

MEETING
BEFORE THE
CALIFORNIA AIR RESOURCES BOARD

BOARD HEARING ROOM
CALIFORNIA AIR RESOURCES BOARD
2020 L STREET
SACRAMENTO, CALIFORNIA

THURSDAY, SEPTEMBER 26, 1996

9:40 A.M.

Nadine J. Parks
Shorthand Reporter

MEMBERS PRESENT

John D. Dunlap, III, Chairman
Eugene A. Boston
Joseph C. Calhoun
Lynne T. Edgerton
M. Patricia Hilligoss
Jack C. Parnell
Barbara Riordan
Ron Roberts
James W. Silva
Doug Vagim

Staff:

Michael Kenny, Executive Officer
Tom Cackette, Chief Deputy Executive Officer
Mike Scheible, Deputy Executive Officer
Kathleen Walsh, General Counsel
Jim Schoning, Ombudsman

Terry McGuire, Chief, Technical Support Division
Linda Murchison, Chief, Stationary Source Emission
Inventory Branch, TSD
Richard Bode, Manager, Emission Inventory Methods
Section, TSD
Carolyn Lozo, Staff, TSD
George Alexeeff, OEHHA
Judith Tracy, Staff Counsel, Office of Legal Affairs

Bill Loscutt, Chief, Monitoring and Laboratory Division
George Lew, Chief, Engineering and Laboratory Branch, MLD
Cindy Castronovo, Manager, Testing Section, MLD
Frances Cameron, Staff, MLD
Diane Glazer, Staff Counsel, Office of Legal Affairs

Bob Cross, Assistant Chief, Mobile Source Division
Jack Kitowski, Chief, On Road Control Regulations Branch,
Mobile Source Division
Fernando Amador, Staff, MSD
Michael Terris, Staff Counsel, Office of Legal Affairs

John Holmes, Ph.D., Chief, Research Division
Bob Barham, Assistant Chief, RD
Tony Van Curen, RD

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1 experience I had yesterday. This has to do with the SIP.
2 You kindly suggested and invited me to represent the Air
3 Board at the test drive of the Ballard Fuel Cell II bus.
4 And Supervisor Burke was there, and the head of MTA, and the
5 president of Ballard, and the Mayor Los Angeles came by.

6 And what we all did was, at the end of the spoken
7 comments was, we were all invited to toast this new fuel
8 cell bus. And what we drank was the vaporized water from
9 the fuel cell bus process. And so, while now, in my
10 pleasure of serving on the Air Board has included reviewing
11 the State SIP, reviewing the proposal to FIP and the SIP,
12 sipping the FIP. And now, I have sipped the sip.

13 (Laughter.)

14 CHAIRMAN DUNLAP: Was it --

15 MS. EDGERTON: It tasted fine.

16 CHAIRMAN DUNLAP: It did?

17 MS. EDGERTON: And I'm still here. I'm alive.
18 But it was very interesting to be drinking the water from
19 the engine. From the SIP.

20 CHAIRMAN DUNLAP: All right. Well, you seemed to
21 be the right one to send to those events, Lynne.

22 (Laughter.)

23 CHAIRMAN DUNLAP: All right. Let's move on.

24 96-7-2. And again, I'd like to remind those in
25 the audience that wish to testify on any item, please

1 provide the Clerk to the Board, Ms. Hutchens, 20 copies of
2 any written comments.

3 This item is a public hearing to consider the
4 amendment and adoption of regulations regarding stationary
5 source test methods. And, as we know, good air pollution
6 decisions are based on sound technical information, which
7 includes accurate measurements of source emissions.

8 State law requires the ARB to adopt test
9 procedures to determine compliance with ARB and district
10 stationary source emission standards. And this item is part
11 of our continuing effort, the continuing effort of the Board
12 to update and improve the ARB source test methods, as well
13 as make the methods more consistent with corresponding U.S.
14 EPA approaches and methods.

15 So, at this point, I would like to ask Mr. Kenny
16 to introduce this item and begin the staff's presentation.
17 Mike?

18 MR. KENNY: Thank you, Chairman Dunlap and members
19 of the Board.

20 Since the early 1980s, the Board has adopted 47
21 stationary source test methods. These methods are used for
22 determining compliance with district rules and also to
23 evaluate the effectiveness of air pollution control
24 equipment, support control measure development, and develop
25 emission inventories.

1 Most of the ARB methods are developed for use in
2 the ARB's State regulations, such as the air toxic control
3 measures and air toxic hot spots regulations, or in district
4 rules.

5 ARB methods are also used for research studies
6 when using a consistent measurement technique is desirable.

7 During preparation of the proposed revised method,
8 the staff has consulted interested parties, including the
9 U.S. EPA, districts, source test contractors, and analytical
10 laboratories.

11 Some of the revisions were prompted by U.S. EPA
12 requests that the ARB upgrade methods so that the method can
13 be incorporated into the State Implementation Plan.

14 Care has been taken to promote consistency with
15 U.S. EPA methods to avoid multiple test requirements for the
16 same pollutant at a facility. New analytical procedures
17 have been added to improve the quality of the data and
18 provide more flexibility for the tester.

19 The revised methods are not expected to increase
20 costs of the testing, except in the case of Method 100, for
21 which a 10 percent cost increase is projected.

22 Before we hear the staff's presentation for this
23 agenda item, I would like to mention one general revision
24 which applies to all test methods considered today. To
25 ensure statewide consistency, we are proposing to remove the

1 authority of the districts to approve modifications to the
2 adopted methods.

3 Under the proposal, the ARB Executive Officer
4 would approve all modifications as long as they are found to
5 give results that are equivalent to the adopted method. We
6 believe that ARB approval would ensure that modifications
7 are reviewed in a consistent manner and the stringency of
8 the method is not compromised.

9 The requirement of ARB Executive Officer approval
10 is not new, and is currently in place for the air toxics
11 control measures and hot spot regulations. Districts will,
12 however, continue to have the authority to adopt their own
13 test methods, including the authority to approve
14 modifications to their methods, an option that is exercised
15 by the larger districts, such as the South Coast and the Bay
16 Area Air Quality Management Districts.

17 At this time, I would like to turn the
18 presentation over to Frances Cameron of our Monitoring and
19 Laboratory Division, who will review the staff's
20 recommendation.

21 Ms. Cameron?

22 MS. CAMERON: Thank you, Mr. Kenny. Good morning,
23 Mr. Chairman and members of the Board.

24 The proposal before you today is to revise six
25 stationary source control methods previously adopted by the

1 Board, as well as to adopt one new test method.

2 Before I discuss this proposal, I will first
3 provide an overview of source testing as a context for
4 today's action.

5 What is emission testing used for? Districts use
6 ARB test methods to determine if a facility is meeting
7 emission regulations. ARB test methods are used to
8 determine compliance to the State's air toxic control
9 measures.

10 Also, emission testing is conducted to evaluate
11 the performance of air pollution control equipment.

12 And finally, emission tests are performed to
13 obtain emissions inventory information.

14 Climbing a tall stack is what many people
15 visualize when emissions testing is discussed. While at
16 times we may have precariously from heights like these, we
17 may also test emissions from the blue process unit shown in
18 this slide. This is a catalytic oxidation control device
19 used to reduce the emission of ethylene oxide from a
20 sterilizer inside a hospital.

21 The most vital component of a source test is the
22 people. A source team may routinely consist of three to
23 five people with expertise in source testing. The source
24 test must be conducted according to a specified procedure.
25 In addition to ARB test methods, EPA and some district

1 methods are also available.

2 The data from a source test is a snap shot of the
3 emissions at a facility. A test can vary between 30 minutes
4 to eight hours; however, long-term emissions information is
5 provided by permanently installed continuous emission
6 monitors, or CEMs, and not by the source tests we are
7 discussing today.

8 This picture shows the test apparatus or the
9 sampling train used to measure poly aromatic -- polycyclic
10 aromatic hydrocarbons, or PAHs.

11 This is a diagram of the modified Method 5
12 sampling train which was pictured in the previous slide.
13 Regardless of the individual components of a specific source
14 test, there are elements common to all sampling methods.

15 The tester first extracts a sample from the stack
16 through the sample probe. This slide is a view of the
17 sample probe which the source tester has inserted through a
18 port in the side of the stack.

19 Depending on the pollutant of interest, the sample
20 is collected on various media. A particulate sample may be
21 collected on a filter. Gases may be captured by condensing
22 or reacting with various reagents in solution in a series of
23 glass impingers.

24 Impingers are also used to condition the sample by
25 removing moisture, acid gases, or other constituents which

1 may interfere with measurement of the target constituent or
2 damage an analyzer.

3 Semi-volatile organic compounds, including PAHs,
4 are collected in a resin-packed cartridge. Organic gases
5 may be collected in Tedlar bags or evacuated cylinders for
6 analysis at a later time.

7 Alternately, a gas sample may be conditioned and
8 directly delivered to a gas analyzer to obtain immediate
9 information on pollutant concentrations. With the exception
10 of analysis by an onsite gas analyzer instrument, as shown
11 on the previous slide, all of the pollutant samples I have
12 mentioned must be analyzed in a laboratory.

13 Listed above are many of the laboratory methods
14 that are used to analyze the collected sample. Analysis
15 ranges from simply weighing the particulate matter on a
16 filter to multi-step laboratory procedures for sample
17 recovery and analysis. These more sophisticated procedures
18 include gas chromatography, mass spectrometry, and various
19 spectroscopy procedures.

20 Each source test method contains specific
21 procedures to ensure that data collected will be accurate
22 and precise. Some quality control and quality assurance
23 activities include instrument and meter calibrations and
24 the determination of interference from nontarget
25 constituents. Other activities are the use of field and

1 laboratory blanks and the use of spiked samples.

2 Here is a technician flushing a Tedlar bag with
3 nitrogen to prevent contamination of the sample which will
4 be collected.

5 This slide concludes our overview of emissions
6 testing. I will now present some details of today's
7 proposal.

8 Since 1983, the Board has adopted 47 test methods
9 which are applicable to a wide variety of stationary
10 sources. The proposal before you today is part of our
11 continuing effort too update and improve the ARB source test
12 methods.

13 Specifically, our proposal is to revise four
14 existing test methods, to adopt one new test method, and to
15 make minor revisions for two additional adopted test
16 methods.

17 We are proposing revisions to the four test
18 methods listed here. Method 100 is used for continuous
19 gaseous emission stack sampling. It specifies how to use
20 gas analyzers in the field to get realtime data for the
21 criteria pollutants.

22 Target pollutants include nitrogen oxides, sulfur
23 dioxide, carbon monoxide, and hydrocarbons. The method is
24 frequently used for a variety of sources, including boilers,
25 stationary engines, and cement kilns.

1 Method 425 is used to measure total and hexavalent
2 chromium at plating tanks, glass melting furnaces, and
3 utility boilers.

4 Method 429 is a procedure for measuring PAHs,
5 polycyclic aromatic hydrocarbons, from a variety of
6 combustion sources. The method has been used at municipal
7 waste incinerators and wood-fired boilers.

8 Finally, Method 431 is used to determine emissions
9 of ethylene oxide, which is a sterilant used at hospitals
10 and other medical facilities.

11 We are proposing that the Board adopt one new test
12 method, Method 436, for the determination of multiple metals
13 emissions. The method has been used as a draft ARB
14 procedure since 1989, and has been revised a number of
15 times.

16 This method is used to measure up to 19 individual
17 metals, such as arsenic, lead, nickel, and mercury. The
18 method has been applied to measure emissions from combustion
19 sources. Some of these include tire incinerators, cement
20 kilns, and crude oil steam generators.

21 As the third element of the staff proposal, we are
22 recommending minor revisions and editorial changes to
23 adopted ARB Methods 5 and 7; 5 is used extensively to
24 measure particulate emissions. Method 7 is a wet chemistry
25 reference procedure for measuring nitrogen oxides.

1 The proposed revisions to the above ARB test
2 methods are necessary changes. These revisions will ensure
3 that ARB methods are consistent with EPA test methods. The
4 proposal will also promote statewide consistency in source
5 testing.

6 Finally, our revisions provide flexibility,
7 incorporate new measurement technology, and improve data
8 quality.

9 We revised ARB methods to be consistent with EPA
10 test methods. With greater uniformity between State and
11 Federal test methods, a plant operator can lower costs by
12 running one test to meet both district and federal
13 requirements.

14 As an example, we included new quality assurance
15 procedures for Method 100. EPA required these procedures as
16 a condition to approve the State Implementation Plan. These
17 data quality procedures require the use of more field
18 calibration gases. As an alternative to the added cost and
19 hazard of transporting more gas cylinders, we now allow the
20 use of a gas dilution system.

21 We surveyed the source test companies, which are
22 certified by ARB, to determine the possible economic impact
23 of these data quality revisions. The survey results showed
24 that the cost of a Method 100 test would increase by about
25 10 percent, or \$300.

1 The proposed quality assurance procedures are
2 already required in EPA source tests. Thus, these revisions
3 are already standard practice for a number of companies.

4 In the interest of promoting uniform testing
5 statewide, we are now requiring that modifications to the
6 test methods can be approved only by the ARB Executive
7 Officer. Previously, either the districts or the ARB could
8 approve modifications to ARB test procedures.

9 However, several companies have requested the
10 change to simplify the business of source testing in
11 California. Districts still retain the authority adopt
12 their own test methods, and several districts have exercised
13 this option. For example, in the place of the ARB test
14 Method 100, the South Coast Air Quality Management District,
15 as well as the Bay Area and San Diego, have adopted their
16 own test methods.

17 We have also modified the methods to provide
18 flexibility for difficult-to-test industrial processes. As
19 an example, Method 431 is specified in the ARB's ethylene
20 oxide airborne toxic control measure for sterilizers and
21 aerators. One option we added is to collect an integrated,
22 or averaged, sample over an entire process cycle and analyze
23 that sample at the laboratory.

24 The method originally prescribed that a series of
25 grab samples of the exhaust be analyzed onsite. Although

1 our reason for this change is a more accurate measurement of
2 emissions, the cost of the test is also reduced because a
3 chemist and a gas chromatograph would no longer be needed at
4 the facility being tested.

5 We anticipate no adverse environmental impacts
6 from this proposal. Also, this proposal is not expected to
7 have significant adverse economic impacts, but should result
8 in some cost savings for source test firms and the
9 industrial community.

10 As outlined in previous slides, promoting
11 statewide consistency and consistency with EPA methods will
12 simplify testing requirements and result in lower costs to
13 industry.

14 And, as stated earlier, the proposed revisions for
15 Method 100 may result in a minimal cost increase for some
16 source test companies.

17 Your action today will assist source testers
18 statewide. A number of the revised methods are already
19 being used as draft ARB methods because of the necessary
20 improvements they contain. However, source testers are
21 currently required to obtain case-by-case approval for use
22 of these draft methods. Your action would eliminate this
23 requirement.

24 We develop ARB test methods to support
25 California's unique emission control programs. To rely

1 solely on U.S. EPA methods would be detrimental, because
2 there may be no EPA method available for a particular
3 pollutant or source.

4 For example, we developed Methods 429 for PAH and
5 431 for ethylene oxide because there was no EPA test method
6 available for either of these pollutants and their sources.

7 ARB methods also provide guidance and flexibility
8 not in EPA methods. And finally, many district regulations
9 refer to ARB test methods.

10 In conclusion, staff recommends that the Board
11 should adopt one new test method and the six revised test
12 methods.

13 Also, we propose that the regulations are adopted
14 to incorporate these test methods by reference.

15 I will now summarize the written responses we have
16 received during the 45-day public comment period. We did
17 receive a total of ten comment packages -- three from
18 industry, one from a source test company, two from
19 analytical labs, one from an instrument manufacture, two
20 from districts, and one from U.S. EPA.

21 So, I will go through each one now. Mr. Alan Bahl
22 of Red Star Yeast wrote regarding his concern that ARB
23 Method 100 would impose inappropriate requirements for the
24 permanently installed monitoring system at the Red Star
25 Oakland facility.

1 Although Method 100 is titled "Continuous
2 Emissions Stack Sampling," the method does not apply to
3 continuous emission monitoring systems which are permanently
4 installed at the facility.

5 Mr. Bahl was relieved to learn that Method 100
6 would not apply to the monitoring installing at the Red Star
7 facility.

8 Michael Wang of WSPA provided general and
9 editorial comments on the proposed revisions. These include
10 support of ARB only modification approvals, coupled with the
11 request for guidance to avoid testing delays, while seeking
12 modification approvals.

13 The letter also highlighted the need to update
14 method references and consistent treatment of detection
15 limits in each method

16 Some of WSPA's requested changes are contrary to
17 long-standing ARB policies, which we agree should be
18 reviewed.

19 Although we have not yet had time to fully review
20 the comments, it is likely that many of the changes proposed
21 will be incorporated. And we also understand that someone
22 from WSPA will be testifying today.

23 Mr. W. A. Bromalesque (phonetic) of Chevron USA
24 Production Company wrote to propose a minor modification to
25 Method 100. We have spoken to Martin Lundy (phonetic) of

1 his staff regarding his proposal to add flexibility to the
2 determination of gas stratification.

3 His suggestion has merit, and we would like to
4 review it more thoroughly, as we received it this morning.

5 Mr. Jim Steiner of Steiner Environmental suggested
6 a number of revisions to Methods 5, 100, and 436. His
7 comments reflect careful consideration of each of these test
8 methods. We recommend incorporating a number of his
9 recommendations regarding sampling equipment, test
10 procedures, and sample recovery.

11 We will not include some changes which are not in
12 the comparable EPA test methods due to our desire to
13 maintain consistency with EPA methods.

14 Other proposed revisions will not be included,
15 because our engineering review yielded a different solution
16 to some of the testing concerns Mr. Steiner discussed.

17 Mr. C. E. Riley of Triangle Labs, North Carolina,
18 provided comments for Methods 429 and 436. We will respond
19 to his concerns by modifying Method 429 to ensure that
20 contamination does not occur in sampling and recovery
21 procedures and by updating the bibliography to Method 436.

22 Mr. Robert Wright of Research Triangle Institute
23 commented on Method 100 regarding gas dilution systems. He
24 stated that gas dilution systems must undergo more extensive
25 evaluation.

1 He also commented that the method should allow the
2 use of technologies other than mass flow controllers. We
3 appreciate his informative letter and will consider his
4 comments to strengthen Method 100.

5 Mr. Bruce Shroyer of Calibrated Instruments
6 commented that Method 100 is deficient, in that it does not
7 provide criteria for the use of gas dilution systems other
8 than mass flow controllers.

9 He commented that the annual certification
10 procedure is not appropriate for positive displacement pumps
11 and capillary tube systems. We agree that the method does
12 not provide certification requirements appropriate to these
13 devices. We have invited Mr. Shroyer, as well as another
14 manufacturer, to provide us with an appropriate
15 certification protocol.

16 Until we are provided with that information, we
17 recommend that the existing Method 100 and gas dilution
18 appendix be adopted. The method does allow for alternative
19 gas dilution devices to be approved by the Executive
20 Officer. We will review the language and make modifications
21 to clarify that option.

22 The South Coast and San Diego Districts have made
23 comments on all the methods. We will adopt a number of the
24 proposed changes. We will also work with district staff on
25 the remaining minor issues.

1 And finally, Mr. Daniel Meer, Chief of the
2 Rulemaking Section, EPA Region IX, has written to inform
3 staff that five of the seven proposed ARB methods are
4 acceptable and may be substituted for comparable EPA test
5 methods.

6 EPA did not provide review of ARB Methods 425 and
7 431, because the EPA has no comparable methods for those two
8 procedures.

9 As a result of the responses that we've received
10 during the 45-day public comment period, staff proposes to
11 make additional minor changes to the methods and provide
12 those changes to the public for a 15-day comment period.

13 This concludes the staff presentation.

14 CHAIRMAN DUNLAP: Okay. Very good. Thank you.
15 Any questions of staff before I go to Mr. Schoning?

16 Yes, Ms. Edgerton.

17 MS. EDGERTON: I'd like to focus my questions on
18 the particulate emissions testing, ARB Rule 5. As you know,
19 we're going to need to put in a particulate SIP in 1997.

20 My understanding of this -- I just want to be
21 educated a bit. These are just questions to educate me. My
22 understanding is that -- am I correct that this measurement
23 not only measures down to particulate size 10 microns --
24 what does it measure to?

25 What does our testing measure?

1 MS. CAMERON: It does measure total particulate.
2 There's a filter there, and then there are impingers. So,
3 whatever particulate was not caught on the filter would be
4 caught in solution in the impingers. And we do analyze
5 those impinger solutions for particulate.

6 MS. EDGERTON: What size particulate do you
7 analyze them for? What size?

8 MS. CAMERON: It would be everything, every
9 compound other than water that would show up in that
10 impinger would be counted as particulate.

11 MS. EDGERTON: So, if I understand you correctly,
12 the testing method tests particulates of every size,
13 including particulates of 2.5 microns?

14 MS. CAMERON: There's no size discrimination in
15 that method and it does, in fact, particulate that is formed
16 as aerosols.

17 MS. EDGERTON: Is there a way that we would know
18 how many of the particulates are 10 microns and how many are
19 2.5? Between 2.5 and 10 from this test?

20 MS. CAMERON: We do have a size segregated method,
21 Method -- I believe it's 501 -- that would take care of
22 those sizing issues.

23 MS. EDGERTON: So, if I understand you correctly,
24 the ARB is going to be in a position to have the data, as a
25 result of these tests, of what percentages of the

1 particulates from our stationary sources in the districts
2 are between 2.5 microns and 10 microns?

3 That data will be coming in to us so that we can
4 make an intelligent decision about our particulate SIP?

5 Is that correct?

6 CHAIRMAN DUNLAP: If I might, Ms. Edgerton, staff,
7 are you going to have the capability to determine, to
8 discriminate based upon size until it doesn't discriminate,
9 so we'll be able to tell; but can you segregate the
10 particulate matter that's caught in these samplers by size?

11 MR. LEW: Not for this -- Method 5 is a total
12 particulate method. Method 501 will be able to do the size
13 segregation. So, it is not one of the methods in discussion
14 today.

15 CHAIRMAN DUNLAP: All right.

16 MS. EDGERTON: The answer seems to be yes?

17 CHAIRMAN DUNLAP: Yes.

18 MR. LEW: Yes.

19 CHAIRMAN DUNLAP: The answer seems to be yes.

20 What I would appreciate, Mr. Kenny, is if you would get to
21 the Board what kind of monitoring capabilities, collection
22 capabilities we will have now as of the action -- presuming
23 it's a positive action here today -- what we will have and
24 how that position -- as Mr. Boyd said, the new "PMX"
25 standard, whatever it may be, so that we can have a sense of

1 how much more equipment or monitoring systems we'll have to
2 have.

3 Ms. Edgerton, will that comfort you if we had that
4 information?

5 MS. EDGERTON: Yes. I appreciate that very much.
6 And I appreciate your putting my question more articulately.
7 And I guess I'd make just a friendly amendment to that, too.
8 As you -- as the staff reviews that and, as you look at
9 that, Mr. Kenny, if you do find that there's a need for some
10 guidelines or there's some way to give the districts some
11 advance notice -- or if there's something we can be doing to
12 help to make sure that we're not blind-sided in some way as
13 we ramp up to our responsibilities next year.

14 I would appreciate -- I would just suggest that
15 that be returned to the Board and the Chairman as well.
16 Thank you.

17 CHAIRMAN DUNLAP: Okay.

18 MR. PARNELL: Mr. Chairman?

19 CHAIRMAN DUNLAP: Sure, Mr. Parnell.

20 The only caution I have for my colleagues, I just
21 wanted Mr. Schoning to give us an overview of the process
22 before we got too far into this. But I've opened it up, so
23 we'll just go. And, Jim, we'll come back to you.

24 Mr. Parnell.

25 MR. PARNELL: Perhaps he's answered my question.

1 And I certainly applaud your efforts to be more uniform and
2 more consistent. Consistency is an issue that we all want
3 to work for.

4 I guess the overall -- the question that I would
5 have is, in the aggregate, across all the tests and the
6 changes you're making to the tests, is the result or are the
7 results diluted in any way? Is this a better result, or a
8 poorer result?

9 Are we making a change for the sake of consistency
10 or are we making changes because we believe we get a better
11 product?

12 MS. CAMERON: Well, as the engineering staff
13 there, our job is to get a better product. But when we
14 present it to you, we know you're interested in costs, also.

15 So, we highlighted those areas. We have worked
16 specifically on improving data quality, including new
17 measurement technology. And those are our goals.

18 MR. PARNELL: So, in your view, these changes will
19 result in a better result, in a better testing.

20 MS. CAMERON: Yes.

21 CHAIRMAN DUNLAP: Mr. Calhoun.

22 MR. CALHOUN: My question pertains to consistency.
23 I note that the districts still have the option of adopting
24 their own test methods. In the event that that happens,
25 what do we do to try and maintain the consistency throughout

1 the State?

2 MR. LOSCUTOFF: Would you repeat that?

3 MR. CALHOUN: Since the local districts still have
4 the authority to adopt their own test methods, and since one
5 of the objectives of the proposed changes here is to have
6 some consistency, I'm wondering what do we do, as a State
7 agency, to try and make certain that whatever the district
8 adopts is consistent with the existing State regulating, or
9 maybe it's consistent with some other district regulation?

10 I'm just concerned about the consistency here.

11 MR. LOSCUTOFF: Okay. There are two aspects to
12 this. One is that we have worked very closely with the
13 districts in developing these methods; and with the concept
14 of working as a team, we will adopting method which they
15 would prefer to adopt without any changes. That would
16 promote consistency in itself.

17 Now, the other aspect of it is that, if the
18 districts do adopt regulations with -- of their own or test
19 methods on their own, there still is essentially an overview
20 process which occurs in that. If the method is applicable
21 to a regulation, which is necessary for a State
22 Implementation Plan, we still do have the opportunity to
23 review and make sure that it is consistent and performs the
24 way that it's supposed to perform for compliance purposes.

25 So, there's a two-step process there.

1 CHAIRMAN DUNLAP: Okay.

2 MR. CALHOUN: I assume that's what would happen if
3 a local district wanted to adopt a test procedure, they
4 would consult with the State and get the benefit of their
5 input, also. I just wanted to get that on the record.

6 MR. LOSCUTOFF: Yes.

7 CHAIRMAN DUNLAP: Okay. Mr. Ombudsman, would you
8 please address the process prior to today by which the staff
9 followed to bring this item to the Board, and share any
10 concerns or any comments you may have.

11 MR. SCHONING: Yes, Mr. Chairman and members.

12 As to the method by which these methods came to
13 us, the staff proposal, as they indicated, is the result of
14 several years of consultation with those parties that are
15 directly stakeholders to this item -- some 200 interested
16 companies, such as source test companies, contractors, and
17 trade groups.

18 A public workshop was conducted here in Sacramento
19 in December of 1995 for all proposed methods which are
20 before you today. A prior workshop was conducted in 1992 in
21 Sacramento.

22 In addition, ARB certified source test contractors
23 were requested to provide information on possible economic
24 impacts to them. I would also like to note that in December
25 of 1995, a workshop notice was placed on U.S. EPA's

1 emissions measurement technology information center bulletin
2 board.

3 And, as a result, staff received a number of
4 comments from source tester companies through that channel.
5 It's my understanding that staff welcomed the efforts of the
6 representatives of source testing companies, and analytical
7 labs, and instrument manufacturers, and sharing their
8 experience and expertise. And, as a result, the ARB test
9 method proposals before you would improve our test method
10 procedures.

11 We have no concerns as to the process by which
12 these method were developed and brought before you today.

13 CHAIRMAN DUNLAP: Okay. Very good. It was
14 interesting to hear that the electronic bulletin board
15 system enhanced -- because we hear so much about people
16 accessing the process electronically. It's good to know.

17 Okay. Any other questions of staff? For my part,
18 just a comment. I appreciated the briefing that staff
19 provided me, and Mr. Loscutoff and his team were very, very
20 serious about the need to do this. And I appreciated the
21 manner in which they presented it to me, and trying to -- I
22 don't want to suggest "dumbing it down" for me, but going
23 into enough detail so I could grasp what the outcome was
24 going to be for the suggested changes today.

25 So with that, looking at the witness list, we

1 don't have anyone that signed up. So, we can pass on that.

2 We've covered the written comments we received.

3 Mr. Kenny, I suppose you don't have anything else
4 to add?

5 MR. KENNY: No, Mr. Chair.

6 CHAIRMAN DUNLAP: All right. I will now close the
7 record on this agenda item. However, the record will be
8 reopened when the 15-day notice of public availability is
9 issued. Written or oral comments received after this
10 hearing date but before the 15-day notice is issued will not
11 be accepted as part of the official record on this agenda
12 item.

13 When the record is reopened for the 15-day comment
14 period, the public may submit written comments on the
15 proposed changes, which will be considered and responded to
16 in the final statement of reasons for the regulation.

17 Also, we have an ex parte reporting obligation on
18 this item. Is there anything that needs to be reported?

19 Okay. With that, we have a Board resolution
20 before us, 96-7 -- let's see, do I have that right?

21 MR. PARNELL: Resolution 96-46.

22 CHAIRMAN DUNLAP: Resolution 96-46 -- I'm sorry --
23 which contains the staff recommendation.

24 Mr. Parnell, do you have a motion?

25 MR. PARNELL: I'll move Resolution 96-46.

1 CHAIRMAN DUNLAP: Okay. Is there a second?

2 SUPERVISOR ROBERTS: Second.

3 CHAIRMAN DUNLAP: All right. Any discussion that
4 needs to occur?

5 All right. If not, we'll take a voice vote. All
6 those in favor of Resolution 96-46, say aye?

7 (Ayes.)

8 Any opposed? All right. Motion carries. Thank
9 you.

10 All right. If I may move into a couple fun items
11 for a moment -- not that those weren't fun, staff, but --

12 (Laughter.)

13 CHAIRMAN DUNLAP: -- I would like too cover a
14 couple things that we need to cover.

15 The first item, which I'll mention that I'm going
16 to take in just a moment is, we have a resolution we'd like
17 to present to Jim Boyd, our former Executive Officer.

18 But before we do that, I would like to cover one
19 that's more housekeeping in nature, and that's the Pollution
20 Prevention Week Resolution.

21 Pollution Prevention Week occurs -- it's been
22 around for a number of years -- it occurs the first or
23 second week of October. It is meaningful in many ways.
24 First, it dovetails very nicely with our mission of public
25 health protection; in that, if we can prevent pollution in