 2013)
- 3-300 **STANDARDS**
- 3-301 **Hearing Board Fees:** Applicants for variances or appeals or those seeking to revoke or modify variances or abatement orders or to rehear a Hearing Board decision shall pay the applicable fees, including excess emission fees, set forth in Schedule A.  
(Amended June 7, 2000)
- 3-302 **Fees for New and Modified Sources:** Applicants for authorities to construct and permits to operate new sources shall pay for each new source: a filing fee of ~~\$474~~\$489, the initial fee, the

risk assessment fee, the permit to operate fee, and toxic surcharge (given in Schedules B, C, D, E, F, H, I or K). Applicants for authorities to construct and permits to operate modified sources shall pay for each modified source, a filing fee of ~~\$489,474~~, the initial fee, the risk assessment fee, and any incremental increase in permit to operate and toxic surcharge fees. Where more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. If any person requests more than three HRA scenarios required pursuant to Regulation 2, Rule 5 in any single permit application, they shall pay an additional risk assessment fee for each of these scenarios. Except for gasoline dispensing facilities (Schedule D) and semiconductor facilities (Schedule H), the size to be used for a source when applying the schedules shall be the maximum size the source will have after the construction or modification. Where applicable, fees for new or modified sources shall be based on maximum permitted usage levels or maximum potential to emit including any secondary emissions from abatement equipment. The fee rate applied shall be based on the fee rate in force on the date the application is declared by the APCO to be complete according to 2-1-402, excluding 2-1-402.3 fees. The APCO may reduce the fees for new and modified sources by an amount deemed appropriate if the owner or operator of the source attends an Industry Compliance School sponsored by the District.

302.1 Small Business Discount: If an applicant qualifies as a small business and the source falls under schedules B, C, D (excluding gasoline dispensing facilities), E, F, H, I or K, the filing fee, initial fee, and risk assessment fee shall be reduced by 50%. All other applicable fees shall be paid in full.

302.2 Deleted July 3, 1991

302.3 Fees for Abatement Devices: Applicants for an authority to construct and permit to operate abatement devices where there is no other modification to the source shall pay a ~~\$474,489~~ filing fee and initial and risk assessment fees that are equivalent to 50% of the initial and risk assessment fees for the source being abated, not to exceed a total of ~~\$10,588,10,270~~. For abatement devices abating more than one source, the initial fee shall be 50% of the initial fee for the source having the highest initial fee.

302.4 Fees for Reactivated Sources: Applicants for a Permit to Operate reactivated, previously permitted equipment shall pay the full filing, initial, risk assessment, permit, and toxic surcharge fees.

302.5 Deleted June 3, 2015

302.6 Green Business Discount: If an applicant qualifies as a green business, the filing fee, initial fee, and risk assessment fee shall be reduced by 10%. All other applicable fees shall be paid in full.

(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16, 6/21/17, TBD)

### 3-303

**Back Fees:** An applicant required to obtain a permit to operate existing equipment in accordance with District regulations shall pay back fees equal to the permit to operate fees and toxic surcharges given in the appropriate Schedule (B, C, D, E, F, H, I or K) prorated from the effective date of permit requirements. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. The applicant shall also pay back fees equal to toxic inventory fees pursuant to Section 3-320 and Schedule N. The maximum back fee shall not exceed a total of five years' permit, toxic surcharge, and toxic inventory fees. An owner/operator required to register existing equipment in accordance with District regulations shall pay back fees equal to the annual renewal fee given in Schedule R prorated from the effective date of registration requirements, up to a maximum of five years.

(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 10/8/97; 6/15/05; 5/20/09)

### 3-304

**Alteration:** Except as provided below, for gasoline dispensing facilities subject to Schedule D, an applicant to alter an existing permitted source shall pay the filing fee and 50% of the initial fee for the source, provided that the alteration does not result in an increase in emissions of any regulated air pollutant. For gasoline dispensing facilities subject to Schedule D, an applicant for an alteration shall pay a fee of 1.75 times the filing fee.

304.1 Schedule D Fees: Applicants for alteration to a gasoline dispensing facility subject to Schedule D shall pay a fee of 1.75 times the filing fee.

304.2 Schedule G Fees: Applicants for alteration to a permitted source subject to Schedule

G-3, G-4, or G-5 shall pay the filing fee, 100% of the initial fee, and the risk assessment fee, as specified under Schedule G-2. The applicant shall pay the permit renewal and the toxic surcharge fees applicable to the source under Schedules G-3, G-4, or G-5.

(Amended 6/4/86; 11/15/00; 6/2/04; 6/3/15, 6/15/16, TBD)

**3-305 Cancellation or Withdrawal:** There will be no refund of the initial fee and filing fee if an application is cancelled or withdrawn. There will be no refund of the risk assessment fee if the risk assessment has been conducted prior to the application being cancelled or withdrawn. If an application for identical equipment is submitted within six months of the date of cancellation or withdrawal, the initial fee will be credited in full against the fee for the new application.

(Amended 7/6/83; 4/6/88; 10/8/97; 6/15/05, 6/21/17)

**3-306 Change in Conditions:** If an applicant applies to change the conditions on an existing authority to construct or permit to operate, the applicant will pay the following fees. There will be no change in anniversary date.

306.1 Administrative Condition Changes: An applicant applying for an administrative change in permit conditions shall pay a fee equal to the filing fee for a single source, provided the following criteria are met:

- 1.1 The condition change applies to a single source or a group of sources with shared permit conditions.
- 1.2 The condition change does not subject the source(s) to any District Regulations or requirements that were not previously applicable.
- 1.3 The condition change does not result in any increase in emissions of POC, NPOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, or PM<sub>10</sub> at any source or the emission of a toxic air contaminant above the trigger levels identified in Table 2-5-1
- 1.4 The condition change does not require a public notice.

306.2 Other Condition Changes: Applicant shall pay the filing, initial, and risk assessment fees required for new and modified equipment under Section 3-302. If the condition change will result in higher permit to operate fees, the applicant shall also pay any incremental increases in permit to operate fees and toxic surcharges.

(Amended 7/6/83; 6/4/86; 6/6/90; 10/8/97; 6/7/00; 6/15/05, 6/21/17)

**3-307 Transfers:** The owner/operator of record is the person to whom a permit is issued or, if no permit has yet been issued to a facility, the person who applied for a permit. Permits are valid only for the owner/operator of record. Upon submittal of a \$102 transfer of ownership fee, permits are re-issued to the new owner/operator of record with no change in expiration dates.

(Amended 2/20/85; 6/4/86; 11/5/86; 4/6/88; 10/8/97, 5/1/02; 5/21/03; 6/02/04; 6/19/13; 6/4/14, 6/15/16)

**3-308 Change of Location:** An applicant who wishes to move an existing source, which has a permit to operate, shall pay no fee if the move is on the same facility. If the move is not on the same facility, the source shall be considered a new source and subject to Section 3-302. This section does not apply to portable permits meeting the requirements of Regulation 2-1-220 and 413.

(Amended 7/6/83; 6/4/86; 6/15/05)

**3-309** Deleted June 21, 2017

(Amended 5/19/99; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17)

**3-310 Fee for Constructing Without a Permit:** An applicant for an authority to construct and a permit to operate a source, which has been constructed or modified without an authority to construct, shall pay the following fees:

310.1 Sources subject to permit requirements on the date of initial operation shall pay fees for new construction pursuant to Section 3-302, any back fees pursuant to Section 3-303, and a late fee equal to 100% of the initial fee. A modified gasoline dispensing facility subject to Schedule D that is not required to pay an initial fee shall pay fees for a modified source pursuant to Section 3-302, back fees, and a late fee equal to 100% of the filing fee.

310.2 Sources previously exempt from permit requirements that lose their exemption due to changes in District, state, or federal regulations shall pay a permit to operate fee and toxic surcharge for the coming year and any back fees pursuant to Section 3-303.

310.3 Sources previously exempt from permit requirements that lose their exemption due to a change in the manner or mode of operation, such as an increased throughput, shall pay fees for new construction pursuant to Section 3-302. In addition, sources applying

for permits after commencing operation in a non-exempt mode shall also pay a late fee equal to 100% of the initial fee and any back fees pursuant to Section 3-303.

- 310.4 Sources modified without a required authority to construct shall pay fees for modification pursuant to Section 3-302 and a late fee equal to 100% of the initial fee.

(Amended 7/6/83; 4/18/84; 6/4/86; 6/6/90; 7/3/91; 8/2/95; 10/8/97; 6/02/04; 6/15/05; 6/6/12)

- 3-311 Banking:** Any applicant who wishes to bank emissions for future use, or convert an ERC into an IERC, shall pay a filing fee of ~~\$474489~~ per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. Any applicant for the withdrawal of banked emissions shall pay a fee of ~~\$474489~~.

(Amended 7/6/83; 6/4/86; 7/15/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17, TBD)

- 3-312 Emission Caps and Alternative Compliance Plans:** Any facility which elects to use an alternative compliance plan contained in:

- 312.1 Regulation 8 ("bubble") to comply with a District emission limitation or to use an annual or monthly emission limit to acquire a permit in accordance with the provisions of Regulation 2, Rule 2, shall pay an additional annual fee equal to fifteen percent of the total plant permit to operate fee.

- 312.2 Regulation 2, Rule 9, or Regulation 9, Rule 10 shall pay an annual fee of ~~\$1,2381,201~~ for each source included in the alternative compliance plan, not to exceed ~~\$12,38012,008~~.

(Adopted 5/19/82; Amended 6/4/86; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/23/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17, TBD)

- 3-313 Deleted May 19, 1999**

- 3-314 Deleted August 2, 1995**

- 3-315 Costs of Environmental Documentation:** An applicant for an Authority to Construct shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, the District's costs of performing any environmental evaluation and preparing and filing any documents pursuant to the California Environmental Quality Act (Public Resources Code, Section 21000, et seq), including the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such evaluation or documentation, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or filing any environmental evaluation or documentation.

(Adopted 12/18/85; Amended 5/1/02; 6/3/15)

- 3-316 Deleted June 6, 1990**

- 3-317 Asbestos Operation Fees:** After July 1, 1988, persons submitting a written plan, as required by Regulation 11, Rule 2, Section 401, to conduct an asbestos operation shall pay the fee given in Schedule L.

(Adopted 7/6/88; Renumbered 9/7/88; Amended 8/2/95)

- 3-318 Public Notice Fee, Schools:** Pursuant to Section 42301.6(b) of the Health and Safety Code, an applicant for an authority to construct or permit to operate subject to the public notice requirements of Regulation 2-1-412 shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, a fee to cover the expense of preparing and distributing the public notices to the affected persons specified in Regulation 2-1-412 as follows:

- 318.1 A fee of ~~\$2,2722,204~~ per application, and

- 318.2 The District's cost exceeding ~~\$2,2722,204~~ of preparing and distributing the public notice.

- 318.3 The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of preparing and distributing the public notice.

(Adopted 11/1/89; Amended 10/8/97; 7/1/98; 5/19/99; 6/7/00; 5/21/03; 6/2/04; 6/16/10; 6/15/16; 6/21/17, TBD)

- 3-319 Major Stationary Source Fees:** Any major stationary source emitting 50 tons per year of organic compounds, sulfur oxides, nitrogen oxides, or PM<sub>10</sub> shall pay a fee based on Schedule M. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

(Adopted 6/6/90; Amended 8/2/95; 6/7/00)

- 3-320 Toxic Inventory Fees:** Any facility that emits one or more toxic air contaminants in quantities above a minimum threshold level shall pay an annual fee based on Schedule N. This fee will be in addition to permit to operate, toxic surcharge, and other fees otherwise authorized to be

collected from such facilities.

320.1 An applicant who qualifies as a small business under Regulation 3-209 shall pay a Toxic Inventory Fee as set out in Schedule N up to a maximum fee of ~~\$9,6799,388~~ per year.

(Adopted 10/21/92; Amended 5/19/99; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 5/4/11, 6/15/16, 6/21/17)

**3-321 Deleted December 2, 1998**

**3-322 Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees:** Persons submitting a written notification for a given site to conduct either excavation of contaminated soil or removal of underground storage tanks as required by Regulation 8, Rule 40, Section 401, 402, 403 or 405 shall pay a fee based on Schedule Q.

(Adopted 1/5/94; Amended 8/2/95; 5/21/03)

**3-323 Pre-Certification Fees:** An applicant seeking to pre-certify a source, in accordance with Regulation 2, Rule 1, Section 415, shall pay the filing fee, initial fee and permit to operate fee given in the appropriate schedule.

(Adopted June 7, 1995)

**3-324 Deleted June 7, 2000**

**3-325 Deleted December 2, 1998**

**3-326 Deleted December 2, 1998**

**3-327 Permit to Operate, Renewal Fees:** After the expiration of the initial permit to operate, the permit to operate shall be renewed on an annual basis or other time period as approved by the APCO. The fee required for the renewal of a permit to operate is the permit to operate fee and toxic surcharge listed in Schedules B, C, D, E, F, H, I, and K, prorated for the period of coverage. When more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. This renewal fee is applicable to all sources required to obtain permits to operate in accordance with District regulations. The permit renewal invoice shall also specify any applicable major stationary source fees based on Schedule M, toxic inventory fees based on Schedule N, major facility review fees based on Schedule P, and greenhouse gas fees based on Schedule T. Where applicable, renewal fees shall be based on actual usage or emission levels that have been reported to or calculated by the District. In addition to these renewal fees for the sources at a facility, the facility shall also pay a processing fee at the time of renewal that covers each Permit Renewal Period as follows:

327.1 ~~\$9693~~ for facilities with one permitted source, including gasoline dispensing facilities,  
327.2 ~~\$191185~~ for facilities with 2 to 5 permitted sources,  
327.3 ~~\$380369~~ for facilities with 6 to 10 permitted sources,  
327.4 ~~\$571554~~ for facilities with 11 to 15 permitted sources,  
327.5 ~~\$757734~~ for facilities with 16 to 20 permitted sources,  
327.6 ~~\$947919~~ for facilities with more than 20 permitted sources.

(Adopted 6/7/00; Amended 6/2/04; 6/16/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**3-328 Fee for OEHHA Risk Assessment Reviews:** Any facility that submits a health risk assessment to the District in accordance with Section 44361 of the California Health and Safety Code shall pay any fee requested by the State Office of Environmental Health Hazard Assessment (OEHHA) for reimbursement of that agency's costs incurred in reviewing the risk assessment.

(Adopted June 7, 2000)

**3-329 Fees for New Source Review Health Risk Assessment:** Any person required to submit a health risk assessment (HRA) pursuant to Regulation 2-5-401 shall pay an appropriate Risk Assessment Fee pursuant to Regulation 3-302 and Schedules B, C, D, E, F, H, I or K. In addition, any person that requests that the District prepare or review an HRA (e.g., for determination of permit exemption in accordance with Regulations 2-1-316, 2-5-301 and 2-5-302; or for determination of exemption from emission control requirements pursuant to Regulation 8-47-113 and 8-47-402) shall pay a Risk Assessment Fee. A Risk Assessment Fee shall be assessed for each source that is proposed to emit a toxic air contaminant (TAC) at a rate that exceeds a trigger level in Table 2-5-1: Toxic Air Contaminant Trigger Levels. If a project requires an HRA due to total project emissions, but TAC emissions from each individual source are less than the Table 2-5-1 trigger levels, a Risk Assessment Fee shall be assessed for the source in the project with the highest TAC emissions.

(Adopted June 15, 2005; Amended 6/21/17)

- 3-330 Fee for Renewing an Authority to Construct:** An applicant seeking to renew an authority to construct in accordance with Regulation 2-1-407 shall pay a fee of 50% of the initial fee in effect at the time of the renewal. If the District determines that an authority to construct cannot be renewed, any fees paid under this section shall be credited in full against the fee for a new authority to construct for functionally equivalent equipment submitted within six months of the date the original authority to construct expires.  
(Adopted June 15, 2005)
- 3-331 Registration Fees:** Any person who is required to register equipment under District rules shall submit a registration fee, and any annual fee thereafter, as set out in Schedule R. The APCO may reduce registration fees by an amount deemed appropriate if the owner or operator of the equipment attends an Industry Compliance School sponsored by the District.  
(Adopted June 6, 2007; Amended 6/16/10)
- 3-332 Naturally Occurring Asbestos Fees:** After July 1, 2007, any person required to submit an Asbestos Dust Mitigation Plan (ADMP) pursuant to Title 17 of the California Code of Regulations, Section 93105, Asbestos Air Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations shall pay the fee(s) set out in Schedule S.  
(Adopted June 6, 2007)
- 3-333 Major Facility Review (MFR) and Synthetic Minor Application Fees:** Any facility that applies for, or is required to undergo, an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit, a renewal of an MFR permit, an initial synthetic minor operating permit, or a revision to a synthetic minor operating permit, shall pay the applicable fees set forth in Schedule P.  
(Adopted May 21, 2008)
- 3-334 Greenhouse Gas Fees:** Any permitted facility with greenhouse gas emissions shall pay a fee based on Schedule T. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities, and shall be included as part of the annual permit renewal fees.  
(Adopted May 21, 2008)
- 3-335 Indirect Source Review Fees:** Applicants that must file an Air Quality Impact Assessment pursuant to District rules for a project that is deemed to be an indirect source shall pay a fee based on Schedule U.  
(Adopted May 20, 2009)
- 3-336 Open Burning Operation Fees:** Effective July 1, 2013, any person required to provide notification to the District prior to burning; submit a petition to conduct a Filmmaking or Public Exhibition fire; receive an acreage burning allocation to conduct a Stubble fire; or submit a smoke management plan and receive an acreage burning allocation to conduct a Wildland Vegetation Management fire or Marsh Management fire shall pay the fee given in Schedule V.  
(Adopted June 19, 2013)
- 3-337 Exemption Fee:** An applicant who wishes to receive a certificate of exemption shall pay a filing fee of \$~~4744~~89 per exempt source.  
(Adopted June 19, 2013; Amended 6/4/14; 6/3/15, 6/21/17)
- 3-338 Incident Response Fee:** Any facility required to obtain a District permit, and any District-regulated area-wide or indirect source, that is the site where an incident occurs to which the District responds, shall pay a fee equal to the District's actual costs in conducting the incident response as defined in Section 3-243, including without limitation, the actual time and salaries, plus overhead, of the District staff involved in conducting the incident response and the cost of any materials. (Adopted June 19, 2013)
- 3-339 Petroleum Refining Emissions Tracking Fees:** Any person required to submit an Annual Emissions Inventory, Monthly Crude Slate Report, or air monitoring plan in accordance with Regulation 12, Rule 15 shall pay the applicable fees set forth in Schedule W.  
(Adopted 6/15/16)
- 3-340 Major Stationary Source Community Air Monitoring Fees:** Any major stationary source emitting 35 tons per year of organic compounds, sulfur oxides, nitrogen oxides, carbon monoxide or PM<sub>10</sub> shall pay a community air monitoring fee based on Schedule X. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

- 3-341 Fee for Risk Reduction Plan:** Any person required to submit a Risk Reduction Plan in accordance with Regulation 11, Rule 18 shall pay the applicable fees set forth below:
- 341.1 \$1,500 for facilities with one source subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;
  - 341.2 \$3,000 for facilities with 2 to 5 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.3 \$6,000 for facilities with 6 to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.4 \$12,000 for facilities with 11 to 15 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.5 \$24,000 for facilities with 16 to 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 341.6 \$32,000 for facilities with more than 20 sources subject to risk reduction pursuant to Regulation 11, Rule 18.

(Adopted 6/21/17)

- 3-342 Fee for Facility-Wide Health Risk Assessment:** Any person required to ~~undergo~~submit a health risk assessment (HRA) ~~to assess compliance with the~~pursuant to Regulation 11, Rule 18 ~~risk action levels~~ shall pay a risk assessment fee for each source pursuant to Regulation 3-329 and Schedules B, C, D, E, F, H, I or K. The maximum fee required for any single HRA of a facility conducted pursuant to Regulation 11, Rule 18 shall not exceed a total of \$150,000.
- If a facility retains a District-approved consultant to complete the required facility-wide HRA, the facility shall pay a fee to cover the District's costs of performing the review of the facility-wide HRA, including the costs of any outside consulting assistance which the District may employ in connection with any such review, as well as the District's reasonable internal costs (including overhead) of processing, reviewing, or approving the facility-wide HRA. The total HRA review cost shall be determined based on the District's actual review time in hours multiplied by an hourly charge of \$205 per hour. Facilities shall pay an HRA review fee as indicated below and the District's cost exceeding the applicable HRA review fees indicated below for performing the review of the facility-wide HRA:
- 342.1 \$2,500 for facilities with one to 10 sources subject to risk reduction pursuant to Regulation 11, Rule 18, including gasoline dispensing facilities;
  - 342.2 \$6,600 for facilities with 11 to 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18;
  - 342.3 \$14,000 for facilities with more than 50 sources subject to risk reduction pursuant to Regulation 11, Rule 18.
- The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of performing the review of the facility-wide HRA.

(Adopted 6/21/17, Amended TBD)

### **3-400 ADMINISTRATIVE REQUIREMENTS**

- 3-401 Permits:** Definitions, standards, and conditions contained in Regulation 2, Permits, are applicable to this regulation.
- 3-402 Single Anniversary Date:** The APCO may assign a single anniversary date to a facility on which all its renewable permits to operate expire and will require renewal. Fees will be prorated to compensate for different time periods resulting from change in anniversary date.
- 3-403 Change in Operating Parameters:** See Section 2-1-404 of Regulation 2, Rule 1.
- 3-404 Deleted June 7, 2000**
- 3-405 Fees Not Paid:** If an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the following procedure(s) shall apply:
- 405.1 Authority to Construct: The application will be cancelled, but can be reactivated upon payment of fees.
  - 405.2 New Permit to Operate: The Permit to Operate shall not be issued, and the facility will

be notified that operation, including startup, is not authorized.

2.1 Fees received during the first 30 days following the due date must include a late fee equal to 10 percent of all fees specified on the invoice.

2.2 Fees received more than 30 days after the due date must include a late fee equal to ~~2550~~ percent of all fees specified on the invoice.

405.3 Renewal of Permit to Operate: The owner or operator of a facility must renew the Permit to Operate in order to continue to be authorized to operate the source. Permit to Operate Fees for the Permit Renewal Period shall be calculated using fee schedules in effect on the Permit to Operate Renewal Date. The permit renewal invoice will include all fees to be paid in order to renew the Permit to Operate, as specified in Section 3-327. If not renewed as of the date of the next Permit Renewal Period, a Permit to Operate lapses and further operation is no longer authorized. The District will notify the facility that the permit has lapsed. Reinstatement of lapsed Permits to Operate will require the payment of all unpaid prior Permit to Operate fees and associated reinstatement fees for each unpaid prior Permit Renewal Period, in addition to all fees specified on the permit renewal invoice.

405.4 Reinstatement of Lapsed Permit to Operate: To reinstate a Permit to Operate, the owner or operator must pay all of the following fees:

4.1 The applicable Permit to Operate Fees for the current year, as specified in Regulation 3-327, and the applicable reinstatement fee, if any, calculated as follows:

4.1.1 Fees received during the first 30 days following the due date must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to 10 percent of all fees specified on the invoice.

4.1.2 Fees received more than 30 days after the due date, but less than one year after the due date, must include all fees specified on the permit renewal invoice plus a reinstatement fee equal to ~~2550~~ percent of all fees specified on the invoice.

4.2 The applicable Permit to Operate Fees specified in Regulation 3-327 for each prior Permit Renewal Period for which all Permit to Operate Fees and associated reinstatement fees have not been paid. Each year's Permit to Operate Fee shall be calculated at the fee rates in effect on that year's Permit to Operate Renewal Date. The reinstatement fee for each associated previously-unpaid Permit to Operate Fee shall be calculated in accordance with Regulation 3-405.4.1 and 4.1.2.

Each year or period of the lapsed Permit to Operate is deemed a separate Permit Renewal Period. The oldest outstanding Permit to Operate Fee and reinstatement fees shall be paid first.

405.5 Registration and Other Fees: Persons who have not paid the fee by the invoice due date, shall pay the following late fee in addition to the original invoiced fee. Fees shall be calculated using fee schedules in effect at the time of the fees' original determination.

5.1 Fees received during the first 30 days following the due date must include an additional late fee equal to 10 percent of all fees specified on the invoice.

5.2 Fees received more than 30 days after the due date must include an additional late fee equal to 50 percent of all fees specified on the invoice.

(Amended 7/6/83; 6/4/86; 11/5/86; 2/15/89; 6/6/90; 7/3/91; 8/2/95; 12/2/98; 6/15/05; 6/7/06; 6/6/12; 6/19/13; 6/4/14, TBD)

**3-406 Deleted June 4, 1986**

**3-407 Deleted August 2, 1995**

**3-408 Permit to Operate Valid for 12 Months:** A Permit to Operate is valid for 12 months from the date of issuance or other time period as approved by the APCO.

(Amended 6/4/86; Amended 6/7/00)

**3-409 Deleted June 7, 2000**

**3-410 Deleted August 2, 1995**

**3-411 Advance Deposit of Funds:** The APCO may require that at the time of the filing of an application for an Authority to Construct for a project for which the District is a lead agency under the California Environmental Quality Act (Public Resources Code, Section 21000, et

seq.), the applicant shall make an advance deposit of funds, in an amount to be specified by the APCO, to cover the costs which the District estimates to incur in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation. In the event the APCO requires such an estimated advance payment to be made, the applicant will be provided with a full accounting of the costs actually incurred by the District in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation.

*(Adopted 12/18/85; Amended 8/2/95)*

**3-412 Deleted December 2, 1998**

**3-413 Toxic "Hot Spots" Information and Assessment Act Revenues:** No later than 120 days after the adoption of this regulation, the APCO shall transmit to the California Air Resources Board, for deposit into the Air Toxics "Hot Spots" Information and Assessment Fund, the revenues determined by the ARB to be the District's share of statewide Air Toxics "Hot Spot" Information and Assessment Act expenses.

*(Adopted October 21, 1992)*

**3-414 Deleted December 2, 1998**

**3-415 Failure to Pay - Further Actions:** When an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the APCO may take the following actions against the applicant or owner/operator:

415.1 Issuance of a Notice to Comply.

415.2 Issuance of a Notice of Violation.

415.3 Revocation of an existing Permit to Operate. The APCO shall initiate proceedings to revoke permits to operate for any person who is delinquent for more than one month. The revocation process shall continue until payment in full is made or until permits are revoked.

415.4 The withholding of any other District services as deemed appropriate until payment in full is made.

*(Adopted 8/2/95; Amended 12/2/98; 6/15/05)*

**3-416 Adjustment of Fees:** The APCO or designees may, upon finding administrative error by District staff in the calculation, imposition, noticing, invoicing, and/or collection of any fee set forth in this rule, rescind, reduce, increase, or modify the fee. A request for such relief from an administrative error, accompanied by a statement of why such relief should be granted, must be received within two years from the date of payment.

*(Adopted October 8, 1997)*

**3-417 Temporary Amnesty for Unpermitted and Unregistered Sources:** The APCO has the authority to declare an amnesty period, during which the District may waive all or part of the back fees and/or late fees for sources that are currently operating without valid Permits to Operate and/or equipment registrations.

*(Adopted June 16, 2010)*

**3-418 Temporary Incentive for Online Production System Transactions:** The APCO has the authority to declare an incentive period for transactions made using the online production system, during which the District may waive all or any part of the fees for these transactions.

*(Adopted TBD)*

**SCHEDULE A**  
**HEARING BOARD FEES<sup>1</sup>**

Established by the Board of Directors December 7, 1977 Resolution No. 1046  
(Code section references are to the California Health & Safety Code, unless otherwise indicated)

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                   | Large<br>Companies                                                                   | Small<br>Business                                                            | Third<br>Party |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------|----------------|
| 1. | For each application for variance exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance .....<br>Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application in accordance with §42350, the additional sum of .....      | <del>\$5,292</del><br><del>4,602</del><br><br><del>\$2,650</del><br><del>2,304</del> | <del>\$791</del><br><del>688</del><br><br><del>\$267</del><br><del>232</del> |                |
| 2. | For each application for variance not exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance .....<br>Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application, in accordance with §42350, the additional sum of ..... | <del>\$3,177</del><br><del>2,763</del><br><br><del>\$1,586</del><br><del>1,379</del> | <del>\$791</del><br><del>688</del><br><br><del>\$267</del><br><del>232</del> |                |
| 3. | For each application to modify a variance in accordance with §42356....<br>Plus, for each hearing in addition to the first hearing on said application to modify a variance, in accordance with §42345, necessary to dispose of the application, the additional sum of .....                                                                                                                                                      | <del>\$2,108</del><br><del>1,833</del><br><br><del>\$1,379</del><br><del>1,586</del> | <del>\$267</del><br><del>232</del><br><br><del>\$267</del><br><del>232</del> |                |
| 4. | For each application to extend a variance, in accordance with §42357...<br>Plus, for each hearing in addition to the first hearing on an application to extend a variance, in accordance with §42357, necessary to dispose of the application, the additional sum of .....                                                                                                                                                        | <del>\$1,833</del><br><del>2,108</del><br><br><del>\$1,379</del><br><del>1,586</del> | <del>\$267</del><br><del>232</del><br><br><del>\$267</del><br><del>232</del> |                |
| 5. | For each application to revoke a variance .....                                                                                                                                                                                                                                                                                                                                                                                   | <del>\$3,177</del><br><del>2,763</del>                                               | <del>\$267</del><br><del>232</del>                                           |                |
| 6. | For each application for approval of a Schedule of Increments of Progress in accordance with §41703 .....                                                                                                                                                                                                                                                                                                                         | <del>\$1,833</del><br><del>2,108</del>                                               | <del>\$267</del><br><del>232</del>                                           |                |
| 7. | For each application for variance in accordance with §41703, which exceeds 90 days .....<br>Plus, for each hearing in addition to the first hearing on said application for variance in accordance with §41703, the additional sum of .....                                                                                                                                                                                       | <del>\$4,602</del><br><del>5,292</del><br><br><del>\$2,650</del><br><del>2,304</del> | <del>\$791</del><br><del>688</del><br><br><del>\$267</del><br><del>232</del> |                |
| 8. | For each application for variance in accordance with §41703, not to exceed 90 days .....<br>Plus, for each hearing in addition to the hearing on said application for a variance in accordance with §41703, the additional sum of .....                                                                                                                                                                                           | <del>\$3,177</del><br><del>2,763</del><br><br><del>\$1,379</del><br><del>1,586</del> | <del>\$791</del><br><del>688</del><br><br><del>\$267</del><br><del>232</del> |                |

|     |                                                                                                     | Large<br>Companies                                                                                     | Small<br>Business                                     | Third<br>Party                                                                                         |
|-----|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| 9.  | For each Appeal (Permit, Banking, Title V) .....                                                    | <del>\$4,6025,2</del><br><u>92</u><br>per hearing<br>day                                               | <del>\$2,6502,</del><br><u>304</u> per<br>hearing day | <del>\$2,6502,3</del><br><u>04</u><br>for entire<br>appeal period                                      |
| 10. | For each application for intervention in accordance with Hearing Board Rules §§2.3, 3.6 & 4.6 ..... | <del>\$2,6502</del><br><u>,304</u>                                                                     | <del>\$5324</del><br><u>63</u>                        |                                                                                                        |
| 11. | For each application to Modify or Terminate an abatement order .....                                | <del>\$4,6025,2</del><br><u>92</u><br>per hearing<br>day                                               | <del>\$2,6502,</del><br><u>304</u> per<br>hearing day |                                                                                                        |
| 12. | For each application for an interim variance in accordance with §42351 .....                        | <del>\$2,6502</del><br><u>,304</u>                                                                     | <del>\$5324</del><br><u>63</u>                        |                                                                                                        |
| 13. | For each application for an emergency variance in accordance with §42359.5 .....                    | <del>\$1,3211</del><br><u>,149</u>                                                                     | <del>\$2672</del><br><u>32</u>                        |                                                                                                        |
| 14. | For each application to rehear a Hearing Board decision in accordance with §40861 .....             | 100%<br>of previous<br>fee<br>charged                                                                  | 100%<br>of previous<br>fee charged                    |                                                                                                        |
| 15. | Excess emission fees .....                                                                          | See<br>Attachment I                                                                                    | See<br>Attachment I                                   |                                                                                                        |
| 16. | Miscellaneous filing fee for any hearing not covered above .....                                    | <del>\$2,6502</del><br><u>,304</u>                                                                     | <del>\$7916</del><br><u>88</u>                        | <del>\$79168</del><br><u>8</u>                                                                         |
| 17. | For each published Notice of Public Hearing .....                                                   | Cost of<br>Publication                                                                                 | \$0                                                   | \$0                                                                                                    |
| 18. | Court Reporter Fee (to be paid only if Court Reporter required for hearing) .....                   | Actual<br>Appearance<br>and<br>Transcript<br>costs per<br>hearing solely<br>dedicated to<br>one Docket | \$0                                                   | Actual<br>Appearance<br>and<br>Transcript<br>costs per<br>hearing solely<br>dedicated to<br>one Docket |

NOTE 1 Any applicant who believes they have a hardship for payment of fees may request a fee waiver from the Hearing Board pursuant to Hearing Board Rules.  
(Amended 10/8/97; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE A  
ATTACHMENT I  
EXCESS EMISSION FEE**

**A. General**

- (1) Each applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the other filing fees required in Schedule A, an emission fee based on the total weight of emissions discharged, per source or product, other than those described in division (B) below, during the variance period in excess of that allowed by these rules in accordance with the schedule set forth in Table I.
- (2) Where the total weight of emission discharged cannot be easily calculated, the petitioner shall work in concert with District staff to establish the amount of excess emissions to be paid.
- (3) In the event that more than one rule limiting the discharge of the same contaminant is violated, the excess emission fee shall consist of the fee for violation which will result in the payment of the greatest sum. For the purposes of this subdivision, opacity rules and particulate mass emissions shall not be considered rules limiting the discharge of the same contaminant.

**B. Excess Visible Emission Fee**

Each applicant or petitioner for a variance from Regulation 6 or Health and Safety Code Section 41701 shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the filing fees required in Schedule A and the excess emission fees required in (A) above (if any), an emission fee based on the difference between the percent opacity allowed by Regulation 6 and the percent opacity of the emissions allowed from the source or sources operating under the variance, in accordance with the schedule set forth in Table II.

In the event that an applicant or petitioner is exempt from the provisions of Regulation 6, the applicant or petitioner shall pay a fee calculated as described herein above, but such fee shall be calculated based upon the difference between the opacity allowed under the variance and the opacity allowed under the provisions of Health and Safety Code Section 41701, in accordance with the schedule set forth in Table II.

**C. Applicability**

The provisions of subdivision (A) shall apply to all variances that generate excess emissions.

**D. Fee Determination**

- (1) The excess emission fees shall be calculated by the petitioner based upon the requested number of days of operation under variance multiplied by the expected excess emissions as set forth in subdivisions (A) and (B) above. The calculations and proposed fees shall be set forth in the petition.
- (2) The Hearing Board may adjust the excess emission fee required by subdivisions (A) and (B) of this rule based on evidence regarding emissions presented at the time of the hearing.

#### **E. Small Businesses**

- (1) A small business shall be assessed twenty percent (20%) of the fees required by subdivisions (A) and (B), whichever is applicable. "Small business" is defined in the Fee Regulation.
- (2) Request for exception as a small business shall be made by the petitioner under penalty of perjury on a declaration form provided by the Executive Officer which shall be submitted to the Clerk or Deputy Clerk of the Hearing Board at the time of filing a petition for variance.

#### **F. Group, Class and Product Variance Fees**

Each petitioner included in a petition for a group, class or product variance shall pay the filing fee specified in Schedule A, and the excess emission fees specified in subdivisions (A) and (B), whichever is applicable.

#### **G. Adjustment of Fees**

If after the term of a variance for which emission fees have been paid, petitioner can establish, to the satisfaction of the Executive Officer/APCO, that emissions were actually less than those upon which the fee was based, a pro rata refund shall be made.

#### **H. Fee Payment/Variance Invalidation**

- (1) Excess emission fees required by subdivisions (A) and (B), based on an estimate provided during the variance Hearing, are due and payable within fifteen (15) days of the granting of the variance. The petitioner shall be notified in writing of any adjustment to the amount of excess emission fees due, following District staff's verification of the estimated emissions. Fee payments to be made as a result of an adjustment are due and payable within fifteen (15) days of notification of the amount due.
- (2) Failure to pay the excess emission fees required by subdivisions (A) and (B) within fifteen (15) days of notification that a fee is due shall automatically invalidate the variance. Such notification may be given by personal service or by deposit, postpaid, in the United States mail and shall be due fifteen (15) days from the date of personal service or mailing. For the purpose of this rule, the fee payment shall be considered to be received by the District if it is postmarked by the United States Postal Service on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be postmarked on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been postmarked on the expiration date.

**TABLE I**  
**SCHEDULE OF EXCESS EMISSIONS FEES**

|                  |                                        |
|------------------|----------------------------------------|
| Air Contaminants | All at <del>\$5.074.41</del> per pound |
|------------------|----------------------------------------|

Organic gases, except methane and those containing sulfur  
Carbon Monoxide  
Oxides of nitrogen (expressed as nitrogen dioxide)  
Gaseous sulfur compounds (expressed as sulfur dioxide)  
Particulate matter

|                        |                                          |
|------------------------|------------------------------------------|
| Toxic Air Contaminants | All at <del>\$25.2221.93</del> per pound |
|------------------------|------------------------------------------|

Asbestos  
Benzene  
Cadmium  
Carbon tetrachloride  
Chlorinated dioxins and dibenzofurans (15 species)  
Diesel exhaust particulate matter  
Ethylene dibromide  
Ethylene dichloride  
Ethylene oxide  
Formaldehyde  
Hexavalent chromium  
Methylene chloride  
Nickel  
Perchloroethylene  
1,3-Butadiene  
Inorganic arsenic  
Beryllium  
Polynuclear aromatic hydrocarbons (PAH)  
Vinyl chloride  
Lead  
1,4-Dioxane  
Trichloroethylene

**TABLE II**  
**SCHEDULE OF EXCESS VISIBLE EMISSION FEE**

For each source with opacity emissions in excess of twenty percent (20%), but less than forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity} \times \text{equivalent} - 20) \times \text{number of days allowed in variance} \times \text{\$5.184.50}$$

For each source with opacity emissions in excess of forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity} \times \text{equivalent} - 40) \times \text{number of days allowed by variance} \times \text{\$5.184.50}$$

- \* Where "Opacity" equals maximum opacity of emissions in percent (not decimal equivalent) allowed by the variance. Where the emissions are darker than the degree of darkness equivalent to the allowed Ringelmann number, the percentage equivalent of the excess degree of darkness shall be used as "opacity."

*(Adopted 6/7/00; Amended 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17, TBD)*

**SCHEDULE B**  
**COMBUSTION OF FUEL**  
(Adopted June 18, 1980)

For each source that burns fuel, which is not a flare and not exempted by Regulation 2, Rule 1, the fee shall be computed based on the maximum gross combustion capacity (expressed as higher heating value, HHV) of the source.

1. INITIAL FEE: ~~\$65.0763-11~~ per MM BTU/HOUR
  - a. The minimum fee per source is: ~~\$347337~~
  - b. The maximum fee per source is: ~~\$121,383117,733~~
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$474489~~ plus ~~\$65.0763-11~~ per MM BTU/hr
  - b. Minimum RAF for first TAC source: ~~\$836811~~
  - c. RAF for each additional TAC source: ~~\$65.0763-11~~ per MM BTU/hr
  - d. Minimum RAF per additional TAC source: ~~\$347337~~\*
  - e. Maximum RAF per source is: ~~\$121,383117,733~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$32.5231-54~~ per MM BTU/HOUR
  - a. The minimum fee per source is: ~~\$246239~~
  - b. The maximum fee per source is: ~~\$60,69158,866~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
6. Applicants for an authority to construct and permit to operate a project, which burns municipal waste or refuse-derived fuel, shall pay in addition to all required fees, an additional fee to cover the costs incurred by the State Department of Health Services, and/or a qualified contractor designated by the State Department of Health Services, in reviewing a risk assessment as required under H&S Code Section 42315. The fee shall be transmitted by the District to the Department of Health Services and/or the qualified contractor upon completion of the review and submission of comments in writing to the District.
7. A surcharge equal to 100% of all required initial and permit to operate fees shall be charged for sources permitted to burn one or more of the following fuels: coke, coal, wood, tires, black liquor, and municipal solid waste.

NOTE: MM BTU is million BTU of higher heat value  
One MM BTU/HR = 1.06 gigajoules/HR

(Amended 6/5/85; 6/4/86; 3/4/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE C**  
**STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS**  
(Adopted June 18, 1980)

For each stationary container of organic liquids which is not exempted from permits by Regulation 2 and which is not part of a gasoline dispensing facility, the fee shall be computed based on the container volume, as follows:

1. INITIAL FEE: 0.185 cents per gallon
  - a. The minimum fee per source is: \$204
  - b. The maximum fee per source is: \$27,858
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: \$474,489 plus 0.185 cents per gallon
  - b. Minimum RAF for first TAC source: \$678
  - c. RAF for each additional TAC source: 0.185 cents per gallon \*
  - d. Minimum RAF per additional TAC source: \$204 \*
  - e. Maximum RAF per source is: \$27,858

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: 0.093 cents per gallon
  - a. The minimum fee per source is: \$147
  - b. The maximum fee per source is: \$13,928
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. ROUNDING: Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/20/09; 6/16/10; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17 TBD)*

**SCHEDULE D**  
**GASOLINE TRANSFER AT GASOLINE DISPENSING FACILITIES,**  
**BULK PLANTS AND TERMINALS**  
(Adopted June 18, 1980)

A. All gasoline dispensing facilities shall pay the following fees:

1. INITIAL FEE: ~~\$330.93306-42~~ per single product nozzle (spn)  
~~\$330.93306-42~~ per product for each multi-product nozzle (mpn)
2. PERMIT TO OPERATE FEE: ~~\$126.75117-36~~ per single product nozzle (spn)  
~~\$126.75117-36~~ per product for each multi-product nozzle (mpn)
3. Initial fees and permit to operate fees for hardware modifications at a currently permitted gasoline dispensing facility shall be consolidated into a single fee calculated according to the following formula:

$$\text{\$457.68423-78} \times \{[(mpn_{\text{proposed}})(\text{products per nozzle}) + spn_{\text{proposed}}] - [(mpn_{\text{existing}})(\text{products per nozzle}) + spn_{\text{existing}}]\}$$

*mpn* = multi-product nozzles  
*spn* = single product nozzles

The above formula includes a toxic surcharge.

If the above formula yields zero or negative results, no initial fees or permit to operate fees shall be charged.

For the purposes of calculating the above fees, a fuel blended from two or more different grades shall be considered a separate product.

Other modifications to facilities' equipment, including but not limited to tank addition/replacement/conversion, vapor recovery piping replacement, moving or extending pump islands, will not be subject to initial fees or permit to operate fees.

4. RISK ASSESSMENT FEE (RAF) of ~~\$474489~~ per application, if required pursuant to Regulation 3-329 or 3-342 [including increases in permitted throughput for which a health risk assessment is required.]
  5. Nozzles used exclusively for the delivery of diesel fuel or other fuels exempt from permits shall pay no fee. Multi-product nozzles used to deliver both exempt and non-exempt fuels shall pay fees for the non-exempt products only.
- B. All bulk plants, terminals or other facilities using loading racks to transfer gasoline or gasohol into trucks, railcars or ships shall pay the following fees:
1. INITIAL FEE: ~~\$4,346.844,024-85~~ per single product loading arm  
~~\$4,346.844,024-85~~ per product for multi-product arms
  2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
    - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$4,9224,557~~
    - b. RAF for each additional TAC source: ~~\$4,3474,025~~ \*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
  3. PERMIT TO OPERATE FEE: ~~\$1,2111,121~~ per single product loading arm  
~~\$1,2111,121~~ per product for multi-product arms
  4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
- C. Fees in (A) above are in lieu of tank fees. Fees in (B) above are in addition to tank fees.
- D. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02;  
5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16,  
6/21/17, TBD)

**SCHEDULE E**  
**SOLVENT EVAPORATING SOURCES**  
(Adopted June 18, 1980)

For each solvent evaporating source, as defined in Section 3-210 except for dry cleaners, the fee shall be computed based on the net amount of organic solvent processed through the sources on an annual basis (or anticipated to be processed, for new sources) including solvent used for the cleaning of the sources.

1. INITIAL FEE:
  - a. The minimum fee per source is: ~~\$800734~~
  - b. ~~If usage is not more than 1,000 gallons/year: ~~\$734~~~~
  - c. ~~If usage is more than 1,000 gallons/year: ~~\$1,6071,474~~ per 1,000 gallons~~
  - d. The maximum fee per source is: ~~\$63,86358,590~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant(TAC) source in application: ~~\$474489~~ plus initial fee
  - b. Minimum RAF for first TAC source: ~~\$1,3171,208~~
  - c. RAF for each additional TAC source: equal to initial fee \*
  - d. Minimum RAF per additional TAC source: ~~\$800734~~ \*
  - e. Maximum RAF per source is: ~~\$63,86358,590~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE:
  - a. The minimum fee per source is: ~~\$577529~~
  - b. ~~If usage is not more than 1,000 gallons/year: ~~\$529~~~~
  - c. ~~If usage is more than 1,000 gallons/year: ~~\$800734~~ per 1,000 gallons~~
  - d. The maximum fee per source is: ~~\$31,92929,293~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 5/19/82; 10/17/84; 6/5/85; 6/4/86; 10/8/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15; 6/15/16; 6/21/17, TBD)

**SCHEDULE F**  
**MISCELLANEOUS SOURCES**  
(Adopted June 18, 1980)

For each source not governed by Schedules B, C, D, E, H or I, (except for those sources in the special classification lists, G-1 - G-5) the fees are:

1. INITIAL FEE: ~~\$636,594~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first (toxic air contaminant) TAC source in application: ~~\$1,194,116~~
  - b. RAF for each additional TAC source: ~~\$636,594\*~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$462,432~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1. List of special classifications requiring graduated fees is shown in Schedules G-1, G-2, G-3, G-4, and G-5.

G-1 FEES FOR SCHEDULE G-1. For each source in a G-1 classification, fees are:

1. INITIAL FEE: ~~\$4,341,983~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$4,926,519~~
  - b. RAF for each additional TAC source: ~~\$4,341,983\*~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$2,167,198~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-2 FEES FOR SCHEDULE G-2. For each source in a G-2 classification, fees are:

1. INITIAL FEE: ~~\$6,046,257~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$6,663,794~~
  - b. RAF for each additional TAC source: ~~\$6,046,257\*~~
    - \* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$3,021,627~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-3 FEES FOR SCHEDULE G-3. For each source in a G-3 classification, fees are:

1. INITIAL FEE: ~~\$34,291,048~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant(TAC) source in application: ~~\$34,850,570~~
  - b. RAF for each additional TAC source: ~~\$34,291,048 \*~~

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE: ~~\$17,142~~~~16,021~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-4 FEES FOR SCHEDULE G-4. For each source in a G-4 classification, fees are:

1. INITIAL FEE: ~~\$79,942~~~~69,515~~
2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant(TAC) source in application: ~~\$80,559~~~~70,051~~
  - b. RAF for each additional TAC source: ~~\$79,942~~~~69,515~~\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: ~~\$39,969~~~~34,756~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

G-5 FEES FOR SCHEDULE G-5. For each source in a G-5 classification, fees are:

1. INITIAL FEE: \$51,731
2. RISK ASSESSMENT FEE (RAF) is only applicable for new and modified sources of toxic air contaminants (TACs) for which a health risk assessment is required under Regulation 2-5-401.
  - a. RAF for first TAC source in application: \$52,193
  - b. RAF for each additional TAC source: \$51,731\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE: \$25,865
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

(Amended 5/19/82; 6/5/85; 6/4/86; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE G-1**  
(Adopted June 18, 1980)

| <b>Equipment or Process Description</b>                                                                               | <b>Materials Processed or Produced</b>                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Asphalt Roofing Manufacturing – Asphalt Dipping                                                                       | Asphalt Roofing or Related Materials                                                                                                                                                                           |
| Calcining Kilns, excluding those processing cement, lime, or coke (see G-4 for cement, lime, or coke Calcining Kilns) | Any Materials except cement, lime, or coke                                                                                                                                                                     |
| Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 1000 Gallons/Hour or more                     | Any Inorganic Materials                                                                                                                                                                                        |
| Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 5 Tons/Hour or more                           | Any Inorganic Materials                                                                                                                                                                                        |
| Chemical Manufacturing, Inorganic – Reactors with a Capacity of 1000 Gallons or more                                  | Any Inorganic Materials                                                                                                                                                                                        |
| Chemical Manufacturing, Organic – Latex Dipping                                                                       | Any latex materials                                                                                                                                                                                            |
| Chemical Manufacturing, Organic – Processing Units with a Capacity of 1000 Gallons/Hour or more                       | Any Organic Materials                                                                                                                                                                                          |
| Chemical Manufacturing, Organic – Processing Units with a Capacity of 5 Tons/Hour or more                             | Any Organic Materials                                                                                                                                                                                          |
| Chemical Manufacturing, Organic – Reactors with a Capacity of 1000 Gallons or more                                    | Any Organic Materials                                                                                                                                                                                          |
| Compost Operations – Windrows, Static Piles, Aerated Static Piles, In-Vessel, or similar methods                      | Any waste materials such as yard waste, food waste, agricultural waste, mixed green waste, bio-solids, animal manures, etc.                                                                                    |
| Crushers                                                                                                              | Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials |
| Electroplating Equipment                                                                                              | Hexavalent Decorative Chrome with permitted capacity greater than 500,000 amp-hours per year or Hard Chrome                                                                                                    |
| Foil Manufacturing – Any Converting or Rolling Lines                                                                  | Any Metal or Alloy Foils                                                                                                                                                                                       |
| Galvanizing Equipment                                                                                                 | Any                                                                                                                                                                                                            |

| <b>Equipment or Process Description</b>                                                                                                                                                      | <b>Materials Processed or Produced</b>                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Glass Manufacturing – Batching Processes including storage and weigh hoppers or bins, conveyors, and elevators                                                                               | Any Dry Materials                                                                                                                                                                                              |
| Glass Manufacturing – Mixers                                                                                                                                                                 | Any Dry Materials                                                                                                                                                                                              |
| Glass Manufacturing – Molten Glass Holding Tanks                                                                                                                                             | Any molten glass                                                                                                                                                                                               |
| Grinders                                                                                                                                                                                     | Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials |
| Incinerators – Crematory                                                                                                                                                                     | Human and/or animal remains                                                                                                                                                                                    |
| Incinerators – Flares                                                                                                                                                                        | Any waste gases                                                                                                                                                                                                |
| Incinerators – Other (see G-2 for hazardous or municipal solid waste incinerators, see G-3 for medical or infectious waste incinerators)                                                     | Any Materials except hazardous wastes, municipal solid waste, medical or infectious waste                                                                                                                      |
| Incinerators – Pathological Waste (see G-3 for medical or infectious waste incinerators)                                                                                                     | Pathological waste only                                                                                                                                                                                        |
| Loading and/or Unloading Operations – Bulk Plants and Bulk Terminals, excluding those loading gasoline or gasohol (see Schedule D for Bulk Plants and Terminals loading gasoline or gasohol) | Any Organic Materials except gasoline or gasohol                                                                                                                                                               |
| Petroleum Refining – Alkylation Units                                                                                                                                                        | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Asphalt Oxidizers                                                                                                                                                       | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Benzene Saturation Units/Plants                                                                                                                                         | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Catalytic Reforming Units                                                                                                                                               | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Chemical Treating Units including alkane, naphthenic acid, and naphtha merox treating, or similar processes                                                             | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Converting Units including Dimersol Plants, Hydrocarbon Splitters, or similar processes                                                                                 | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Distillation Units, excluding crude oil units with capacity > 1000 barrels/hour (see G-3 for > 1000 barrels/hour crude distillation units)                              | Any Hydrocarbons                                                                                                                                                                                               |
| Petroleum Refining – Hydrogen Manufacturing                                                                                                                                                  | Hydrogen or Any Hydrocarbons                                                                                                                                                                                   |
| Petroleum Refining – Hydrotreating or                                                                                                                                                        | Any Hydrocarbons                                                                                                                                                                                               |

| Equipment or Process Description                                                                                                                                                                                                           | Materials Processed or Produced                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| Hydrofining                                                                                                                                                                                                                                |                                                                       |
| Petroleum Refining – Isomerization                                                                                                                                                                                                         | Any Hydrocarbons                                                      |
| Petroleum Refining – MTBE Process Units/Plants                                                                                                                                                                                             | Any Hydrocarbons                                                      |
| Petroleum Refining – Sludge Converter                                                                                                                                                                                                      | Any Petroleum Waste Materials                                         |
| Petroleum Refining – Solvent Extraction                                                                                                                                                                                                    | Any Hydrocarbons                                                      |
| Petroleum Refining – Sour Water Stripping                                                                                                                                                                                                  | Any Petroleum Process or Waste Water                                  |
| Petroleum Refining – Storage (enclosed)                                                                                                                                                                                                    | Petroleum Coke or Coke Products                                       |
| Petroleum Refining – Waste Gas Flares (not subject to Regulation 12, Rule 11)                                                                                                                                                              | Any Petroleum Refining Gases                                          |
| Petroleum Refining – Miscellaneous Other Process Units                                                                                                                                                                                     | Any Hydrocarbons                                                      |
| Remediation Operations, Groundwater – Strippers                                                                                                                                                                                            | Contaminated Groundwater                                              |
| Remediation Operations, Soil – Any Equipment <u>(excluding sub-slab depressurization equipment)</u>                                                                                                                                        | Contaminated Soil                                                     |
| Spray Dryers                                                                                                                                                                                                                               | Any Materials                                                         |
| Sterilization Equipment                                                                                                                                                                                                                    | Ethylene Oxide                                                        |
| Wastewater Treatment, Industrial – Oil-Water Separators, excluding oil-water separators at petroleum refineries (see G-2 for Petroleum Refining - Oil-Water Separators)                                                                    | Wastewater from any industrial facilities except petroleum refineries |
| Wastewater Treatment, Industrial – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment and excluding strippers at petroleum refineries (see G-2 for Petroleum Refining – Strippers) | Wastewater from any industrial facilities except petroleum refineries |
| Wastewater Treatment, Industrial - Storage Ponds, excluding storage ponds at petroleum refineries (see G-2 for Petroleum Refining – Storage Ponds)                                                                                         | Wastewater from any industrial facilities except petroleum refineries |
| Wastewater Treatment, Municipal – Preliminary Treatment                                                                                                                                                                                    | Municipal Wastewater                                                  |
| Wastewater Treatment, Municipal – Primary Treatment                                                                                                                                                                                        | Municipal Wastewater                                                  |
| Wastewater Treatment, Municipal – Digesters                                                                                                                                                                                                | Municipal Wastewater                                                  |
| Wastewater Treatment, Municipal – Sludge Handling Processes, excluding sludge incinerators (see G-2 for sludge incinerators)                                                                                                               | Sewage Sludge                                                         |

(Amended 6/4/86; 6/6/90; 5/19/99; 6/7/00; 6/2/04; 6/15/05, TBD)

**SCHEDULE G-2**  
(Adopted June 6, 1990)

| <b>Equipment or Process Description</b>                                                                                                                                | <b>Materials Processed or Produced</b>                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| Asphalt Roofing Manufacturing – Asphalt Blowing                                                                                                                        | Asphalt Roofing or Related Materials                                                        |
| Asphaltic Concrete Manufacturing – Aggregate Dryers                                                                                                                    | Any Dry Materials                                                                           |
| Asphaltic Concrete Manufacturing – Batch Mixers                                                                                                                        | Any Asphaltic Concrete Products                                                             |
| Asphaltic Concrete Manufacturing – Drum Mixers                                                                                                                         | Any Asphaltic Concrete Products                                                             |
| Asphaltic Concrete Manufacturing – Other Mixers and/or Dryers                                                                                                          | Any Dry Materials or Asphaltic Concrete Products                                            |
| Concrete or Cement Batching Operations – Mixers                                                                                                                        | Any cement, concrete, or stone products or similar materials                                |
| Furnaces – Electric                                                                                                                                                    | Any Mineral or Mineral Product                                                              |
| Furnaces – Electric Induction                                                                                                                                          | Any Mineral or Mineral Product                                                              |
| Furnaces – Glass Manufacturing                                                                                                                                         | Soda Lime only                                                                              |
| Furnaces – Reverberatory                                                                                                                                               | Any Ores, Minerals, Metals, Alloys, or Related Materials                                    |
| Incinerators – Hazardous Waste including any unit required to have a RCRA permit                                                                                       | Any Liquid or Solid Hazardous Wastes                                                        |
| Incinerators – Solid Waste, excluding units burning human/animal remains or pathological waste exclusively (see G-1 for Crematory and Pathological Waste Incinerators) | Any Solid Waste including Sewage Sludge (except human/animal remains or pathological waste) |
| Metal Rolling Lines, excluding foil rolling lines (see G-1 for Foil Rolling Lines)                                                                                     | Any Metals or Alloys                                                                        |
| Petroleum Refining – Stockpiles (open)                                                                                                                                 | Petroleum Coke or coke products only                                                        |
| Petroleum Refining, Wastewater Treatment – Oil-Water Separators                                                                                                        | Wastewater from petroleum refineries only                                                   |
| Petroleum Refining, Wastewater Treatment – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment                  | Wastewater from petroleum refineries only                                                   |
| Petroleum Refining, Wastewater Treatment – Storage Ponds                                                                                                               | Wastewater from petroleum refineries only                                                   |
| Pickling Lines or Tanks                                                                                                                                                | Any Metals or Alloys                                                                        |
| Sulfate Pulping Operations – All Units                                                                                                                                 | Any                                                                                         |
| Sulfite Pulping Operations – All Units                                                                                                                                 | Any                                                                                         |

*(Amended June 7, 2000)*

**SCHEDULE G-3**  
(Adopted June 18, 1980)

| <b>Equipment or Process Description</b>                                                                                                                             | <b>Materials Processed or Produced</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| Furnaces – Electric Arc                                                                                                                                             | Any Metals or Alloys                   |
| Furnaces – Electric Induction                                                                                                                                       | Any Metals or Alloys                   |
| Incinerators – Medical Waste, excluding units burning pathological waste exclusively (see G-1 for Pathological Waste Incinerators)                                  | Any Medical or Infectious Wastes       |
| Loading and/or Unloading Operations – Marine Berths                                                                                                                 | Any Organic Materials                  |
| Petroleum Refining – Cracking Units including hydrocrackers and excluding thermal or fluid catalytic crackers (see G-4 for Thermal Crackers and Catalytic Crackers) | Any Hydrocarbons                       |
| Petroleum Refining – Distillation Units (crude oils) including any unit with a capacity greater than 1000 barrels/hour (see G-1 for other distillation units)       | Any Petroleum Crude Oils               |
| Phosphoric Acid Manufacturing – All Units (by any process)                                                                                                          | Phosphoric Acid                        |

*(Amended 5/19/82; Amended and renumbered 6/6/90; Amended 6/7/00; 6/15/05; 5/2/07)*

**SCHEDULE G-4**  
(Adopted June 6, 1990)

| <b>Equipment or Process Description</b>                                                                                                                   | <b>Materials Processed or Produced</b>               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Acid Regeneration Units                                                                                                                                   | Sulfuric or Hydrochloric Acid only                   |
| Annealing Lines (continuous only)                                                                                                                         | Metals and Alloys                                    |
| Calcining Kilns (see G-1 for Calcining Kilns processing other materials)                                                                                  | Cement, Lime, or Coke only                           |
| Fluidized Bed Combustors                                                                                                                                  | Solid Fuels only                                     |
| Nitric Acid Manufacturing – Any Ammonia Oxidation Processes                                                                                               | Ammonia or Ammonia Compounds                         |
| Petroleum Refining - Coking Units including fluid cokers, delayed cokers, flexicokers, and coke kilns                                                     | Petroleum Coke and Coke Products                     |
| Petroleum Refining - Cracking Units including fluid catalytic crackers and thermal crackers and excluding hydrocrackers (see G-3 for Hydrocracking Units) | Any Hydrocarbons                                     |
| Petroleum Refining - Sulfur Removal including any Claus process or any other process requiring caustic reactants                                          | Any Petroleum Refining Gas                           |
| Sulfuric Acid Manufacturing – Any Chamber or Contact Process                                                                                              | Any Solid, Liquid or Gaseous Fuels Containing Sulfur |

*(Amended June 7, 2000)*

## SCHEDULE G-5

| Equipment or Process Description                                 | Materials Processed or Produced                                                      |
|------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| Petroleum Refinery Flares<br>(subject to Regulation 12, Rule 11) | Any Petroleum Vent Gas (as<br>defined in section 12-11-210 and<br>section 12-12-213) |

*(Adopted May 2, 2007)*

**SCHEDULE H  
SEMICONDUCTOR AND RELATED OPERATIONS**

(Adopted May 19, 1982)

All of the equipment within a semiconductor fabrication area will be grouped together and considered one source. The fee shall be as indicated:

1. INITIAL FEE:

a. The minimum fee per source is: ~~\$697639~~

b. The maximum fee per source is: ~~\$55,79651,189~~

The initial fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);  
Solvent Spray Stations (as defined in Regulation 8-30-221);  
Solvent Vapor Stations (as defined in Regulation 8-30-222); and  
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

~~\$472433~~ per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;  
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other  
miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

~~\$1,4011,285~~ per 1,000 gallon

2. RISK ASSESSMENT FEE (RAF) , if required pursuant to Regulation 3-329 or 3-342.

a. RAF for first toxic air contaminant (TAC) source in application: ~~\$474489~~ plus initial fee

b. Minimum RAF for first TAC source: ~~\$1,2131,113~~

c. RAF for each additional TAC source: equal to initial fee \*

d. Minimum RAF per additional TAC source:  
~~\$697639~~ \*

e. Maximum RAF per source is: ~~\$55,79651,189~~

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1

3. PERMIT TO OPERATE FEE:

a. The minimum fee per source is: ~~\$505463~~

b. The maximum fee per source is: ~~\$27,89425,591~~

The permit to operate fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

c. SOLVENT CLEANING OPERATIONS, such as usage of:

Solvent Sinks (as defined in Regulation 8-30-214);  
Solvent Spray Stations (as defined in Regulation 8-30-221);  
Solvent Vapor Stations (as defined in Regulation 8-30-222); and  
Wipe Cleaning Operation (as defined in Regulation 8-30-225).

The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):

~~\$237,217~~ per 1,000 gallon

d. COATING OPERATIONS, such as application of:

Photoresist (as defined in Regulation 8-30-215); other wafer coating;  
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219); and other miscellaneous solvent usage.

The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):

~~\$697,639~~ per 1,000 gallon

4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.

5. The fee for each source will be rounded to the whole dollar. Fees for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

*(Amended 1/9/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/20/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

**SCHEDULE I  
DRY CLEANERS**  
(Adopted July 6, 1983)

For dry cleaners, the fee shall be computed based on each cleaning machine, except that machines with more than one drum shall be charged based on each drum, regardless of the type or quantity of solvent, as follows:

1. INITIAL FEE FOR A DRY CLEANING MACHINE (per drum):
  - a. If the washing or drying capacity is no more than 100 pounds: ~~\$700~~609
  - b. If the washing or drying capacity exceeds 100 pounds: ~~\$700~~609 plus  
For that portion of the capacity exceeding 100 pounds: ~~\$20.95~~18.22 per pound
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$474~~489 plus initial fee
  - b. Minimum RAF for first TAC source: ~~\$1.245~~1.083
  - c. RAF for each additional TAC source: equal to initial fee\*
  - d. Minimum RAF per additional TAC source: ~~\$700~~609\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE FOR A DRY CLEANING MACHINE (per drum):
  - a. If the washing or drying capacity is no more than 100 pounds: ~~\$511~~444
  - b. If the washing or drying capacity exceeds 100 pounds: ~~\$511~~444 plus  
For that portion of the capacity exceeding 100 pounds: ~~\$10.529~~15 per pound
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

(Amended 10/17/84; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/02/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE K**  
**SOLID WASTE DISPOSAL SITES**  
(Adopted July 15, 1987)

1. INITIAL FEE:
  - a. Landfill (Decomposition Process) ~~\$5,0504,391~~
  - b. Active Landfill (Waste and Cover Material Dumping Process) ~~\$2,5242,195~~
  - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) ~~\$2,5242,195~~
2. RISK ASSESSMENT FEE (RAF), if required pursuant to Regulation 3-329 or 3-342.
  - a. RAF for first toxic air contaminant (TAC) source in application: ~~\$474489~~ plus initial fee
  - b. RAF for each additional TAC source: equal to initial fee\*

\* RAF for additional TAC sources is only applicable to those sources that emit one or more TACs at a rate that exceeds a trigger level listed in Table 2-5-1
3. PERMIT TO OPERATE FEE:
  - a. Landfill (Decomposition Process) ~~\$2,5242,195~~
  - b. Active Landfill (Waste and Cover Material Dumping Process) ~~\$1,2621,097~~
  - c. Active Landfill (Excavating, Bulldozing, and Compacting Processes) ~~\$1,2621,097~~
4. TOXIC SURCHARGE is only applicable for a source that emits one or more TACs at a rate that exceeds a chronic trigger level listed in Table 2-5-1: the permit to operate fee shall be raised by ten percent. This fee shall not be assessed for TACs not listed in Table 2-5-1.
5. Evaluation of Reports and Questionnaires:
  - a. Evaluation of Solid Waste Air Assessment Test Report as required by Health & Safety Code Section 41805.5(g) ~~\$2,7832,420~~
  - b. Evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) ~~\$1,3951,213~~
  - c. Evaluation of Solid Waste Air Assessment Test Report in conjunction with evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) ~~\$1,3951,213~~
  - d. Evaluation of Initial or Amended Design Capacity Reports as required by Regulation 8, Rule 34, Section 405 ~~\$1,026892~~
  - e. Evaluation of Initial or Periodic NMOC Emission Rate Reports as required by Regulation 8, Rule 34, Sections 406 or 407 ~~\$2,9352,552~~
  - f. Evaluation of Closure Report as required by Regulation 8, Rule 34, Section 409 ~~\$1,026892~~
  - g. Evaluation of Annual Report as required by Regulation 8, Rule 34, Section 411 ~~\$2,5682,233~~
6. Fees for each source will be rounded off to the nearest dollar. The fee for sources will be rounded up or down to the nearest dollar.
7. For the purposes of this fee schedule, landfill shall be considered active, if it has accepted solid waste for disposal at any time during the previous 12 months or has plans to accept solid waste for disposal during the next 12 months.

*(Amended 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/6/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

**SCHEDULE L  
ASBESTOS OPERATIONS**

(Adopted July 6, 1988)

1. Asbestos Operations conducted at single family dwellings are subject to the following fees:
  - a. OPERATION FEE:     \$185    for amounts 100 to 500 square feet or linear feet.  
                                 \$679    for amounts 501 square feet or linear feet to 1000 square feet or linear feet.  
                                 \$988    for amounts 1001 square feet or liner feet to 2000 square feet or linear feet.  
                                 \$1,358 for amounts greater than 2000 square feet or linear feet.
  - b. Cancellation:         \$90     of above amounts non-refundable for notification processing.
2. Asbestos Operations, other than those conducted at single family dwellings, are subject to the following fees:
  - a. OPERATION FEE:     \$524    for amounts 100 to 159 square feet or 100 to 259 linear feet or 35 cubic feet  
                                 \$754    for amounts 160 square feet or 260 linear feet to 500 square feet or linear feet or greater than 35 cubic feet.  
                                 \$1,098 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.  
                                 \$1,620 for amounts 1001 square feet or liner feet to 2500 square feet or linear feet.  
                                 \$2,309 for amounts 2501 square feet or linear feet to 5000 square feet or linear feet.  
                                 \$3,169 for amounts 5001 square feet or linear feet to 10000 square feet or linear feet.  
                                 \$4,031 for amounts greater than 10000 square feet or linear feet.
  - b. Cancellation:         \$248    of above amounts non-refundable for notification processing.
3. Demolitions (including zero asbestos demolitions) conducted at a single-family dwelling are subject to the following fee:
  - a. OPERATION FEE:     \$90
  - b. Cancellation:         \$90     (100% of fee) non-refundable, for notification processing.
4. Demolitions (including zero asbestos demolitions) other than those conducted at a single family dwelling are subject to the following fee:
  - a. OPERATION FEE:     \$372
  - b. Cancellation:         \$248    of above amount non-refundable for notification processing.
5. Asbestos operations with less than 10 days prior notice (excluding emergencies) are subject to the following additional fee:
  - a. OPERATION FEE:     \$619
6. Asbestos demolition operations for the purpose of fire training are exempt from fees.
7. Floor mastic removal using mechanical buffers and solvent is subject to the following fee:
  - a. OPERATION FEE:     \$372
  - b. Cancellation:         \$248 of above amount non-refundable for notification processing.  
*(Amended 9/5/90; 1/5/94; 8/20/97; 10/7/98; 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16)*

**SCHEDULE M**  
**MAJOR STATIONARY SOURCE FEES**  
(Adopted June 6, 1990)

For each major stationary source emitting 50 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, and/or PM<sub>10</sub>, the fee shall be based on the following:

- |  |    |                   |                                                |
|--|----|-------------------|------------------------------------------------|
|  | 1. | Organic Compounds | \$ <del>119.84</del> <del>116.24</del> per ton |
|  | 2. | Sulfur Oxides     | \$ <del>119.84</del> <del>116.24</del> per ton |
|  | 3. | Nitrogen Oxides   | \$ <del>119.84</del> <del>116.24</del> per ton |
|  | 4. | PM <sub>10</sub>  | \$ <del>119.84</del> <del>116.24</del> per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, or PM<sub>10</sub>, if occurring in an amount less than 50 tons per year, shall not be counted.

*(Amended 7/3/91; 6/15/94; 7/1/98; 5/9/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03; 6/2/04; 6/15/05;  
6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

**SCHEDULE N**  
**TOXIC INVENTORY FEES**  
(Adopted October 21, 1992)

For each stationary source emitting substances covered by California Health and Safety Code Section 44300 *et seq.*, the Air Toxics "Hot Spots" Information and Assessment Act of 1987, which have trigger levels listed in Table 2-5-1, a fee based on the weighted emissions of the facility shall be assessed based on the following formulas:

1. A fee of \$5 for each gasoline product dispensing nozzle in the facility, if the facility is a Gasoline Dispensing Facility; or
  2. A fee of \$88 if the facility has emissions in the current Toxic Emissions Inventory which are greater than or equal to 50 weighted pounds per year and less than 1000 weighted pounds per year; or
  3. A fee of \$88 +  $0.33 S_L \times (w_i - 1000) \times (w_i - 1000)$  if the facility has emissions in the current Toxic Emissions Inventory which are greater than or equal to 1000 weighted pounds per year;
- where the following relationships hold:

$w_i$  = facility weighted emissions for facility j; where the weighted emission for the facility shall be calculated as a sum of the individual emissions of the facility multiplied by either the inhalation cancer potency factor (CPF, in kilogram-day/milligram) for the substance times 28.6 if the emission is a carcinogen, or by the reciprocal of the inhalation chronic reference exposure level (REL<sub>c</sub>) for the substance (in cubic meters/microgram) if the emission is not a carcinogen [use CPF and REL as listed in Table 2-5-1]:

$$w_i = \text{Facility Weighted Emission} = \sum_{i=1}^n E_i * Q_i \text{ where}$$

$n$  = number of toxic substances emitted by facility

$E_i$  = amount of substance i emitted by facility in lbs/year

$Q_i$  = 28.6 \* CPF, if i is a carcinogen; or

$Q_i$  = [REL]<sup>-1</sup>, if i is not a carcinogen

$F_T$  = Total amount of fees to be collected by the District to cover District and State of California AB 2588 costs as most recently adopted by the Board of Directors of the California Environmental Protection Agency, Air Resources Board, and set out in the most recently published "Amendments to the Air Toxics "Hot Spots" Fee Regulation," published by that agency.

$N_L$  = Number of facilities with emissions in current District Toxic Emissions Inventory greater than 1000 weighted pounds per year.

$N_S$  = Number of facilities with emissions in current District Toxic Emissions Inventory greater than 50 weighted pounds per year and less than 1000 weighted pounds per year.

$N_{NOZ}$  = Number of gasoline product dispensing nozzles in currently permitted Gasoline Dispensing Facilities.

$S_L$  = Surcharge per pound of weighted emissions for each pound in excess of 1000 weighted pounds per year, where  $S_L$  is given by the following formula:

$$S_L = \frac{F_T - (88 \times N_S) - (88 \times N_L) - (5 \times N_{NOZ})}{\sum_{j=1}^{N_L} (w_j - 1000)}$$

(Amended 12/15/93; 6/15/05; 5/2/07; 6/16/10; 5/4/11; 6/4/14; 6/3/15, 6/15/16, TBD)

**SCHEDULE P**  
**MAJOR FACILITY REVIEW FEES**  
(Adopted November 3, 1993)

1. MFR / SYNTHETIC MINOR ANNUAL FEES

Each facility, which is required to undergo major facility review in accordance with the requirements of Regulation 2, Rule 6, shall pay annual fees (1a and 1b below) for each source holding a District Permit to Operate. These fees shall be in addition to and shall be paid in conjunction with the annual renewal fees paid by the facility. However, these MFR permit fees shall not be included in the basis to calculate Alternative Emission Control Plan (bubble) or toxic air contaminant surcharges. If a major facility applies for and obtains a synthetic minor operating permit, the requirement to pay the fees in 1a and 1b shall terminate as of the date the APCO issues the synthetic minor operating permit.

a. MFR SOURCE FEE .....~~\$805752~~ per source

b. MFR EMISSIONS FEE ..... ~~\$31.6729-60~~ per ton of regulated air pollutants emitted

Each MFR facility and each synthetic minor facility shall pay an annual monitoring fee (1c below) for each pollutant measured by a District-approved continuous emission monitor or a District-approved parametric emission monitoring system.

c. MFR/SYNTHETIC MINOR MONITORING FEES~~\$8,0447,518~~ per monitor per pollutant

2. SYNTHETIC MINOR APPLICATION FEES

Each facility that applies for a synthetic minor operating permit or a revision to a synthetic minor operating permit shall pay application fees according to 2a and either 2b (for each source holding a District Permit to Operate) or 2c (for each source affected by the revision). If a major facility applies for a synthetic minor operating permit prior to the date on which it would become subject to the annual major facility review fee described above, the facility shall pay, in addition to the application fee, the equivalent of one year of annual fees for each source holding a District Permit to Operate.

a. SYNTHETIC MINOR FILING FEE .....~~\$1,1201,047~~ per application

b. SYNTHETIC MINOR INITIAL PERMIT FEE.....~~\$805734~~ per source

c. SYNTHETIC MINOR REVISION FEE.....~~\$805734~~ per source modified

3. MFR APPLICATION FEES

Each facility that applies for or is required to undergo: an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit or a renewal of an MFR permit shall pay, with the application and in addition to any other fees required by this regulation, the MFR filing fee and any applicable fees listed in 3b-h below. The fees in 3b apply to each source in the initial permit. ~~and The fees in 3g apply to each source in the initial or renewal permit, while the fees in 3d-f apply to each source affected by the revision or reopening.~~

a. MFR FILING FEE .....~~\$1,1201,047~~ per application

b. MFR INITIAL PERMIT FEE .....~~\$1,1201,047~~ per source

c. MFR ADMINISTRATIVE AMENDMENT FEE.....~~\$317296~~ per application

d. MFR MINOR REVISION FEE .....~~\$1,5911,487~~ per source modified

e. MFR SIGNIFICANT REVISION FEE.....~~\$2,9662,772~~ per source modified

f. MFR REOPENING FEE.....~~\$972908~~ per source modified

g. MFR RENEWAL FEE .....~~\$472441~~ per source

Each facility that requests a permit shield or a revision to a permit shield under the provisions of Regulation 2, Rule 6 shall pay the following fee for each source (or group of sources, if the requirements for these sources are grouped together in a single table in the MFR permit) that is covered by the requested shield. This fee shall be paid in addition to any other applicable fees.

h. MFR PERMIT SHIELD FEE..... ~~\$1,6751,565~~ per shielded source or group of sources

4. MFR PUBLIC NOTICE FEES

Each facility that is required to undergo a public notice related to any permit action pursuant to Regulation 2-6 shall pay the following fee upon receipt of a District invoice.

MFR PUBLIC NOTICE FEE.....Cost of Publication

5. MFR PUBLIC HEARING FEES

If a public hearing is required for any MFR permit action, the facility shall pay the following fees upon receipt of a District invoice.

- a. MFR PUBLIC HEARING FEE .... Cost of Public Hearing not to exceed \$~~13,689~~12,793
- b. NOTICE OF PUBLIC HEARING FEE.....Cost of distributing Notice of Public Hearing

6. POTENTIAL TO EMIT DEMONSTRATION FEE

Each facility that makes a potential to emit demonstration under Regulation 2-6-312 in order to avoid the requirement for an MFR permit shall pay the following fee:

- a. PTE DEMONSTRATION FEE.....\$~~192~~179 per source, not to exceed \$~~18,818~~17,587

(Amended 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02, 5/21/03; 6/2/04; 6/15/05; 6/7/06; 5/2/07; 5/21/08; 5/20/09; 6/16/10; 5/4/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE Q**  
**EXCAVATION OF CONTAMINATED SOIL AND**  
**REMOVAL OF UNDERGROUND STORAGE TANKS**  
(Adopted January 5, 1994)

1. Persons excavating contaminated soil or removing underground storage tanks subject to the provisions of Regulation 8, Rule 40, Section 401, 402, 403 or 405 are subject to the following fee:

- a. OPERATION FEE: \$168

*(Amended 7/19/00; 8/1/01; 6/5/02; 7/2/03; 6/2/04; 6/6/07; 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/4/14; 6/3/15, 6/15/16)*

**SCHEDULE R  
EQUIPMENT REGISTRATION FEES**

1. Persons operating commercial cooking equipment who are required to register equipment as required by District rules are subject to the following fees:
  - a. Conveyorized Charbroiler REGISTRATION FEE: ~~\$744647~~ per facility
  - b. Conveyorized Charbroiler ANNUAL RENEWAL FEE: ~~\$209182~~ per facility
  - c. Under-fired Charbroiler REGISTRATION FEE: ~~\$744647~~ per facility
  - d. Under-fired Charbroiler ANNUAL RENEWAL FEE: ~~\$209182~~ per facility
2. Persons operating non-halogenated dry cleaning equipment who are required to register equipment as required by District rules are subject to the following fees:
  - a. Dry Cleaning Machine REGISTRATION FEE: ~~\$371323~~
  - b. Dry Cleaning Machine ANNUAL RENEWAL FEE: ~~\$259225~~
3. Persons operating diesel engines who are required to register equipment as required by District or State rules are subject to the following fees:
  - a. Diesel Engine REGISTRATION FEE: ~~\$250217~~
  - b. Diesel Engine ANNUAL RENEWAL FEE: ~~\$166144~~
  - c. Diesel Engine ALTERNATIVE COMPLIANCE PLAN FEE (for each plan submitted under District Regulation 11-17-402): ~~\$250217~~
4. Persons operating boilers, steam generators and process heaters who are required to register equipment by District Regulation 9-7-404 are subject to the following fees:
  - a. REGISTRATION FEE ~~\$137119~~ per device
  - b. ANNUAL RENEWAL FEE: ~~\$115100~~ per device
5. Persons owning or operating graphic arts operations who are required to register equipment by District Regulation 8-20-408 are subject to the following fees:
  - a. REGISTRATION FEE: ~~\$446388~~
  - b. ANNUAL RENEWAL FEE: ~~\$278242~~
6. Persons owning or operating mobile refinishing operations who are required to register by District Regulation 8-45-4 are subject to the following fees:
  - a. REGISTRATION FEE ~~\$209182~~
  - b. ANNUAL RENEWAL FEE ~~\$123107~~

(Adopted 7/6/07; Amended 12/5/07; 5/21/08; 7/30/08; 11/19/08; 12/3/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE S  
NATURALLY OCCURRING ASBESTOS OPERATIONS**

1. ASBESTOS DUST MITIGATION PLAN PROCESSING FEE:

Any person submitting an Asbestos Dust Mitigation Plan (ADMP) for review of a Naturally Occurring Asbestos (NOA) project shall pay the following fee (including NOA Discovery Notifications which would trigger an ADMP review): ~~\$552,535~~

2. AIR MONITORING PROCESSING FEE:

NOA projects requiring an Air Monitoring component as part of the ADMP approval are subject to the following fee in addition to the ADMP fee: ~~\$4,900,753~~

3. INSPECTION FEE:

The owner of any property for which an ADMP is required shall pay fees to cover the costs incurred by the District after July 1, 2012 in conducting inspections to determine compliance with the ADMP on an ongoing basis. Inspection fees shall be invoiced by the District on a quarterly basis, and at the conclusion of dust generating activities covered under the ADMP, based on the actual time spent in conducting such inspections, and the following time and materials rate: ~~\$144,140~~ per hour

*(Adopted 6/6/07; Amended 5/21/08; 5/20/09; 6/16/10; 6/15/11; 6/6/12; 6/19/13; 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)*

## SCHEDULE T GREENHOUSE GAS FEES

For each permitted facility emitting greenhouse gases, the fee shall be based on the following:

1. Carbon Dioxide Equivalent (CDE) Emissions ~~\$0.1100-1030~~ per metric ton

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. The annual emissions of each greenhouse gas (GHG) listed below shall be determined by the APCO for each permitted (i.e., non-exempt) source. For each emitted GHG, the CDE emissions shall be determined by multiplying the annual GHG emissions by the applicable Global Warming Potential (GWP) value. The GHG fee for each facility shall be based on the sum of the CDE emissions for all GHGs emitted by the facility, except that no fee shall be assessed for emissions of biogenic carbon dioxide.

### Global Warming Potential Relative to Carbon Dioxide\*

| GHG                  | CAS Registry Number | GWP**  |
|----------------------|---------------------|--------|
| Carbon Dioxide       | 124-38-9            | 1      |
| Methane              | 74-82-8             | 34     |
| Nitrous Oxide        | 10024-97-2          | 298    |
| Nitrogen Trifluoride | 7783-54-2           | 17,885 |
| Sulfur Hexafluoride  | 2551-62-4           | 26,087 |
| HCFC-22              | 75-45-6             | 2,106  |
| HCFC-123             | 306-83-2            | 96     |
| HCFC-124             | 2837-89-0           | 635    |
| HCFC-141b            | 1717-00-6           | 938    |
| HCFC-142b            | 75-68-3             | 2,345  |
| HCFC-225ca           | 422-56-0            | 155    |
| HCFC-225cb           | 507-55-1            | 633    |
| HFC-23               | 75-46-7             | 13,856 |
| HFC-32               | 75-10-5             | 817    |
| HFC-125              | 354-33-6            | 3,691  |
| HFC-134a             | 811-97-2            | 1,549  |
| HFC-143a             | 420-46-2            | 5,508  |
| HFC-152a             | 75-37-6             | 167    |
| HFC-227ea            | 431-89-0            | 3,860  |
| HFC-236fa            | 690-39-1            | 8,998  |
| HFC-245fa            | 460-73-1            | 1,032  |
| HFC-365mfc           | 406-58-6            | 966    |
| HFC-43-10-mee        | 138495-42-8         | 1,952  |
| PFC-14               | 75-73-0             | 7,349  |
| PFC-116              | 76-16-4             | 12,340 |
| PFC-218              | 76-19-7             | 9,878  |
| PFC-318              | 115-25-3            | 10,592 |

\* Source: Myhre, G., et al., 2013: Anthropogenic and Natural Radiative Forcing (and Supplementary Material). In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., et al. (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available from [www.ipcc.ch](http://www.ipcc.ch).

\*\* GWPs compare the integrated radiative forcing over a specified period (i.e.100 years) from a unit mass pulse emission to compare the potential climate change associated with emissions of different GHGs. GWPs listed include climate-carbon feedbacks.

*(Adopted 5/21/08; Amended 5/20/09; 6/16/10; 6/4/14; 6/3/15; 6/15/16, 6/21/17, TBD)*

**SCHEDULE U**  
**INDIRECT SOURCE REVIEW FEES**

The applicant for any project deemed an indirect source pursuant to District rules shall be subject to the following fees:

1. APPLICATION FILING FEE

When an applicant files an Air Quality Impact Assessment as required by District rules, the applicant shall pay a non-refundable Application Filing Fee as follows:

- |                                          |       |
|------------------------------------------|-------|
| a. Residential project:                  | \$615 |
| b. Non-residential or mixed use project: | \$918 |

2. APPLICATION EVALUATION FEE

Every applicant who files an Air Quality Impact Assessment as required by District rules shall pay an evaluation fee for the review of an air quality analysis and the determination of Offsite Emission Reduction Fees necessary for off-site emission reductions. The Application Evaluation fee will be calculated using the actual staff hours expended and the prevailing weighted labor rate. The Application Filing fee, which assumes eight hours of staff time for residential projects and twelve hours of staff time for non-residential and mixed use projects, shall be credited towards the actual Application Evaluation Fee.

3. OFFSITE EMISSION REDUCTION FEE

(To be determined)

*(Adopted 5/20/09; Amended 6/16/10; 6/4/14; 6/3/15, 6/15/16, 6/21/17)*

## SCHEDULE V OPEN BURNING

1. Any prior notification required by Regulation 5, Section 406 is subject to the following fee:

- a. OPERATION FEE: ~~\$133129~~
- b. The operation fee paid as part of providing notification to the District prior to burning will be determined for each property, as defined in Regulation 5, Section 217, and will be valid for one year from the fee payment date when a given fire is allowed, as specified in Regulation 5, Section 401 for the following fires:

| <b>Regulation 5 Section – Fire</b>                 | <b>Burn Period</b>      |
|----------------------------------------------------|-------------------------|
| 401.1 - Disease and Pest                           | January 1 – December 31 |
| 401.2 - Crop Replacement <sup>1</sup>              | October 1 – April 30    |
| 401.3 - Orchard Pruning and Attrition <sup>2</sup> | November 1 – April 30   |
| 401.4 - Double Cropping Stubble                    | June 1 – August 31      |
| 401.6 - Hazardous Material <sup>1</sup>            | January 1 – December 31 |
| 401.7 - Fire Training                              | January 1 – December 31 |
| 401.8 - Flood Debris                               | October 1 – May 31      |
| 401.9 - Irrigation Ditches                         | January 1 – December 31 |
| 401.10 - Flood Control                             | January 1 – December 31 |
| 401.11 - Range Management <sup>1</sup>             | July 1 – April 30       |
| 401.12 - Forest Management <sup>1</sup>            | November 1 – April 30   |
| 401.14 - Contraband                                | January 1 – December 31 |

<sup>1</sup> Any Forest Management fire, Range Management fire, Hazardous Material fire not related to Public Resources Code 4291, or any Crop Replacement fire for the purpose of establishing an agricultural crop on previously uncultivated land, that is expected to exceed 10 acres in size or burn piled vegetation cleared or generated from more than 10 acres is defined in Regulation 5, Section 213 as a type of prescribed burning and, as such, is subject to the prescribed burning operation fee in Section 3 below.

<sup>2</sup> Upon the determination of the APCO that heavy winter rainfall has prevented this type of burning, the burn period may be extended to no later than June 30.

- c. Any person who provided notification required under Regulation 5, Section 406, who seeks to burn an amount of material greater than the amount listed in that initial notification, shall provide a subsequent notification to the District under Regulation 5, Section 406 and shall pay an additional open burning operation fee prior to burning.
2. Any Marsh Management fire conducted pursuant to Regulation 5, Section 401.13 is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:
    - a. OPERATION FEE: ~~\$476462~~ for 50 acres or less  
~~\$648629~~ for more than 50 acres but less than or equal to 150 acres  
~~\$817792~~ for more than 150 acres
    - b. The operation fee paid for a Marsh Management fire will be valid for a Fall or Spring burning period, as specified in Regulation 5, Subsection 401.13. Any burning subsequent to either of these time periods shall be subject to an additional open burning operation fee.

3. Any Wildland Vegetation Management fire (prescribed burning) conducted pursuant to Regulation 5, Section 401.15 is subject to the following fee, which will be determined for each prescribed burning project by the proposed acreage to be burned:
  - a. OPERATION FEE: ~~\$579562~~ for 50 acres or less  
~~\$785761~~ for more than 50 acres but less than or equal to 150 acres  
~~\$1,022991~~ for more than 150 acres
  - b. The operation fee paid for a prescribed burn project will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
4. Any Filmmaking fire conducted pursuant to Regulation 5, Section 401.16 and any Public Exhibition fire conducted pursuant to Regulation 5, Section 401.17 is subject to the following fee:
  - a. OPERATION FEE: ~~\$687666~~
  - b. The operation fee paid for a Filmmaking or Public Exhibition fire will be valid for the burn project approval period, as determined by the District. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
5. Any Stubble fire conducted pursuant to Regulation 5, Section 401.5 that requires a person to receive an acreage burning allocation prior to ignition is subject to the following fee, which will be determined for each property by the proposed acreage to be burned:
  - a. OPERATION FEE: ~~\$340330~~ for 25 acres or less  
~~\$476462~~ for more than 25 acres but less than or equal to 75 acres  
~~\$579562~~ for more than 75 acres but less than or equal to 150 acres  
~~\$681661~~ for more than 150 acres
  - b. The operation fee paid for a Stubble fire will be valid for one burn period, which is the time period beginning September 1 and ending December 31, each calendar year. Any burning subsequent to this time period shall be subject to an additional open burning operation fee.
6. All fees paid pursuant to Schedule V are non-refundable.
7. All fees required pursuant to Schedule V must be paid before conducting a fire.

(Adopted June 19, 2013; Amended 6/4/14; 6/3/15, 6/15/16, 6/21/17, TBD)

**SCHEDULE W  
PETROLEUM REFINING EMISSIONS TRACKING FEES**

**1. ANNUAL EMISSIONS INVENTORIES:**

Any Petroleum Refinery owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- |                                      |          |
|--------------------------------------|----------|
| a. Initial submittal:                | \$54,000 |
| b. Each subsequent annual submittal: | \$27,000 |

Any Support Facility owner/operator required to submit an Annual Emissions Inventory Report in accordance with Regulation 12, Rule 15, Section 401 shall pay the following fees:

- |                                      |         |
|--------------------------------------|---------|
| a. Initial submittal:                | \$3,300 |
| b. Each subsequent annual submittal: | \$1,650 |

**2. AIR MONITORING PLANS:**

Any person required to submit an air monitoring plan in accordance with Regulation 12, Rule 15, Section 403 shall pay a one-time fee of \$7,500.

*(Adopted 6/15/16)*

**SCHEDULE X**  
**MAJOR STATIONARY SOURCE COMMUNITY AIR MONITORING FEES**

For each major stationary source, emitting 35 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide and/or PM<sub>10</sub> within the vicinity of a District proposed community air monitoring location, the fee shall be based on the following:

- |    |                   |                 |
|----|-------------------|-----------------|
| 1. | Organic Compounds | \$60.61 per ton |
| 2. | Sulfur Oxides     | \$60.61 per ton |
| 3. | Nitrogen Oxides   | \$60.61 per ton |
| 4. | Carbon Monoxide   | \$60.61 per ton |
| 5. | PM <sub>10</sub>  | \$60.61 per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide, or PM<sub>10</sub>, if occurring in an amount less than 35 tons per year, shall not be counted.

*(Adopted: 6/15/16; Amended: 6/21/17)*

## California Environmental Quality Act

### NOTICE OF EXEMPTION

**TO:** **FROM:** Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105

**Lead Agency:** Bay Area Air Quality Management District  
**Contact:** Barry G. Young **Phone:** (415) 749-4721

**SUBJECT: FILING OF NOTICE OF EXEMPTION PURSUANT TO SECTION 21152 OF THE PUBLIC RESOURCES CODE AND CEQA GUIDELINES SECTION 15061(b)(3)**

**Project Title:** Amendments to Regulation 3: Fees

**Project Location:** The regulation applies within the Bay Area Air Quality Management District ("District"), which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties.

**Project Description:** The project consists of amendments to an existing BAAQMD regulation that establishes fees for source operations and other activities. The amendments become effective on July 1, 2018. The amendments increase fee revenue in order to allow the District to meet budgetary needs for the upcoming fiscal year ending (FYE) 2019, and to continue to effectively implement and enforce regulatory programs for stationary sources of air pollution.

The fee rates in the following Fee Schedules would be amended as follows: (1) 3.1% increase: Schedule B: Combustion of Fuels, , Schedule M: Major Stationary Source Fees, Schedule S: Naturally Occurring Asbestos Operations, and Schedule V: Open Burning; (2) 7% increase: Schedule F: Misc. Sources (storage silos, abrasive blasting), Schedule G-3: Misc. Sources (metal melting, cracking units), Schedule P: Major Facility Review Fees, and Schedule T: Greenhouse Gas Fees; (3) 8% increase: Schedule D: Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants & Terminals; (4) 9% increase: Schedule E: Solvent Evaporating Sources, Schedule G-1: Misc. Sources (glass manufacturing, soil remediation), and Schedule H: Semiconductor and Related Operations; (5) 15% increase: Schedule A: Hearing Board Fees, Schedule G-2: Misc. Sources (asphaltic concrete, furnaces), Schedule G-4: Misc. Sources (cement kilns, sulfur removal & coking units, acid manufacturing), Schedule I: Dry Cleaners, Schedule K: Solid Waste Disposal Sites, and Schedule R: Equipment Registration Fees. The following specific fees in Regulation 3 would be increased by 3.1%: New and modified source filing fees, Transfer fees, Emissions banking filing and withdrawal fees, Regulation 2, Rule 9 Alternative Compliance Plan fees, School public notice fees, Toxic inventory maximum fees, Permit to operate renewal processing fees, and Exemption fees.

In addition, the following additional amendments are proposed: (1) Revise Section 3-302 to specify the fee rates applied. The fee rates applied are those in force when the applicant has provided all the information required per 2-1-402 (excluding 2-1-402.3 fees) to evaluate the project; (2) Revise Section 3-342 to add Health Risk Assessment (HRA) review fees to recover the Air District's costs of reviewing HRAs completed by District-approved consultants as required pursuant to Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities; (3) Revise Section 3-405 to reduce fees charged to facilities that are more than 30 days late on paying their permit renewal invoice. Historically, these delinquent fees have been incurred at a disproportionately high frequency by small businesses such as gasoline dispensing facilities, dry cleaners, and auto body shops. To reduce this burden on small businesses, the proposed amendment would lower this delinquent fee from 50% to 25%; (4) Add Section 3-418 to authorize the Air Pollution Control Officer to reduce the fees for transactions using the Air District's online production system. This would help to serve as an incentive for facilities to conduct these transactions online; (5) Revise Fee Schedule E: Solvent Evaporating Sources, to directly calculate the fee based on the net amount of organic solvent processed; (6) Clarify in Schedule G-1 that Sub-Slab Depressurization Equipment is subject to Schedule F permit fees, not Schedule G-1 permit

fees; (7) Delete the formula for  $S_L$  and its variables and definitions from Schedule N; and (8) Clarify in Schedule P that Initial Fees do not apply to Title V Renewal applications.

On June 6, 2018, the Board of Directors of the Bay Area Air Quality Management District conducted a public hearing in accordance with California Health and Safety Code Section 41512.5 and approved the project described above and determined that the project was exempt from CEQA.

**Finding of Exemption:** This project is found to be exempt pursuant to Public Resources Code Section 21080, subd. (b)(8) and CEQA Guidelines Section 15273.

**Basis for Exemption:** The regulatory amendments which constitute this project modify charges by the BAAQMD for sources of air pollution. The fees and modifications are for the purpose of meeting District operating expenses associated with the regulation of these sources. The amendments are administrative in nature, do not affect air emissions from any sources, and have no possibility of causing significant environmental effects. As such, they fall within the statutory and Guidelines exemptions cited above.

\_\_\_\_\_  
Date Received for Filing

\_\_\_\_\_  
Pamela Leong

\_\_\_\_\_  
Date

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson David Hudson and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 14, 2018

Re: Public Hearing to Consider Adoption of the Air District's Proposed Budget for  
Fiscal Year Ending (FYE) 2019

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RECOMMENDED ACTION

Recommend Board of Directors conduct its second and final public hearing and consider adoption of a resolution to approve the Budget for the Fiscal Year Ending 2019 (FYE 2019) and various budget related actions.

Recommend the Board of Directors adopt a funding policy for CalPERS pensions to achieve 90% funding within 20 years.

SUMMARY

Pursuant to Health and Safety Code Section 40131, the Executive Officer/APCO will present the FYE 2019 proposed budget to the Board of Directors for adoption.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The proposed consolidated budget for FYE 2019 is \$159,714,300 which includes General Fund Budget of \$99,151,007.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Stephanie Osaze  
Reviewed by: Jeff McKay

Attachment 15A: Resolution to Approve the Budget for the Fiscal Year Ending June 30, 2019 (FYE 2018-2019) and Various Budget Related Actions

Attachment 15B: Bay Area Air Quality Management District Salary Schedule for Management and Confidential Classes

Attachment 15C: Proposed FYE 2019 budget available at:  
<http://www.baaqmd.gov/~media/files/finance/fye-2019-proposed-budget-42318-pdf.pdf?la=en>

## AGENDA 15A - ATTACHMENT

### BAY AREA AIR QUALITY MANAGEMENT DISTRICT

#### Resolution No. -

#### **A Resolution to Approve the Budget for the Fiscal Year Ending June 30, 2019 (FY 2018-2019) and Various Budget Related Actions**

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District (Air District) has the statutory authority and direction to set the Air District's financial budget pursuant to Health & Safety Code Sections 40130-40131 and 40270-40276;

WHEREAS, by Resolution No. 2017-05, the Board of Directors adopted the Air District Budget for Fiscal Year (FY) 2017-2018 on June 21, 2017, pursuant to the above-mentioned statutory authority;

WHEREAS, the Board of Directors, in connection with that action, approved the following budget related actions:

- A. Transfer Funds from Encumbered Balance of Appropriations to the Next Fiscal Year for Continuation of Projects/Programs
- B. Transfer Funds from Unencumbered Balance of Appropriations to the General Reserve;
- C. Fund the General Reserve from Year to Year;
- D. Authorize Modification to Name and Purpose of certain Designated Reserve Funds;
- E. Authorize Disposal of Surplus Government Property;
- F. Approve Salary Ranges for District Employees; and
- G. Approve Proposed District Budget for FY 2017-2018;

WHEREAS, Air District staff has determined through its annual budget review and analysis that similar actions are necessary in connection with the adoption of a budget for FY 2018-2019 and that all of these actions be incorporated into a single resolution;

WHEREAS, the Budget and Finance Committee of the Board of Directors reviewed the proposed FY 2018-2019 District Budget at public meetings held on March 28, 2018, and April 25, 2018, and recommended that the Board of Directors approve as submitted.

WHEREAS, an initial public hearing was duly noticed and held on May 2, 2018, at a Special Meeting of the Board of Directors held pursuant to Health & Safety Code Section 40131, for the purpose of reviewing the Air District's proposed FY 2018-2019 Budget and of providing the public with an opportunity to comment upon the proposed District Budget;

WHEREAS, at the May 2, 2018 Special Meeting of the Board of Directors, the Proposed FY 2018-2019 Air District Budget was set for a further hearing and proposed adoption at the Regular Meeting of the Board of Directors to be held on June 6, 2018;

WHEREAS, in connection with the public hearing and consideration of the Proposed FY 2018-2019 District Budget on June 6, 2018, the Board of Directors decided to take the following actions related to the FY 2017-2018 District Budget:

**A. CARRYFORWARD ENCUMBERED BALANCE OF APPROPRIATIONS TO THE NEXT FISCAL YEAR FOR CONTINUATION OF PROJECTS/PROGRAMS NOT COMPLETED IN THE CURRENT FISCAL YEAR**

WHEREAS, the Air District Budget FY2017-2018 has appropriated funds committed for projects/programs not completed in the current fiscal year that will carry over to the next fiscal year;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby directs Air District staff, that in the event there is encumbered balance of appropriations from FY 2017-2018 for continuation of projects, to transfer such appropriations to the 2018-2019 fiscal year budget as needed for completion of projects/programs;

**B. TRANSFER FUNDS FROM UNENCUMBERED BALANCE OF APPROPRIATIONS TO THE GENERAL RESERVE**

WHEREAS, the Proposed Air District Budget provides sufficient funds for the operation of the Air District for FY 2018-2019;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby directs Air District staff, that in the event there is an unencumbered balance of appropriations from FY 2017-2018, to transfer such excess balance to the General Reserve.

**C. FUND THE GENERAL RESERVE FROM YEAR TO YEAR**

WHEREAS, the Board of Directors on June 12, 1958, created a General Reserve in the Air District's budget and transferred certain funds into it;

WHEREAS, the Air District has operated for much of its existence with a General Reserve in its fiscal year budget;

WHEREAS, the Air District retained the consulting firm of KPMG LLP in 1998-99 to conduct a permit fee cost recovery study of the Air District;

WHEREAS, KPMG LLP determined through their study of Air District finances that the General Reserve was inadequately funded and therefore recommended that the General Reserve be funded to a level consistent with generally accepted governmental practices;

WHEREAS, Air District staff concurred with this finding and recommendation from KPMG LLP;

WHEREAS, the Board of Directors concurs with the recommendation of KPMG LLP, Air District staff and its Budget and Finance Committee that maintaining a healthy and properly funded General Reserve in the Air District's budget is a prudent and financially sound decision;

WHEREAS, as a part of the adoption of the 2015-16 Budget, the Board of Director approved an Economic Contingency Reserve Policy of 20% of the General Fund Budget;

NOW THEREFORE, BE IT FURTHER RESOLVED that the General Reserve be continued for FY 2018-2019, and thereafter until discontinued by resolution of the Board of Directors.

**D. AUTHORIZE DISPOSAL OF SURPLUS GOVERNMENT PROPERTY**

WHEREAS, the Air District Budget for FY 2018-2019 provides for the replacement of certain equipment and other property that has either become obsolete and surplus or will become obsolete and surplus;

WHEREAS, Air District staff has determined that certain equipment or other property will no longer be economically feasible to maintain or repair, and that some equipment will become obsolete and not useful for Air District purposes;

WHEREAS, from time to time during the course of the coming fiscal year it may be advantageous to the Air District to sell or dispose of such equipment or other property;

WHEREAS, the Board of Directors desires to authorize the Executive Officer/APCO, or his or her designee, to sell or dispose of such surplus or obsolete equipment or other property pursuant the requirements and guidelines of Government Code Sections 25363 and 25504;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the Executive Officer/APCO, or his or her designee, to sell or dispose of surplus or obsolete equipment or other property during FY 2018-2019.

**E. SALARY RANGES FOR DISTRICT EMPLOYEES**

WHEREAS, the Board of Directors established Salary Ranges and Classifications on June 10, 1962, pursuant to Resolution No. 270 and has from time to time amended those Salary Ranges and Classifications;

WHEREAS, the Air District Budget for FY 2018-2019 includes funds for Board of Director discretionary use in adjusting salaries and fringe benefits for Air District employees;

WHEREAS, on September 20, 2017, by Resolution No. 2017-07, the Board of Directors approved a successor Memorandum of Understanding (the “MOU”) with the employees represented by the recognized employee organization Bay Area Air Quality Management District Employees Association (“EA”) which MOU was previously ratified by the EA

WHEREAS, the successor MOU between the District and EA is set expire on June 30, 2019 and all provisions shall supersede the provisions of the June 1, 2014 to June 30, 2017 agreement;

WHEREAS, management employees and confidential employees are not represented by a recognized employee organization;

WHEREAS, the attached salary schedule proposes a 3.1% salary adjustment as provided for in the MOU for Represented Classes; salaries for non-Board of Director appointed Management and Confidential employees; and salaries adjusted pursuant to contracts with Board appointed management employees;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors approves the revised salary schedules attached hereto which, consistent with the FY 2018-2019 Proposed Budget; and with contracts with Board appointed management employees, provide salary increases effective July 1, 2018.

**F. APPROVE PROPOSED AIR DISTRICT BUDGET FOR FY 2018-2019**

WHEREAS, on May 2, 2018, and June 6, 2018, public proceedings have been held in a manner and form required by Health & Safety Code Section 40131 for the adoption of the FY 2018-2019 Budget of the Bay Area Air Quality Management District;

WHEREAS, the Board of Directors has considered the Proposed Budget for the fiscal year ending June 30, 2019, as well as the report on this proposed budget from the Budget and Finance Committee of the Board of Directors which considered the Proposed FY 2018-2019 Air District Budget at their meetings of March 28, 2018 and April 25, 2018;

WHEREAS, at the May 2, 2018, Regular Meeting of the Board of Directors, in its report to the Board of Directors, the Budget and Finance Committee of the Board of Directors through consensus supported staff recommendations to forward the Proposed FY 2018-2019 Air District Budget to the Board of Directors;

WHEREAS, as a part of the adoption of the FY 2016 and FY 2017 Budgets, the Board of Directors approved a policy to prefund California Pension Employment Retirement System (CalPERS) and Other Post-Employment Benefits (OPEB) to achieve 90% funding with no target date;

NOW, THEREFORE, BE IT FURTHER RESOLVED that as a part of the FY 2018-2019 Proposed Budget, the Board of Directors approved a recommendation to amend the funding policy for the CalPERS pension plan to achieve 90% funding within 20 years, and the Proposed Air District Budget for FY Ending 2018-2019 in the total consolidated amount of One Hundred Fifty- Nine Million, Seven Hundred Fourteen, Three Hundred Dollars (\$159,714,300), specifying by appropriation classification – personnel, services and supplies, capital outlay, program distributions and transfers –is hereby adopted by the Board of Directors of the Bay Area Air Quality Management District to become effective as of July 1, 2018.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 2018

by the following vote of the Board:

AYES:

NOES:

ABSENT:

ATTEST:

\_\_\_\_\_  
DAVID E. HUDSON  
Chairperson of the Board of Directors

\_\_\_\_\_  
ROD SINKS  
Secretary of the Board of Directors

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
**SALARY SCHEDULE FOR MANAGEMENT AND CONFIDENTIAL CLASSES**  
 Annually/Monthly/Bi-weekly/Hourly effective July 1, 2018

**ID-JDE MANAGEMENT****Per Employment Agreement**

|                                                           |           |
|-----------------------------------------------------------|-----------|
| 1B101 Executive Officer/Air Pollution Control Officer (1) | 307928.92 |
|                                                           | 25660.74  |
|                                                           | 11843.42  |
|                                                           | 148.04    |
| 1B102 Counsel (1)                                         | 295559.94 |
|                                                           | 24630.00  |
|                                                           | 11367.69  |
|                                                           | 142.10    |

**ID-JDE MANAGEMENT**

|                                        | <b>Range</b> | <b>Step A</b> | <b>Step B</b> | <b>Step C</b> | <b>Step D</b> | <b>Step E</b> |
|----------------------------------------|--------------|---------------|---------------|---------------|---------------|---------------|
| 3M101 Air Monitoring Manager           | 148M         | 133904.94     | 140600.18     | 147630.19     | 155011.70     | 162762.29     |
|                                        |              | 11158.74      | 11716.68      | 12302.52      | 12917.64      | 13563.52      |
|                                        |              | 5150.19       | 5407.70       | 5678.08       | 5961.99       | 6260.09       |
|                                        |              | 64.38         | 67.60         | 70.98         | 74.52         | 78.25         |
| 3M102 Air Quality Engineering Manager  | 148M         | 133904.94     | 140600.18     | 147630.19     | 155011.70     | 162762.29     |
|                                        |              | 11158.74      | 11716.68      | 12302.52      | 12917.64      | 13563.52      |
|                                        |              | 5150.19       | 5407.70       | 5678.08       | 5961.99       | 6260.09       |
|                                        |              | 64.38         | 67.60         | 70.98         | 74.52         | 78.25         |
| 3M103 Air Quality Planning Manager     | 148M         | 133904.94     | 140600.18     | 147630.19     | 155011.70     | 162762.29     |
|                                        |              | 11158.74      | 11716.68      | 12302.52      | 12917.64      | 13563.52      |
|                                        |              | 5150.19       | 5407.70       | 5678.08       | 5961.99       | 6260.09       |
|                                        |              | 64.38         | 67.60         | 70.98         | 74.52         | 78.25         |
| 3M104 Air Quality Program Manager      | 148M         | 133904.94     | 140600.18     | 147630.19     | 155011.70     | 162762.29     |
|                                        |              | 11158.74      | 11716.68      | 12302.52      | 12917.64      | 13563.52      |
|                                        |              | 5150.19       | 5407.70       | 5678.08       | 5961.99       | 6260.09       |
|                                        |              | 64.38         | 67.60         | 70.98         | 74.52         | 78.25         |
| 8M101 Assistant Counsel I              | 149M         | 134867.14     | 141610.50     | 148691.02     | 156125.57     | 163931.85     |
|                                        |              | 11238.93      | 11800.87      | 12390.92      | 13010.46      | 13660.99      |
|                                        |              | 5187.20       | 5446.56       | 5718.89       | 6004.83       | 6305.07       |
|                                        |              | 64.84         | 68.08         | 71.49         | 75.06         | 78.81         |
| 7M101 Assistant Counsel II             | 153M         | 151275.93     | 158839.73     | 166781.71     | 175120.80     | 183876.84     |
|                                        |              | 12606.33      | 13236.64      | 13898.48      | 14593.40      | 15323.07      |
|                                        |              | 5818.31       | 6109.22       | 6414.68       | 6735.42       | 7072.19       |
|                                        |              | 72.73         | 76.37         | 80.18         | 84.19         | 88.40         |
| 3M121 Assistant Manager                | 147M         | 130677.84     | 137211.73     | 144072.31     | 151275.93     | 158839.73     |
|                                        |              | 10889.82      | 11434.31      | 12006.03      | 12606.33      | 13236.64      |
|                                        |              | 5026.07       | 5277.37       | 5541.24       | 5818.31       | 6109.22       |
|                                        |              | 62.83         | 65.97         | 69.27         | 72.73         | 76.37         |
| 3M117 Audit & Special Projects Manager | 148M         | 133904.94     | 140600.18     | 147630.19     | 155011.70     | 162762.29     |
|                                        |              | 11158.74      | 11716.68      | 12302.52      | 12917.64      | 13563.52      |
|                                        |              | 5150.19       | 5407.70       | 5678.08       | 5961.99       | 6260.09       |
|                                        |              | 64.38         | 67.60         | 70.98         | 74.52         | 78.25         |

| ID-JDE MANAGEMENT(CONTINUED)               | Range | Step A                                     | Step B                                     | Step C                                     | Step D                                     | Step E                                      |
|--------------------------------------------|-------|--------------------------------------------|--------------------------------------------|--------------------------------------------|--------------------------------------------|---------------------------------------------|
| 3M105 Business Manager                     | 148M  | 133904.94<br>11158.74<br>5150.19<br>64.38  | 140600.18<br>11716.68<br>5407.70<br>67.60  | 147630.19<br>12302.52<br>5678.08<br>70.98  | 155011.70<br>12917.64<br>5961.99<br>74.52  | 162762.29<br>13563.52<br>6260.09<br>78.25   |
| 2M111 Communications Officer               | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73  | 169772.13<br>14147.68<br>6529.70<br>81.62  | 178260.73<br>14855.06<br>6856.18<br>85.70  | 187173.77<br>15597.81<br>7198.99<br>89.99  | 196532.46<br>16377.70<br>7558.94<br>94.49   |
| 1M101 Deputy Air Pollution Control Officer | 160M  | 179445.42<br>14953.79<br>6901.75<br>86.27  | 188417.69<br>15701.47<br>7246.83<br>90.59  | 197838.58<br>16486.55<br>7609.18<br>95.11  | 207730.50<br>17310.88<br>7989.63<br>99.87  | 218117.03<br>18176.42<br>8389.12<br>104.86  |
| 1M102 Deputy Executive Officer             | 169M  | 223503.45<br>18625.29<br>8596.29<br>107.45 | 234678.62<br>19556.55<br>9026.10<br>112.83 | 246412.55<br>20534.38<br>9477.41<br>118.47 | 258733.18<br>21561.10<br>9951.28<br>124.39 | 271669.84<br>22639.15<br>10448.84<br>130.61 |
| 2M110 Director/Officer                     | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73  | 169772.13<br>14147.68<br>6529.70<br>81.62  | 178260.73<br>14855.06<br>6856.18<br>85.70  | 187173.77<br>15597.81<br>7198.99<br>89.99  | 196532.46<br>16377.70<br>7558.94<br>94.49   |
| 2M101 Director of Administration           | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73  | 169772.13<br>14147.68<br>6529.70<br>81.62  | 178260.73<br>14855.06<br>6856.18<br>85.70  | 187173.77<br>15597.81<br>7198.99<br>89.99  | 196532.46<br>16377.70<br>7558.94<br>94.49   |
| 2M102 Director of Enforcement              | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73  | 169772.13<br>14147.68<br>6529.70<br>81.62  | 178260.73<br>14855.06<br>6856.18<br>85.70  | 187173.77<br>15597.81<br>7198.99<br>89.99  | 196532.46<br>16377.70<br>7558.94<br>94.49   |
| 2M103 Director of Engineering              | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73  | 169772.13<br>14147.68<br>6529.70<br>81.62  | 178260.73<br>14855.06<br>6856.18<br>85.70  | 187173.77<br>15597.81<br>7198.99<br>89.99  | 196532.46<br>16377.70<br>7558.94<br>94.49   |
| 2M108 Director of Strategic Incentives     | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73  | 169772.13<br>14147.68<br>6529.70<br>81.62  | 178260.73<br>14855.06<br>6856.18<br>85.70  | 187173.77<br>15597.81<br>7198.99<br>89.99  | 196532.46<br>16377.70<br>7558.94<br>94.49   |
| 2M104 Director of Information Services     | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73  | 169772.13<br>14147.68<br>6529.70<br>81.62  | 178260.73<br>14855.06<br>6856.18<br>85.70  | 187173.77<br>15597.81<br>7198.99<br>89.99  | 196532.46<br>16377.70<br>7558.94<br>94.49   |
| 2M105 Director of Planning and Research    | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73  | 169772.13<br>14147.68<br>6529.70<br>81.62  | 178260.73<br>14855.06<br>6856.18<br>85.70  | 187173.77<br>15597.81<br>7198.99<br>89.99  | 196532.46<br>16377.70<br>7558.94<br>94.49   |
| 2M107 Director of Technical Services       | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73  | 169772.13<br>14147.68<br>6529.70<br>81.62  | 178260.73<br>14855.06<br>6856.18<br>85.70  | 187173.77<br>15597.81<br>7198.99<br>89.99  | 196532.46<br>16377.70<br>7558.94<br>94.49   |

| ID-JDE MANAGEMENT(CONTINUED)                 | Range | Step A                                    | Step B                                    | Step C                                    | Step D                                    | Step E                                    |
|----------------------------------------------|-------|-------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|
| 3M119 Engineering Project Processing Manager | 148M  | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |
| 3M113 Executive Operations Manager           | 148M  | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |
| 3M107 Finance Manager                        | 148M  | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |
| 3M106 Fleet and Facilities Manager           | 134M  | 95163.74<br>7930.31<br>3660.14<br>45.75   | 99921.92<br>8326.83<br>3843.15<br>48.04   | 104918.02<br>8743.17<br>4035.31<br>50.44  | 110163.92<br>9180.33<br>4237.07<br>52.96  | 115672.12<br>9639.34<br>4448.93<br>55.61  |
| 2M110 Health Officer                         | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73 | 169772.13<br>14147.68<br>6529.70<br>81.62 | 178260.73<br>14855.06<br>6856.18<br>85.70 | 187173.77<br>15597.81<br>7198.99<br>89.99 | 196532.46<br>16377.70<br>7558.94<br>94.49 |
| 3M118 Human Resources Manager                | 148M  | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |
| 3M108 Human Resources Officer                | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73 | 169772.13<br>14147.68<br>6529.70<br>81.62 | 178260.73<br>14855.06<br>6856.18<br>85.70 | 187173.77<br>15597.81<br>7198.99<br>89.99 | 196532.46<br>16377.70<br>7558.94<br>94.49 |
| 3M109 Information Systems Manager            | 148M  | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |
| 2M109 Information Technology Officer         | 156M  | 161687.74<br>13473.98<br>6218.76<br>77.73 | 169772.13<br>14147.68<br>6529.70<br>81.62 | 178260.73<br>14855.06<br>6856.18<br>85.70 | 187173.77<br>15597.81<br>7198.99<br>89.99 | 196532.46<br>16377.70<br>7558.94<br>94.49 |
| 3M110 Manager (Laboratory)                   | 148M  | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |
| 3M120 Manager                                | 148M  | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |
| 3M115 Manager of Executive Operations        | 148M  | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |

| <b>ID-JDE MANAGEMENT(CONTINUED)</b>         | <b>Range</b> | <b>Step A</b>                             | <b>Step B</b>                             | <b>Step C</b>                             | <b>Step D</b>                             | <b>Step E</b>                             |
|---------------------------------------------|--------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|
| 3M111 Meteorology and Data Analysis Manager | 148M         | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |
| 3M112 Research and Modeling Manager         | 148M         | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |
| 6M101 Senior Assistant Counsel              | 157M         | 166781.71<br>13898.48<br>6414.68<br>80.18 | 175120.80<br>14593.40<br>6735.42<br>84.19 | 183876.84<br>15323.07<br>7072.19<br>88.40 | 193070.68<br>16089.22<br>7425.80<br>92.82 | 202724.21<br>16893.68<br>7797.09<br>97.46 |
| 6M102 Senior Policy Advisor                 | 148M         | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |
| 3M116 Strategic Facilities Planning Manager | 148M         | 133904.94<br>11158.74<br>5150.19<br>64.38 | 140600.18<br>11716.68<br>5407.70<br>67.60 | 147630.19<br>12302.52<br>5678.08<br>70.98 | 155011.70<br>12917.64<br>5961.99<br>74.52 | 162762.29<br>13563.52<br>6260.09<br>78.25 |

## ID-JDE CONFIDENTIAL

|                                               | Range | Step A                                  | Step B                                  | Step C                                   | Step D                                   | Step E                                   |
|-----------------------------------------------|-------|-----------------------------------------|-----------------------------------------|------------------------------------------|------------------------------------------|------------------------------------------|
| 7C007 Administrative Secretary (Confidential) | 118   | 62534.53<br>5211.21<br>2405.17<br>30.06 | 65661.25<br>5471.77<br>2525.43<br>31.57 | 68944.32<br>5745.36<br>2651.70<br>33.15  | 72391.53<br>6032.63<br>2784.29<br>34.80  | 76011.11<br>6334.26<br>2923.50<br>36.54  |
| 5C101 Clerk of the Boards                     | 132   | 87992.36<br>7332.70<br>3384.32<br>42.30 | 92391.98<br>7699.33<br>3553.54<br>44.42 | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42 |
| 8C004 Executive Secretary I                   | 128   | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29 | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  |
| 7C001 Executive Secretary II                  | 132   | 87992.36<br>7332.70<br>3384.32<br>42.30 | 92391.98<br>7699.33<br>3553.54<br>44.42 | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42 |
| 8C101 Human Resources Analyst I               | 130   | 83802.25<br>6983.52<br>3223.16<br>40.29 | 87992.36<br>7332.70<br>3384.32<br>42.30 | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97 |
| 7C103 Human Resources Analyst II              | 134   | 92391.98<br>7699.33<br>3553.54<br>44.42 | 97011.58<br>8084.30<br>3731.21<br>46.64 | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42 | 112303.03<br>9358.59<br>4319.35<br>53.99 |
| 8C001 Human Resources Technician I            | 122   | 68944.32<br>5745.36<br>2651.70<br>33.15 | 72391.53<br>6032.63<br>2784.29<br>34.80 | 76011.11<br>6334.26<br>2923.50<br>36.54  | 79811.66<br>6650.97<br>3069.68<br>38.37  | 83802.25<br>6983.52<br>3223.16<br>40.29  |
| 7C002 Human Resources Technician II           | 126   | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29  | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42  |
| 7C003 Legal Office Services Specialist        | 124   | 72391.53<br>6032.63<br>2784.29<br>34.80 | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37  | 83802.25<br>6983.52<br>3223.16<br>40.29  | 87992.36<br>7332.70<br>3384.32<br>42.30  |
| 8C002 Legal Secretary I                       | 116   | 59556.69<br>4963.06<br>2290.64<br>28.63 | 62534.53<br>5211.21<br>2405.17<br>30.06 | 65661.25<br>5471.77<br>2525.43<br>31.57  | 68944.32<br>5745.36<br>2651.70<br>33.15  | 72391.53<br>6032.63<br>2784.29<br>34.80  |
| 7C004 Legal Secretary II                      | 120   | 65661.25<br>5471.77<br>2525.43<br>31.57 | 68944.32<br>5745.36<br>2651.70<br>33.15 | 72391.53<br>6032.63<br>2784.29<br>34.80  | 76011.11<br>6334.26<br>2923.50<br>36.54  | 79811.66<br>6650.97<br>3069.68<br>38.37  |
| 8C003 Office Assistant I (HR)                 | 104   | 44442.12<br>3703.51<br>1709.31<br>21.37 | 46664.23<br>3888.69<br>1794.78<br>22.43 | 48997.44<br>4083.12<br>1884.52<br>23.56  | 51447.31<br>4287.28<br>1978.74<br>24.73  | 54019.68<br>4501.64<br>2077.68<br>25.97  |

**ID-JDE CONFIDENTIAL(CONTINUED)**

|                                           | <b>Range</b> | <b>Step A</b>                            | <b>Step B</b>                            | <b>Step C</b>                             | <b>Step D</b>                             | <b>Step E</b>                             |
|-------------------------------------------|--------------|------------------------------------------|------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|
| 7C005 Office Assistant II (HR)            | 108          | 48997.44<br>4083.12<br>1884.52<br>23.56  | 51447.31<br>4287.28<br>1978.74<br>24.73  | 54019.68<br>4501.64<br>2077.68<br>25.97   | 56720.66<br>4726.72<br>2181.56<br>27.27   | 59556.69<br>4963.06<br>2290.64<br>28.63   |
| 7C102 Paralegal                           | 124          | 72391.53<br>6032.63<br>2784.29<br>34.80  | 76011.11<br>6334.26<br>2923.50<br>36.54  | 79811.66<br>6650.97<br>3069.68<br>38.37   | 83802.25<br>6983.52<br>3223.16<br>40.29   | 87992.36<br>7332.70<br>3384.32<br>42.30   |
| 6C001 Senior Executive Secretary          | 134          | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97  | 106955.26<br>8912.94<br>4113.66<br>51.42  | 112303.03<br>9358.59<br>4319.35<br>53.99  |
| 5C102 Supervising Human Resources Analyst | 142          | 112303.03<br>9358.59<br>4319.35<br>53.99 | 117918.18<br>9826.51<br>4535.31<br>56.69 | 123814.09<br>10317.84<br>4762.08<br>59.53 | 130004.79<br>10833.73<br>5000.18<br>62.50 | 136505.03<br>11375.42<br>5250.19<br>65.63 |

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
**SALARY SCHEDULE FOR TECHNICAL/GENERAL AND PROFESSIONAL EMPLOYEES**  
Effective July 1, 2018 per Memorandum of Understanding dated May 15, 2002

| ID-JDE PROFESSIONAL                | Range | Step A                                   | Step B                                    | Step C                                    | Step D                                    | Step E                                    |
|------------------------------------|-------|------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|
| 7P001 Accountant I                 | 123   | 70646.90<br>5887.24<br>2717.19<br>33.96  | 74179.25<br>6181.60<br>2853.05<br>35.66   | 77888.21<br>6490.68<br>2995.70<br>37.45   | 81782.62<br>6815.22<br>3145.49<br>39.32   | 85871.75<br>7155.98<br>3302.76<br>41.28   |
| 7P014 Accountant II                | 127   | 77888.21<br>6490.68<br>2995.70<br>37.45  | 81782.62<br>6815.22<br>3145.49<br>39.32   | 85871.75<br>7155.98<br>3302.76<br>41.28   | 90165.34<br>7513.78<br>3467.90<br>43.35   | 94673.61<br>7889.47<br>3641.29<br>45.52   |
| 7P002 Advanced Projects Advisor    | 144   | 117918.18<br>9826.51<br>4535.31<br>56.69 | 123814.09<br>10317.84<br>4762.08<br>59.53 | 130004.79<br>10833.73<br>5000.18<br>62.50 | 136505.03<br>11375.42<br>5250.19<br>65.63 | 143330.28<br>11944.19<br>5512.70<br>68.91 |
| 8P001 Air Quality Chemist I        | 127   | 77888.21<br>6490.68<br>2995.70<br>37.45  | 81782.62<br>6815.22<br>3145.49<br>39.32   | 85871.75<br>7155.98<br>3302.76<br>41.28   | 90165.34<br>7513.78<br>3467.90<br>43.35   | 94673.61<br>7889.47<br>3641.29<br>45.52   |
| 7P003 Air Quality Chemist II       | 131   | 85871.75<br>7155.98<br>3302.76<br>41.28  | 90165.34<br>7513.78<br>3467.90<br>43.35   | 94673.61<br>7889.47<br>3641.29<br>45.52   | 99407.29<br>8283.94<br>3823.36<br>47.79   | 104377.65<br>8698.14<br>4014.52<br>50.18  |
| 8P002 Air Quality Engineer I       | 132   | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42   | 97011.58<br>8084.30<br>3731.21<br>46.64   | 101862.16<br>8488.51<br>3917.78<br>48.97  | 106955.26<br>8912.94<br>4113.66<br>51.42  |
| 7P004 Air Quality Engineer II      | 136   | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97  | 106955.26<br>8912.94<br>4113.66<br>51.42  | 112303.03<br>9358.59<br>4319.35<br>53.99  | 117918.18<br>9826.51<br>4535.31<br>56.69  |
| 8P003 Air Quality Meteorologist I  | 131   | 85871.75<br>7155.98<br>3302.76<br>41.28  | 90165.34<br>7513.78<br>3467.90<br>43.35   | 94673.61<br>7889.47<br>3641.29<br>45.52   | 99407.29<br>8283.94<br>3823.36<br>47.79   | 104377.65<br>8698.14<br>4014.52<br>50.18  |
| 7P005 Air Quality Meteorologist II | 135   | 94673.61<br>7889.47<br>3641.29<br>45.52  | 99407.29<br>8283.94<br>3823.36<br>47.79   | 104377.65<br>8698.14<br>4014.52<br>50.18  | 109596.53<br>9133.04<br>4215.25<br>52.69  | 115076.36<br>9589.70<br>4426.01<br>55.33  |
| 7P006 Atmospheric Modeler          | 140   | 106955.26<br>8912.94<br>4113.66<br>51.42 | 112303.03<br>9358.59<br>4319.35<br>53.99  | 117918.18<br>9826.51<br>4535.31<br>56.69  | 123814.09<br>10317.84<br>4762.08<br>59.53 | 130004.79<br>10833.73<br>5000.18<br>62.50 |
| 8P004 Environmental Planner I      | 130   | 83802.25<br>6983.52<br>3223.16<br>40.29  | 87992.36<br>7332.70<br>3384.32<br>42.30   | 92391.98<br>7699.33<br>3553.54<br>44.42   | 97011.58<br>8084.30<br>3731.21<br>46.64   | 101862.16<br>8488.51<br>3917.78<br>48.97  |

| ID-JDE PROFESSIONAL(continued)                               | Range | Step A                                    | Step B                                    | Step C                                    | Step D                                    | Step E                                    |
|--------------------------------------------------------------|-------|-------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|
| 7P007 Environmental Planner II                               | 134   | 92391.98<br>7699.33<br>3553.54<br>44.42   | 97011.58<br>8084.30<br>3731.21<br>46.64   | 101862.16<br>8488.51<br>3917.78<br>48.97  | 106955.26<br>8912.94<br>4113.66<br>51.42  | 112303.03<br>9358.59<br>4319.35<br>53.99  |
| 7P008 Legislative Analyst                                    | 138   | 101862.16<br>8488.51<br>3917.78<br>48.97  | 106955.26<br>8912.94<br>4113.66<br>51.42  | 112303.03<br>9358.59<br>4319.35<br>53.99  | 117918.18<br>9826.51<br>4535.31<br>56.69  | 123814.09<br>10317.84<br>4762.08<br>59.53 |
| 7P009 Librarian                                              | 128   | 79811.66<br>6650.97<br>3069.68<br>38.37   | 83802.25<br>6983.52<br>3223.16<br>40.29   | 87992.36<br>7332.70<br>3384.32<br>42.30   | 92391.98<br>7699.33<br>3553.54<br>44.42   | 97011.58<br>8084.30<br>3731.21<br>46.64   |
| 4P001 Principal Accountant                                   | 135   | 94673.61<br>7889.47<br>3641.29<br>45.52   | 99407.29<br>8283.94<br>3823.36<br>47.79   | 104377.65<br>8698.14<br>4014.52<br>50.18  | 109596.53<br>9133.04<br>4215.25<br>52.69  | 115076.36<br>9589.70<br>4426.01<br>55.33  |
| 4P002 Principal Air and Meteorological Monitoring Specialist | 143   | 115076.36<br>9589.70<br>4426.01<br>55.33  | 120830.18<br>10069.18<br>4647.31<br>58.09 | 126871.69<br>10572.64<br>4879.68<br>61.00 | 133215.27<br>11101.27<br>5123.66<br>64.05 | 139876.03<br>11656.34<br>5379.85<br>67.25 |
| 4P005 Principal Air Quality Chemist                          | 139   | 104377.65<br>8698.14<br>4014.52<br>50.18  | 109596.53<br>9133.04<br>4215.25<br>52.69  | 115076.36<br>9589.70<br>4426.01<br>55.33  | 120830.18<br>10069.18<br>4647.31<br>58.09 | 126871.69<br>10572.64<br>4879.68<br>61.00 |
| 4P003 Principal Air Quality Engineer                         | 144   | 117918.18<br>9826.51<br>4535.31<br>56.69  | 123814.09<br>10317.84<br>4762.08<br>59.53 | 130004.79<br>10833.73<br>5000.18<br>62.50 | 136505.03<br>11375.42<br>5250.19<br>65.63 | 143330.28<br>11944.19<br>5512.70<br>68.91 |
| 4P004 Principal Environmental Planner                        | 142   | 112303.03<br>9358.59<br>4319.35<br>53.99  | 117918.18<br>9826.51<br>4535.31<br>56.69  | 123814.09<br>10317.84<br>4762.08<br>59.53 | 130004.79<br>10833.73<br>5000.18<br>62.50 | 136505.03<br>11375.42<br>5250.19<br>65.63 |
| 7P010 Research Analyst                                       | 130   | 83802.25<br>6983.52<br>3223.16<br>40.29   | 87992.36<br>7332.70<br>3384.32<br>42.30   | 92391.98<br>7699.33<br>3553.54<br>44.42   | 97011.58<br>8084.30<br>3731.21<br>46.64   | 101862.16<br>8488.51<br>3917.78<br>48.97  |
| 6P001 Senior Advanced Projects Advisor                       | 148   | 130004.79<br>10833.73<br>5000.18<br>62.50 | 136505.03<br>11375.42<br>5250.19<br>65.63 | 143330.28<br>11944.19<br>5512.70<br>68.91 | 150496.80<br>12541.40<br>5788.34<br>72.35 | 158021.64<br>13168.47<br>6077.76<br>75.97 |
| 6P002 Senior Air Quality Chemist                             | 135   | 94673.61<br>7889.47<br>3641.29<br>45.52   | 99407.29<br>8283.94<br>3823.36<br>47.79   | 104377.65<br>8698.14<br>4014.52<br>50.18  | 109596.53<br>9133.04<br>4215.25<br>52.69  | 115076.36<br>9589.70<br>4426.01<br>55.33  |

| <b>ID-JDE PROFESSIONAL(continued)</b>       | <b>Range</b> | <b>Step A</b> | <b>Step B</b> | <b>Step C</b> | <b>Step D</b> | <b>Step E</b> |
|---------------------------------------------|--------------|---------------|---------------|---------------|---------------|---------------|
| 6P003 Senior Air Quality Engineer           | 140          | 106955.26     | 112303.03     | 117918.18     | 123814.09     | 130004.79     |
|                                             |              | 8912.94       | 9358.59       | 9826.51       | 10317.84      | 10833.73      |
|                                             |              | 4113.66       | 4319.35       | 4535.31       | 4762.08       | 5000.18       |
|                                             |              | 51.42         | 53.99         | 56.69         | 59.53         | 62.50         |
| 6P004 Senior Air Quality Meteorologist      | 139          | 104377.65     | 109596.53     | 115076.36     | 120830.18     | 126871.69     |
|                                             |              | 8698.14       | 9133.04       | 9589.70       | 10069.18      | 10572.64      |
|                                             |              | 4014.52       | 4215.25       | 4426.01       | 4647.31       | 4879.68       |
|                                             |              | 50.18         | 52.69         | 55.33         | 58.09         | 61.00         |
| 6P005 Senior Atmospheric Modeler            | 144          | 117918.18     | 123814.09     | 130004.79     | 136505.03     | 143330.28     |
|                                             |              | 9826.51       | 10317.84      | 10833.73      | 11375.42      | 11944.19      |
|                                             |              | 4535.31       | 4762.08       | 5000.18       | 5250.19       | 5512.70       |
|                                             |              | 56.69         | 59.53         | 62.50         | 65.63         | 68.91         |
| 6P006 Senior Environmental Planner          | 138          | 101862.16     | 106955.26     | 112303.03     | 117918.18     | 123814.09     |
|                                             |              | 8488.51       | 8912.94       | 9358.59       | 9826.51       | 10317.84      |
|                                             |              | 3917.78       | 4113.66       | 4319.35       | 4535.31       | 4762.08       |
|                                             |              | 48.97         | 51.42         | 53.99         | 56.69         | 59.53         |
| 7P011 Statistician                          | 137          | 99407.29      | 104377.65     | 109596.53     | 115076.36     | 120830.18     |
|                                             |              | 8283.94       | 8698.14       | 9133.04       | 9589.70       | 10069.18      |
|                                             |              | 3823.36       | 4014.52       | 4215.25       | 4426.01       | 4647.31       |
|                                             |              | 47.79         | 50.18         | 52.69         | 55.33         | 58.09         |
| 5P001 Supervising Air Quality Engineer      | 144          | 117918.18     | 123814.09     | 130004.79     | 136505.03     | 143330.28     |
|                                             |              | 9826.51       | 10317.84      | 10833.73      | 11375.42      | 11944.19      |
|                                             |              | 4535.31       | 4762.08       | 5000.18       | 5250.19       | 5512.70       |
|                                             |              | 56.69         | 59.53         | 62.50         | 65.63         | 68.91         |
| 5P002 Supervising Air Quality Meteorologist | 143          | 115076.36     | 120830.18     | 126871.69     | 133215.27     | 139876.03     |
|                                             |              | 9589.70       | 10069.18      | 10572.64      | 11101.27      | 11656.34      |
|                                             |              | 4426.01       | 4647.31       | 4879.68       | 5123.66       | 5379.85       |
|                                             |              | 55.33         | 58.09         | 61.00         | 64.05         | 67.25         |
| 5P003 Supervising Environmental Planner     | 142          | 112303.03     | 117918.18     | 123814.09     | 130004.79     | 136505.03     |
|                                             |              | 9358.59       | 9826.51       | 10317.84      | 10833.73      | 11375.42      |
|                                             |              | 4319.35       | 4535.31       | 4762.08       | 5000.18       | 5250.19       |
|                                             |              | 53.99         | 56.69         | 59.53         | 62.50         | 65.63         |
| 7P012 Toxicologist                          | 144          | 117918.18     | 123814.09     | 130004.79     | 136505.03     | 143330.28     |
|                                             |              | 9826.51       | 10317.84      | 10833.73      | 11375.42      | 11944.19      |
|                                             |              | 4535.31       | 4762.08       | 5000.18       | 5250.19       | 5512.70       |
|                                             |              | 56.69         | 59.53         | 62.50         | 65.63         | 68.91         |
| <b>ID-JDE TECHNICAL/GENERAL</b>             | <b>Range</b> | <b>Step A</b> | <b>Step B</b> | <b>Step C</b> | <b>Step D</b> | <b>Step E</b> |
| 8T001 Accounting Assistant I                | 106          | 46664.23      | 48997.44      | 51447.31      | 54019.68      | 56720.66      |
|                                             |              | 3888.69       | 4083.12       | 4287.28       | 4501.64       | 4726.72       |
|                                             |              | 1794.78       | 1884.52       | 1978.74       | 2077.68       | 2181.56       |
|                                             |              | 22.43         | 23.56         | 24.73         | 25.97         | 27.27         |
| 7T001 Accounting Assistant II               | 110          | 51447.31      | 54019.68      | 56720.66      | 59556.69      | 62534.53      |
|                                             |              | 4287.28       | 4501.64       | 4726.72       | 4963.06       | 5211.21       |
|                                             |              | 1978.74       | 2077.68       | 2181.56       | 2290.64       | 2405.17       |
|                                             |              | 24.73         | 25.97         | 27.27         | 28.63         | 30.06         |

| ID-JDE TECHNICAL/GENERAL(cont'd)                | Range | Step A                                  | Step B                                  | Step C                                  | Step D                                  | Step E                                   |
|-------------------------------------------------|-------|-----------------------------------------|-----------------------------------------|-----------------------------------------|-----------------------------------------|------------------------------------------|
| 7T002 Administrative Analyst                    | 131   | 85871.75<br>7155.98<br>3302.76<br>41.28 | 90165.34<br>7513.78<br>3467.90<br>43.35 | 94673.61<br>7889.47<br>3641.29<br>45.52 | 99407.29<br>8283.94<br>3823.36<br>47.79 | 104377.65<br>8698.14<br>4014.52<br>50.18 |
| 7T003 Administrative Secretary                  | 118   | 62534.53<br>5211.21<br>2405.17<br>30.06 | 65661.25<br>5471.77<br>2525.43<br>31.57 | 68944.32<br>5745.36<br>2651.70<br>33.15 | 72391.53<br>6032.63<br>2784.29<br>34.80 | 76011.11<br>6334.26<br>2923.50<br>36.54  |
| 8T002 Air Quality Case Settlement Specialist I  | 126   | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29 | 87992.36<br>7332.70<br>3384.32<br>42.30 | 92391.98<br>7699.33<br>3553.54<br>44.42  |
| 7T004 Air Quality Case Settlement Specialist II | 130   | 83802.25<br>6983.52<br>3223.16<br>40.29 | 87992.36<br>7332.70<br>3384.32<br>42.30 | 92391.98<br>7699.33<br>3553.54<br>44.42 | 97011.58<br>8084.30<br>3731.21<br>46.64 | 101862.16<br>8488.51<br>3917.78<br>48.97 |
| 8T003 Air Quality Inspector I                   | 124   | 72391.53<br>6032.63<br>2784.29<br>34.80 | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29 | 87992.36<br>7332.70<br>3384.32<br>42.30  |
| 7T005 Air Quality Inspector II                  | 128   | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29 | 87992.36<br>7332.70<br>3384.32<br>42.30 | 92391.98<br>7699.33<br>3553.54<br>44.42 | 97011.58<br>8084.30<br>3731.21<br>46.64  |
| 8T004 Air Quality Instrument Specialist I       | 124   | 72391.53<br>6032.63<br>2784.29<br>34.80 | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29 | 87992.36<br>7332.70<br>3384.32<br>42.30  |
| 7T006 Air Quality Instrument Specialist II      | 128   | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29 | 87992.36<br>7332.70<br>3384.32<br>42.30 | 92391.98<br>7699.33<br>3553.54<br>44.42 | 97011.58<br>8084.30<br>3731.21<br>46.64  |
| 8T005 Air Quality Laboratory Technician I       | 122   | 68944.32<br>5745.36<br>2651.70<br>33.15 | 72391.53<br>6032.63<br>2784.29<br>34.80 | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29  |
| 7T007 Air Quality Laboratory Technician II      | 126   | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29 | 87992.36<br>7332.70<br>3384.32<br>42.30 | 92391.98<br>7699.33<br>3553.54<br>44.42  |
| 8T006 Air Quality Permit Technician I           | 122   | 68944.32<br>5745.36<br>2651.70<br>33.15 | 72391.53<br>6032.63<br>2784.29<br>34.80 | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29  |

| ID-JDE TECHNICAL/GENERAL(cont'd)       | Range | Step A                                  | Step B                                  | Step C                                   | Step D                                   | Step E                                   |
|----------------------------------------|-------|-----------------------------------------|-----------------------------------------|------------------------------------------|------------------------------------------|------------------------------------------|
| 7T008 Air Quality Permit Technician II | 126   | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29  | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42  |
| 8T007 Air Quality Specialist I         | 130   | 83802.25<br>6983.52<br>3223.16<br>40.29 | 87992.36<br>7332.70<br>3384.32<br>42.30 | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97 |
| 7T009 Air Quality Specialist II        | 134   | 92391.98<br>7699.33<br>3553.54<br>44.42 | 97011.58<br>8084.30<br>3731.21<br>46.64 | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42 | 112303.03<br>9358.59<br>4319.35<br>53.99 |
| 7T010 Air Quality Technical Assistant  | 118   | 62534.53<br>5211.21<br>2405.17<br>30.06 | 65661.25<br>5471.77<br>2525.43<br>31.57 | 68944.32<br>5745.36<br>2651.70<br>33.15  | 72391.53<br>6032.63<br>2784.29<br>34.80  | 76011.11<br>6334.26<br>2923.50<br>36.54  |
| 8T008 Air Quality Technician I         | 122   | 68944.32<br>5745.36<br>2651.70<br>33.15 | 72391.53<br>6032.63<br>2784.29<br>34.80 | 76011.11<br>6334.26<br>2923.50<br>36.54  | 79811.66<br>6650.97<br>3069.68<br>38.37  | 83802.25<br>6983.52<br>3223.16<br>40.29  |
| 7T011 Air Quality Technician II        | 126   | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29  | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42  |
| 8T014 Assistant Staff Specialist I     | 122   | 68944.32<br>5745.36<br>2651.70<br>33.15 | 72391.53<br>6032.63<br>2784.29<br>34.80 | 76011.11<br>6334.26<br>2923.50<br>36.54  | 79811.66<br>6650.97<br>3069.68<br>38.37  | 83802.25<br>6983.52<br>3223.16<br>40.29  |
| 7T033 Assistant Staff Specialist II    | 126   | 76011.11<br>6334.26<br>2923.50<br>36.54 | 79811.66<br>6650.97<br>3069.68<br>38.37 | 83802.25<br>6983.52<br>3223.16<br>40.29  | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42  |
| 7T012 Building Maintenance Mechanic    | 114   | 56720.66<br>4726.72<br>2181.56<br>27.27 | 59556.69<br>4963.06<br>2290.64<br>28.63 | 62534.53<br>5211.21<br>2405.17<br>30.06  | 65661.25<br>5471.77<br>2525.43<br>31.57  | 68944.32<br>5745.36<br>2651.70<br>33.15  |
| 7T013 Data Entry Operator              | 111   | 52717.81<br>4393.15<br>2027.61<br>25.35 | 55353.70<br>4612.81<br>2128.99<br>26.61 | 58121.38<br>4843.45<br>2235.44<br>27.94  | 61027.45<br>5085.62<br>2347.21<br>29.34  | 64078.82<br>5339.90<br>2464.57<br>30.81  |

| ID-JDE TECHNICAL/GENERAL (cont'd)                        | Range | Step A                                   | Step B                                   | Step C                                    | Step D                                    | Step E                                    |
|----------------------------------------------------------|-------|------------------------------------------|------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|
| 5T010 Data Support Supervisor                            | 142   | 112303.03<br>9358.59<br>4319.35<br>53.99 | 117918.18<br>9826.51<br>4535.31<br>56.69 | 123814.09<br>10317.84<br>4762.08<br>59.53 | 130004.79<br>10833.73<br>5000.18<br>62.50 | 136505.03<br>11375.42<br>5250.19<br>65.63 |
| 7T014 Database Specialist                                | 135   | 94673.61<br>7889.47<br>3641.29<br>45.52  | 99407.29<br>8283.94<br>3823.36<br>47.79  | 104377.65<br>8698.14<br>4014.52<br>50.18  | 109596.53<br>9133.04<br>4215.25<br>52.69  | 115076.36<br>9589.70<br>4426.01<br>55.33  |
| 7T015 Deputy Clerk of the Boards                         | 123   | 70646.90<br>5887.24<br>2717.19<br>33.96  | 74179.25<br>6181.60<br>2853.05<br>35.66  | 77888.21<br>6490.68<br>2995.70<br>37.45   | 81782.62<br>6815.22<br>3145.49<br>39.32   | 85871.75<br>7155.98<br>3302.76<br>41.28   |
| 7T028 Facilities Maintenance Worker                      | 108   | 48997.44<br>4083.12<br>1884.52<br>23.56  | 51447.31<br>4287.28<br>1978.74<br>24.73  | 54019.68<br>4501.64<br>2077.68<br>25.97   | 56720.66<br>4726.72<br>2181.56<br>27.27   | 59556.69<br>4963.06<br>2290.64<br>28.63   |
| 5T008 Facilities Services Supervisor                     | 130   | 83802.25<br>6983.52<br>3223.16<br>40.29  | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42   | 97011.58<br>8084.30<br>3731.21<br>46.64   | 101862.16<br>8488.51<br>3917.78<br>48.97  |
| 7T031 Fiscal Services Coordinator                        | 139   | 104377.65<br>8698.14<br>4014.52<br>50.18 | 109596.53<br>9133.04<br>4215.25<br>52.69 | 115076.36<br>9589.70<br>4426.01<br>55.33  | 120830.18<br>10069.18<br>4647.31<br>58.09 | 126871.69<br>10572.64<br>4879.68<br>61.00 |
| 8T009 Mechanic I                                         | 121   | 67282.76<br>5606.90<br>2587.80<br>32.35  | 70646.90<br>5887.24<br>2717.19<br>33.96  | 74179.25<br>6181.60<br>2853.05<br>35.66   | 77888.21<br>6490.68<br>2995.70<br>37.45   | 81782.62<br>6815.22<br>3145.49<br>39.32   |
| 7T016 Mechanic II                                        | 125   | 74179.25<br>6181.60<br>2853.05<br>35.66  | 77888.21<br>6490.68<br>2995.70<br>37.45  | 81782.62<br>6815.22<br>3145.49<br>39.32   | 85871.75<br>7155.98<br>3302.76<br>41.28   | 90165.34<br>7513.78<br>3467.90<br>43.35   |
| 8T010 Office Assistant I                                 | 104   | 44442.12<br>3703.51<br>1709.31<br>21.37  | 46664.23<br>3888.69<br>1794.78<br>22.43  | 48997.44<br>4083.12<br>1884.52<br>23.56   | 51447.31<br>4287.28<br>1978.74<br>24.73   | 54019.68<br>4501.64<br>2077.68<br>25.97   |
| 7T017 Office Assistant II                                | 108   | 48997.44<br>4083.12<br>1884.52<br>23.56  | 51447.31<br>4287.28<br>1978.74<br>24.73  | 54019.68<br>4501.64<br>2077.68<br>25.97   | 56720.66<br>4726.72<br>2181.56<br>27.27   | 59556.69<br>4963.06<br>2290.64<br>28.63   |
| 5T001 Office Services Supervisor                         | 116   | 59556.69<br>4963.06<br>2290.64<br>28.63  | 62534.53<br>5211.21<br>2405.17<br>30.06  | 65661.25<br>5471.77<br>2525.43<br>31.57   | 68944.32<br>5745.36<br>2651.70<br>33.15   | 72391.53<br>6032.63<br>2784.29<br>34.80   |
| 7T029 Organizational Development and Training Specialist | 134   | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97  | 106955.26<br>8912.94<br>4113.66<br>51.42  | 112303.03<br>9358.59<br>4319.35<br>53.99  |

| ID-JDE TECHNICAL/GENERAL (cont'd)         | Range | Step A                                   | Step B                                   | Step C                                    | Step D                                    | Step E                                    |
|-------------------------------------------|-------|------------------------------------------|------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|
| 7T018 Permit Coordinator                  | 134   | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97  | 106955.26<br>8912.94<br>4113.66<br>51.42  | 112303.03<br>9358.59<br>4319.35<br>53.99  |
| 4T001 Principal Air Quality Specialist    | 142   | 112303.03<br>9358.59<br>4319.35<br>53.99 | 117918.18<br>9826.51<br>4535.31<br>56.69 | 123814.09<br>10317.84<br>4762.08<br>59.53 | 130004.79<br>10833.73<br>5000.18<br>62.50 | 136505.03<br>11375.42<br>5250.19<br>65.63 |
| 8T011 Programmer Analyst I                | 127   | 77888.21<br>6490.68<br>2995.70<br>37.45  | 81782.62<br>6815.22<br>3145.49<br>39.32  | 85871.75<br>7155.98<br>3302.76<br>41.28   | 90165.34<br>7513.78<br>3467.90<br>43.35   | 94673.61<br>7889.47<br>3641.29<br>45.52   |
| 7T019 Programmer Analyst II               | 131   | 85871.75<br>7155.98<br>3302.76<br>41.28  | 90165.34<br>7513.78<br>3467.90<br>43.35  | 94673.61<br>7889.47<br>3641.29<br>45.52   | 99407.29<br>8283.94<br>3823.36<br>47.79   | 104377.65<br>8698.14<br>4014.52<br>50.18  |
| 8T012 Public Information Officer I        | 127   | 77888.21<br>6490.68<br>2995.70<br>37.45  | 81782.62<br>6815.22<br>3145.49<br>39.32  | 85871.75<br>7155.98<br>3302.76<br>41.28   | 90165.34<br>7513.78<br>3467.90<br>43.35   | 94673.61<br>7889.47<br>3641.29<br>45.52   |
| 7T020 Public Information Officer II       | 131   | 85871.75<br>7155.98<br>3302.76<br>41.28  | 90165.34<br>7513.78<br>3467.90<br>43.35  | 94673.61<br>7889.47<br>3641.29<br>45.52   | 99407.29<br>8283.94<br>3823.36<br>47.79   | 104377.65<br>8698.14<br>4014.52<br>50.18  |
| 7T027 Purchasing Agent                    | 122   | 68944.32<br>5745.36<br>2651.70<br>33.15  | 72391.53<br>6032.63<br>2784.29<br>34.80  | 76011.11<br>6334.26<br>2923.50<br>36.54   | 79811.66<br>6650.97<br>3069.68<br>38.37   | 83802.25<br>6983.52<br>3223.16<br>40.29   |
| 7T021 Radio/Telephone Operator            | 113   | 55353.70<br>4612.81<br>2128.99<br>26.61  | 58121.38<br>4843.45<br>2235.44<br>27.94  | 61027.45<br>5085.62<br>2347.21<br>29.34   | 64078.82<br>5339.90<br>2464.57<br>30.81   | 67282.76<br>5606.90<br>2587.80<br>32.35   |
| 5T002 Radio/Telephone Operator Supervisor | 119   | 64078.82<br>5339.90<br>2464.57<br>30.81  | 67282.76<br>5606.90<br>2587.80<br>32.35  | 70646.90<br>5887.24<br>2717.19<br>33.96   | 74179.25<br>6181.60<br>2853.05<br>35.66   | 77888.21<br>6490.68<br>2995.70<br>37.45   |
| 7T022 Receptionist                        | 104   | 44442.12<br>3703.51<br>1709.31<br>21.37  | 46664.23<br>3888.69<br>1794.78<br>22.43  | 48997.44<br>4083.12<br>1884.52<br>23.56   | 51447.31<br>4287.28<br>1978.74<br>24.73   | 54019.68<br>4501.64<br>2077.68<br>25.97   |
| 7T023 Secretary                           | 112   | 54019.68<br>4501.64<br>2077.68<br>25.97  | 56720.66<br>4726.72<br>2181.56<br>27.27  | 59556.69<br>4963.06<br>2290.64<br>28.63   | 62534.53<br>5211.21<br>2405.17<br>30.06   | 65661.25<br>5471.77<br>2525.43<br>31.57   |

| ID-JDE TECHNICAL/GENERAL (cont'd)              | Range | Step A                                   | Step B                                   | Step C                                   | Step D                                   | Step E                                    |
|------------------------------------------------|-------|------------------------------------------|------------------------------------------|------------------------------------------|------------------------------------------|-------------------------------------------|
| 6T001 Senior Accounting Assistant              | 114   | 56720.66<br>4726.72<br>2181.56<br>27.27  | 59556.69<br>4963.06<br>2290.64<br>28.63  | 62534.53<br>5211.21<br>2405.17<br>30.06  | 65661.25<br>5471.77<br>2525.43<br>31.57  | 68944.32<br>5745.36<br>2651.70<br>33.15   |
| 6T002 Senior Air Quality Inspector             | 132   | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42  |
| 6T003 Senior Air Quality Instrument Specialist | 132   | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42  |
| 6T007 Senior Air Quality Permit Technician     | 130   | 83802.25<br>6983.52<br>3223.16<br>40.29  | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97  |
| 6T004 Senior Air Quality Specialist            | 138   | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42 | 112303.03<br>9358.59<br>4319.35<br>53.99 | 117918.18<br>9826.51<br>4535.31<br>56.69 | 123814.09<br>10317.84<br>4762.08<br>59.53 |
| 6T006 Senior Air Quality Technician            | 130   | 83802.25<br>6983.52<br>3223.16<br>40.29  | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97  |
| 6T005 Senior Public Information Officer        | 135   | 94673.61<br>7889.47<br>3641.29<br>45.52  | 99407.29<br>8283.94<br>3823.36<br>47.79  | 104377.65<br>8698.14<br>4014.52<br>50.18 | 109596.53<br>9133.04<br>4215.25<br>52.69 | 115076.36<br>9589.70<br>4426.01<br>55.33  |
| 6T008 Senior Staff Specialist                  | 138   | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42 | 112303.03<br>9358.59<br>4319.35<br>53.99 | 117918.18<br>9826.51<br>4535.31<br>56.69 | 123814.09<br>10317.84<br>4762.08<br>59.53 |
| 8T013 Staff Specialist I                       | 130   | 83802.25<br>6983.52<br>3223.16<br>40.29  | 87992.36<br>7332.70<br>3384.32<br>42.30  | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97  |
| 7T032 Staff Specialist II                      | 134   | 92391.98<br>7699.33<br>3553.54<br>44.42  | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42 | 112303.03<br>9358.59<br>4319.35<br>53.99  |
| 5T003 Supervising Air Quality Inspector        | 136   | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42 | 112303.03<br>9358.59<br>4319.35<br>53.99 | 117918.18<br>9826.51<br>4535.31<br>56.69  |

| ID-JDE TECHNICAL/GENERAL (cont'd)                   | Range | Step A                                   | Step B                                   | Step C                                    | Step D                                    | Step E                                    |
|-----------------------------------------------------|-------|------------------------------------------|------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|
| 5T004 Supervising Air Quality Instrument Specialist | 136   | 97011.58<br>8084.30<br>3731.21<br>46.64  | 101862.16<br>8488.51<br>3917.78<br>48.97 | 106955.26<br>8912.94<br>4113.66<br>51.42  | 112303.03<br>9358.59<br>4319.35<br>53.99  | 117918.18<br>9826.51<br>4535.31<br>56.69  |
| 5T005 Supervising Air Quality Specialist            | 142   | 112303.03<br>9358.59<br>4319.35<br>53.99 | 117918.18<br>9826.51<br>4535.31<br>56.69 | 123814.09<br>10317.84<br>4762.08<br>59.53 | 130004.79<br>10833.73<br>5000.18<br>62.50 | 136505.03<br>11375.42<br>5250.19<br>65.63 |
| 5T006 Supervising Public Information Officer        | 139   | 104377.65<br>8698.14<br>4014.52<br>50.18 | 109596.53<br>9133.04<br>4215.25<br>52.69 | 115076.36<br>9589.70<br>4426.01<br>55.33  | 120830.18<br>10069.18<br>4647.31<br>58.09 | 126871.69<br>10572.64<br>4879.68<br>61.00 |
| 5T009 Supervising Staff Specialist                  | 142   | 112303.03<br>9358.59<br>4319.35<br>53.99 | 117918.18<br>9826.51<br>4535.31<br>56.69 | 123814.09<br>10317.84<br>4762.08<br>59.53 | 130004.79<br>10833.73<br>5000.18<br>62.50 | 136505.03<br>11375.42<br>5250.19<br>65.63 |
| 5T007 Supervising Systems Analyst                   | 139   | 104377.65<br>8698.14<br>4014.52<br>50.18 | 109596.53<br>9133.04<br>4215.25<br>52.69 | 115076.36<br>9589.70<br>4426.01<br>55.33  | 120830.18<br>10069.18<br>4647.31<br>58.09 | 126871.69<br>10572.64<br>4879.68<br>61.00 |
| 7T024 Systems Analyst                               | 135   | 94673.61<br>7889.47<br>3641.29<br>45.52  | 99407.29<br>8283.94<br>3823.36<br>47.79  | 104377.65<br>8698.14<br>4014.52<br>50.18  | 109596.53<br>9133.04<br>4215.25<br>52.69  | 115076.36<br>9589.70<br>4426.01<br>55.33  |
| 7T025 Systems Quality Assurance Specialist          | 135   | 94673.61<br>7889.47<br>3641.29<br>45.52  | 99407.29<br>8283.94<br>3823.36<br>47.79  | 104377.65<br>8698.14<br>4014.52<br>50.18  | 109596.53<br>9133.04<br>4215.25<br>52.69  | 115076.36<br>9589.70<br>4426.01<br>55.33  |
| 7T026 Web Master                                    | 135   | 94673.61<br>7889.47<br>3641.29<br>45.52  | 99407.29<br>8283.94<br>3823.36<br>47.79  | 104377.65<br>8698.14<br>4014.52<br>50.18  | 109596.53<br>9133.04<br>4215.25<br>52.69  | 115076.36<br>9589.70<br>4426.01<br>55.33  |