

State of California
AIR RESOURCES BOARD

Summary of Board Meeting
November 17, 2005

Air Resources Board
Byron Sher Auditorium, Second Floor
1001 I Street
Sacramento, California

MEMBERS PRESENT: Hons. Barbara Riordan, Interim Chairman
Dorene D'Adamo
Mark J. DeSaulnier
Henry Gong, Jr., MD
Ronald O. Loveridge
Barbara Patrick
Ron Roberts

AGENDA ITEM #

05-11-1: Health Update: Ozone Exposure and Death; Results from Three Recently Published Meta-Analyses

SUMMARY OF AGENDA ITEM:

Staff discussed three recently published studies on the association between ozone exposure and premature death. In three independent analyses, researchers assembled the largest data sets available to date on ozone exposure and health effects and performed meta-analyses. Each team showed that increases in ambient ozone concentrations are associated with increases in daily death. For each study, the researchers combined all relevant published studies to produce an average overall estimate. All three groups found that a 10-parts-per-billion increase in the 1-hour maximum ozone level was associated with about 0.4 percent increase in the non-injury related death rate. The results in these studies fully support prior studies on the effect of ozone exposure on death, which were reviewed by ARB staff as part of the ozone standard review. These new results further support ARB staff estimates on potential health benefits from reducing current ozone levels to the levels of the state ambient air quality standards.

ORAL TESTIMONY: None

FORMAL BOARD ACTION: None, Informational Item.

RESPONSIBLE DIVISION: Research Division

STAFF REPORT: No

05-11-2: Public Hearing to Consider Adopting the Airborne Toxic Control Measure for Cruise Ship Onboard Incineration

SUMMARY OF AGENDA ITEM:

Staff presented the proposed Airborne Toxic Control Measure (ATCM) for Cruise Ship Onboard Incineration. In 2004, Assembly Bill 471 (AB 471) was passed by the California Legislature, signed by the Governor, and codified in Health and Safety Code (HSC) section 39630 *et seq.* AB 471 prohibits cruise ships from conducting onboard incineration while operating within three miles of the California coast. This law became effective on January 1, 2005. AB 471 authorizes the Air Resources Board (ARB) to adopt regulations to enforce the prohibition. By prohibiting incineration within three nautical miles of the California coast, the potential for adverse public health impacts will be reduced for residents and off-site workers who live or work near ports and along the coast. AB 471 in conjunction with the proposed ATCM is expected to reduce public exposure to emissions from toxic air contaminants such as dioxins, furans, and toxic metals.

The proposed ATCM would prohibit cruise ship owners or operators from conducting onboard incineration within three nautical miles of the California coast as shown on nautical charts published by the National Oceanic and Atmospheric Administration (NOAA). The proposed ATCM also includes recordkeeping and reporting requirements which are necessary to facilitate enforcement efforts. The recordkeeping requirements in the ATCM are similar to international recordkeeping requirements currently being followed by the cruise ship industry.

The Board approved the staff's proposal. Prior to approval, the Board heard testimony from two local air quality management districts and an environmental organization, who encouraged the Board's adoption of this ATCM in order to protect public health. No party provided oral testimony in opposition to the proposed ATCM.

ORAL TESTIMONY:

Teri Shore, Blue Water Network
Chung Liu, South Coast Air Quality Management District
Juan Ortellado, Bay Area Air Quality Management District

FORMAL BOARD ACTION:

The Board approved Resolution 05-56 by a unanimous vote.

RESPONSIBLE DIVISION: Stationary Source Division

STAFF REPORT: Yes

05-11-3: Public Hearing to Consider Amendments to the Current Inboard and Sterndrive Boat Regulations

SUMMARY OF AGENDA ITEM:

Staff proposed amendments to the existing recreational marine regulations and test procedures for new 2007 and later inboard and sterndrive pleasurecraft to allow marine engine manufacturers additional lead-time for complying with the 5.0 grams per kilowatt-hour standard for combined hydrocarbon and oxides of nitrogen, currently required for 45 percent of engines sold in California for model year 2007, without sacrificing emissions benefits. Staff also proposed provisions to facilitate the compliance of high performance engines with rated power greater than 373 kilowatts.

The amendments included a choice of implementation options whereby engine manufacturers could choose to postpone the introduction of catalyst-equipped engines until the 2008 model year in exchange for providing supplemental emission reductions in 2007 through the introduction of a relatively simple and inexpensive evaporative low-permeation fuel supply hose. The amendments also included revisions to the manufacturer warranty intervals for some mechanical engine parts subject to accelerated wear on high-performance engines greater than 485 kilowatts in power.

At the hearing staff proposed modifications to the original proposal to clarify that the boat builder, rather than the engine manufacturer, will be the responsible party for installing the low-permeation fuel supply hoses. The proposed modifications also included revised warranty intervals for engines between 373 and 485 kilowatts as

well as clarification of several definitions and other minor conforming issues. These suggested modifications were based on discussions with the recreational marine industry and are meant to ensure the realization of the emission benefits estimated in staff's original proposal. The Board approved the proposal with staff's suggested modifications, and directed staff to make the modified language for a 15-day supplemental public comment period prior to final action by the Executive Officer. Furthermore, the Board, at industry's request, requested staff to extend the duration of its saltwater catalyst test program to accumulate a full 480 hours of on-water operation.

ORAL TESTIMONY:

Joseph Kubsh, Manufacturers of Emission Controls Association
John McKnight, National Marine Manufacturers Association
Dick Rowe, Indmar Marine Engines
Mark Riechers, Mercury Marine
Mark McKinney, Pleasurecraft Engine Group

FORMAL BOARD ACTION: The Board approved Resolution 05-57 by a unanimous vote.

RESPONSIBLE DIVISION: Mobile Source Control Division

STAFF REPORT: Yes

05-11-4: Public Meeting to Consider Revisions to the Carl Moyer Incentive Program Guidelines and to Establish the Agricultural Assistance Program

SUMMARY OF AGENDA ITEM:

The Air Resources Board staff provided a presentation on the proposed revisions to the 2005 Carl Moyer Program Guidelines and a new program, the Agricultural Assistance Program.

The proposed revisions to the Guidelines reflect changes in state law that expand the Carl Moyer Program and include a number of programmatic and administrative changes. These changes address new and forthcoming regulations that will affect Moyer-eligible equipment. Many of the proposed revisions pertain to program expansions, including additional agricultural sources, light-duty vehicles and on-road fleet modernization. In addition, particulate matter and reactive organic gases would be added to

the cost-effectiveness ratio that is used to determine project eligibility.

The Board approved the revisions proposed by staff with various modifications presented at the Board meeting. The Board directed The Executive Officer to complete the drafting of the modifications identified by staff, consulting with interested parties such as the California Air Pollution Officers Association and districts, and to provide those final modifications in a report to the Board at its December 8, 2005 meeting. The Board also directed the Executive Officer to convene a Carl Moyer Program Advisory Group, including representatives of the districts, environmental and community groups, and affected industries, to provide input on the issues of the statutory requirement that Moyer funds target only surplus emission reductions, increasing the cap on reimbursement of district administrative costs, and fuel neutrality. The Executive Officer is to report back to the Board in 2006 with recommendations, including legislative proposals if appropriate.

ORAL TESTIMONY:

Tom Jordán, San Joaquín APCD
Barrí Ayeen, San Luís Obispo APCD
Dennis Gage, Placer County APCD
Chung Liu, South Coast AQMD
Juan Ortellado, Bay Area AQMD
Barbara Lee, CAPCOA
Douglas Quetin, CAPCOA
Mary Pitto, Regional Council of Rural Counties
Catherine Rehers-Boyd, Western States Petroleum Assoc.
Dave Smith, Western States Petroleum Assoc.
Susan Stark, Western States Petroleum Assoc.
Bob Lucas, CCEEB
David Modisette, California Electric Transportation Coalition
Stephen Rhoads, Strategic Education Services
Paul Martin, Western United Dairymen
Shirley Batchman, California Citrus Mutual
Karen Drienkowski, Railpower Hybrid Technologies
Jeffrey Green, Grimmway Farms
Joseph Kubsh, MECA
Sean Edgar, Clean Fleets Coalition
Michael Eaves, California NGV Coalition
Bernie Orosco, Sempra Energy
Todd Campbell, Clean Energy
Don Anair, Union of Concerned Scientists
Kathryn Phillips, Environmental Defense

Bonnie Holmes-Gen, American Lung Association

FORMAL BOARD ACTION: The Board approved Resolution 05-58 by a unanimous vote.

RESPONSIBLE DIVISION: Mobile Source Control Division

STAFF REPORT: Yes